

## NEBRASKA STATE BOARD OF EDUCATION MEETING NOTIFICATION AND AGENDA

- Meeting Date:** Friday, August 9, 2019 9:00 AM
- Meeting Title:** State Board of Education Meeting Notification and Agenda
- Location:** State Board Meeting Room State Office Building, Sixth Floor 301  
Centennial Mall South Lincoln, Nebraska 68509-4987  
PO Box 94987  
Lincoln, NE 68509
- Web Streaming:** Live web streaming will be available through the State Board of Education website: [www.education.ne.gov/StateBoard/](http://www.education.ne.gov/StateBoard/)
- Agenda:** Except for emergency items added at the time of the meeting, the agenda will not be changed less than 24 hours prior to the start of the meeting and any changes will be immediately posted on the website. The Board will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.
- Interpreter:** If you need interpreter services or other reasonable accommodations, please contact the Nebraska Department of Education at (402) 471-5059 five (5) days prior to the meeting to coordinate arrangements.
- Website:** An electronic version of the agenda and support materials are available on the State Board of Education's Agenda page: [www.education.ne.gov/StateBoard/Agendas.html](http://www.education.ne.gov/StateBoard/Agendas.html)
- Lunch:** On Friday, August 9, 2019, if necessary, the State Board of Education may break for lunch at 12:00 p.m. The lunch will take place in Conference Room C at the State Office Building, Sixth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The Board may resume work on the agenda at approximately 1:00 p.m.

### 1. CALL TO ORDER

President Witzel

#### 1.1. Roll Call

President Witzel

#### 1.2. Pledge of Allegiance

President Witzel

#### 1.3. Announcement of the placement of the Open Meetings Act information

President Witzel

### 2. APPROVAL OF THE MINUTES

President Witzel

#### 2.1. Approve the minutes of the June 6-7, 2019 State Board of Education meeting as published

President Witzel

### 3. APPROVAL OF AGENDA

President Witzel

- 3.1. Commissioner's recommendations and items to be removed from consent agenda  
Commissioner Blomstedt and President Witzel

### 4. PUBLIC COMMENT PERIOD

President Witzel

- 4.1. Request for 10-Minute Special Appearance  
President Witzel

- 4.2. Public Comment (5 Minutes)  
President Witzel

### 5. HEARINGS (10:00 a.m.)

President Witzel

- 5.1. Hearing in NDE Case No. 19-10, Commissioner v. Marcus Perry  
Leslie Donley

- 5.2. Hearing in NDE Case No. 19-11, Commissioner v. Amber Douthit (Jasa)  
Leslie Donley

- 5.3. Hearing in NDE Case No. 19-12, Commissioner v. Matthew Hoffman  
Leslie Donley

- 5.4. Hearing in NDE Case No. 19-13, Commissioner v. Jaimi Nicholson  
Leslie Donley

- 5.5. Hearing in NDE Case No. 19-14, Commissioner v. NiCole Merchant  
Leslie Donley

- 5.6. Hearing in NDE Case No. 19-15, Commissioner v. Jennifer Pattee  
Leslie Donley

- 5.7. Hearing in NDE Case No. 19-16, Commissioner v. Sharon Kramer  
Leslie Donley

- 5.8. Hearing in NDE Case No. 19-17, In the Matter of Reinstatement of Dwain Borchers  
Leslie Donley

### 6. ACTION ITEMS

President Witzel

- 6.1. Policy Committee  
Patricia Timm

6.1.A. Adopt proposed revisions to State Board Policy P3, Delegation to Commissioner  
Patricia Timm

6.1.B. Adopt the Resolution to Recognize the 75th Anniversary of the GI Bill and Commend  
its Importance in Providing Equity to Nebraskans  
Marisol Birth and Brad Dirksen

6.2. Legislative Committee (NONE)  
Vice President Nickels

6.3. Commissioner's Appraisal Committee (NONE)  
Patricia Timm

6.4. AQuESTT - Teaching and Learning Domain Committee  
Lisa Fricke

6.4.A. Grant temporary approval to Bellevue University to implement their plan to phase in a  
Teacher Education Program  
Brad Dirksen and Kelly Heineke

6.4.B. Approval of 2019-2020 Nebraska Council on Teacher Education (NCTE) Membership  
Roster  
Brad Dirksen and Kelly Heineke

6.4.C. Approve the Educator Preparation Programs in Nebraska Colleges and Universities for  
2019-20  
Brad Dirksen and Kelly Heineke

6.4.D. Repeal of Rule 46 (92 NAC 46), Regulations and Procedures for Career Education  
Partnership Act Grants  
Katie Graham

6.5. AQuESTT - Student Success and Access Domain Committee  
Patsy Koch Johns

6.5.A. Approve Public School Districts and Educational Service Units that have established  
Early Childhood Education Programs in accordance with the provision of Rule 11  
Melody Hobson

6.5.B. Approve Morrill Public Schools Early Childhood Program  
Melody Hobson

6.5.C. Approve Grand Island Public Schools' Early Childhood Program to offer fewer than 450  
instructional hours due to