

**State Board of Education Work Session and Business Meetings**  
Thursday-Friday, January 9-10, 2020  
State Board Meeting Room, Lincoln, Nebraska Department of Education  
[Link to Agenda and Attachments](#)  
[Link to Video of Meeting](#)

Publicized notice of the work session and business meeting was given by posting notice on the Department's website; emailed to news media requesting notification, and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time, and location of the meetings.

**STATE BOARD ANNUAL ORIENTATION, Thursday, January 9, 2020, 10:00 a.m.**

**1. CALL TO ORDER** – President John Witzel called the meeting to order at 10:00 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

John Witzel	Maureen Nickels	Patricia Timm
Rachel Wise	Robin Stevens	Deborah Neary (arrived @ 10:19; departed @ 11:42 a.m.)
Patsy Koch Johns	Lisa Fricke	

Commissioner Blomstedt was also present.

1.2 President Witzel announced the placement of the Open Meetings Act.

**2. ANNUAL BOARD ORIENTATION**

2.1 Overview and Purpose of the Annual Orientation

Ryan Foor facilitated the orientation discussion.

2.2 Legal Topics Overview

Scott Summers, Department of Education representative, provided an overview of the Board's legal responsibilities related to Contested Cases, Executive Sessions, and Records Retention. Board members are encouraged to contact Mr. Summers with questions about these topics.

2.3 Parliamentary Procedure Basics

Board Members discussed their understanding of parliamentary procedures.

2.4 Accountability and Disclosure for Elected Officials

Frank Daley, Director of the Accountability and Disclosure Commission, shared information on Conflicts of Interest laws as they apply to state executive branch officials and employees, disclosure of financial interests and the work of the agency.

2.5 Travel and Expense Reimbursement Procedures

Ryan Foor, Department of Education representative, provided an overview of the Travel and Expense Reimbursement Procedures and a review of Board Bylaw B16, in-state and out-of-state travel and reimbursement for expense processes.

2.6 Media and the State Board

David Jespersen, Department of Education representative, provided guidance and information regarding talking with the media.

2.7 Additional Information for 2020 (Meeting and agenda structure)

Ryan Foor, Department of Education representative, reviewed the parliamentary procedures, consent agenda process, public comment protocol and staff presentations for meetings, and the agenda structure.

The Board also discussion the Listening Sessions held by Board Members. Members shared their experiences and feedback from various Listening Sessions.

### 3. ADJOURNMENT

President Witzel adjourned the State Board Annual Orientation at 4:46 p.m.

The regularly scheduled meeting of the State Board of Education will reconvene at 9:00 a.m. on January 10, 2020, State Board Meeting Room, State Office Building, Sixth Floor, 301 Centennial Mall South, Lincoln.

### STATE BOARD OF EDUCATION MEETING, Friday, January 10, 2020, 9:00 AM.

1. **CALL TO ORDER** – President John Witzel called the meeting to order at 9:00 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

John Witzel	Maureen Nickels	Patricia Timm
Rachel Wise	Deborah Neary (out at 10:19 a.m.)	Robin Stevens
Patsy Koch Johns	Lisa Fricke	

Commissioner Blomstedt was also present.

1.2 President Witzel led the Pledge of Allegiance.

1.3 President Witzel announced the placement of the Open Meetings Act.

### 2. PUBLIC COMMENT PERIOD

2.1 Request for Special Appearance

There were no requests for Special Appearances.

2.2 Public Comment

- Maddie Fennel – Nebraska State Education Association, speaking to the work of NSEA, legislative efforts, LB 147

**10. SPECIAL PRESENTATIONS AND DISCUSSIONS**

10.1 Special Recognition

Resolution for Denise Fisher in honor of her retirement was presented by President Witzel.

Approval of the Resolution for Denise Fisher passed with a motion by Lisa Fricke and a second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

**3. 2020 ORGANIZATION OF THE STATE BOARD OF EDUCATION**

3.1 Election Process and Procedures

A four part motion indicating that the Commissioner, as Secretary of the State Board, will preside over the nomination and election process; that secret ballots will be used during the election; that the results of each round of voting will be announced by the Teller and recorded in the minutes after which the Commissioner, will declare the result; and that the ballots and tally sheets will be placed in the custody of the Commissioner, who will keep them under seal until the time period for a recount expires and then destroy them passed with a motion by Rachel Wise and a second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

Commissioner Blomstedt appointed Scott Summers and Lora Sypal as Tellers to disseminate and count the ballots.

Commissioner Blomstedt opened nominations for President of the State Board of Education.

3.2 Election of Board President

Patricia Timm nominated Maureen Nickels. There being no further nominations, the Commissioner closed the nominations.

Reporting Teller, Scott Summers, read the vote results and delivered the tally to the Commissioner who announced the results of 8 votes for Maureen Nickels as president.

### 3.3 Election of Board Vice President

Commissioner Blomstedt opened nominations for Vice President of the State Board of Education.

Robin Stevens nominated Patsy Koch Johns. There being no further nominations, the Commissioner closed the nominations.

Reporting Teller, Scott Summers, read the vote results and delivered the tally to the Commissioner who announced the results of the 8 votes for Patsy Koch Johns as vice president.

President Nickels and Vice President Koch Johns offered words of appreciation to the Board members for their trust and confidence in their abilities to lead the Board.

### 3.4 President Witzel reminded Board members to complete the form for their requests for service on Board Committees.

## 4. BREAK

President Witzel called for a break at 9:35 a.m. President Maureen Nickels resumed the meeting at 9:46 a.m.

## 5. COMMISSIONER'S REPORT AND AGENDA OVERVIEW

### 5.1 Consent Agenda Process

Commissioner Blomstedt reviewed the process for consent agenda items. No consent agenda items were removed.

### 5.2 Report on Rules

Commissioner Blomstedt provided a report on the status of Rules 11 and 91. Rule 11 was approved by the Attorney General Office. Rule 91 is scheduled to be adopted by the Board at their January business meeting following a public hearing held December 18, 2019.

### 5.3 Strategic Plan Report

Commissioner Blomstedt provided a quarterly report on the efforts of the Strategic Plan. Commissioner Blomstedt emphasized the importance of keeping our Mission statement in the forefront of our work - to lead and support the preparation of all Nebraskans for learning, earning, and living.

### 5.4 Board Priorities and Policy Research

No report.

## 6. APPROVAL OF CONSENT AGENDA

- 6.1 Identify items for separate vote.

No items identified for separate vote.

- 6.2 Approval of the Consent Agenda as posted in the Agenda passed with a motion by Rachel Wise and a second by John Witzel.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

## 7. APPROVAL OF AGENDA

- 7.1. Approval of the Agenda as posted passed with a motion by Rachel Wise and a second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

## 8. HEARINGS (NONE)

## 9. DISCUSSION AND ACTION ITEMS

- 9.1 Potential Executive Session

To move into Executive Session at 10:19 a.m. to receive legal advice from Legal Counsel on the proposed settlement agreements in items 9.5 and 9.6 passed with a motion by Rachel Wise and a second by John Witzel.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea

Rachel Wise: Yea  
John Witzel: Yea

At 10:19 a.m., the Board moved into Executive Session to receive legal advice from Legal Counsel on the proposed settlement agreements.

Motion to adjourn Executive Session at 10:40 a.m. passed with a motion by Patricia Timm and a second by Rachel Wise.

Lisa Fricke: Yea  
Patsy Koch Johns: Yea  
Deborah Neary: Absent  
Maureen Nickels: Yea  
Robin Stevens: Yea  
Patricia Timm: Yea  
Rachel Wise: Yea  
John Witzel: Yea

9.5 Consider the Settlement Agreement in NDE Case No. 19-33, Commissioner v. Brett Avila

In *Commissioner v. Avila*, NDE Case No. 19-33, that this Board approve the proposed settlement agreement, in which the parties have stipulated to a three-year revocation of Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Patricia Timm and a second by Rachel Wise.

Lisa Fricke: Yea  
Patsy Koch Johns: Yea  
Deborah Neary: Absent  
Maureen Nickels: Yea  
Robin Stevens: Yea  
Patricia Timm: Yea  
Rachel Wise: Yea  
John Witzel: Yea

9.6 Consider the Settlement Agreement in NDE Case No. 20-01, Commissioner v. Seth Woodke

In *Commissioner v. Woodke*, NDE Case No. 20-01 that this Board approve the proposed settlement agreement, in which the parties have stipulated to a one-year suspension of Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Rachel Wise and a second by Patsy Koch Johns.

Lisa Fricke: Yea  
Patsy Koch Johns: Yea  
Deborah Neary: Absent  
Maureen Nickels: Yea  
Robin Stevens: Yea  
Patricia Timm: Yea  
Rachel Wise: Yea  
John Witzel: Yea

9.2 Discussion on Board Listening Sessions

The Board shared their experiences with the Listening Sessions.

9.3 Legislative Priorities

Brian Halstead, Deputy Commissioner, provided a review of the Board's Regulatory and Legislative Priorities for the 106th Legislative Session. Hearings on legislative bills begin January 21, 2020.

**11. BOARD REPORTS, DATES AND DISCUSSION ITEMS**

11.1 Meeting participation and joint meetings with policy partners

11.2 Board members were reminded to review their monthly reports for Board information.

11.3 Meetings that took place in the past and were not previously approved

11.3.A. Fricke (NONE)

11.3.B. Approval of attendance at meetings that took place in the past for Patsy Koch Johns passed with a motion by Lisa Fricke and a second by Rachel Wise.

Lisa Fricke:	Yea
Patsy Koch Johns:	Abstain
Deborah Neary:	Absent
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

11.3.C. Neary (NONE)

11.3.D. Nickels (NONE)

11.3.E. Approval of attendance at meetings that took place in the past for Robin Stevens passed with a motion by John Witzel and a second by Patsy Koch Johns.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Absent
Maureen Nickels:	Yea
Robin Stevens:	Abstain
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

11.3.F. Timm (NONE)

- 11.3.G. Approval of attendance at meetings that took place in the past for Rachel Wise passed with a motion by Patricia Timm and a second by Robin Stevens.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Absent
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Abstain
John Witzel:	Yea

- 11.3.H. Approval of attendance at meetings that took place in the past for John Witzel passed with a motion by Rachel Wise and a second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Absent
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Abstain

- 11.4 Future Meeting participation

Approval for future meeting participation passed with a motion by Rachel Wise and a second by John Witzel.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Absent
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Rachel Wise:	Yea
John Witzel:	Yea

- 11.5 Monthly Board Travel Expense Report

Board members were reminded to review the travel expense report for monthly Board Travel Expense

### **13. ADJOURNMENT**

Ryan Foor, Department of Education representative, appreciated the work orientation and effort. Turn preference and priorities into Laura Rife.

President Witzel adjourned the meeting at 11:13 a.m.

The next regularly scheduled meeting of the State Board of Education will be held on Friday, February 7, 2020, at 9:00 a.m. at the Nebraska State Office Building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509. A work session will be held as needed on Thursday, February 6, 2020 at a time to be determined at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.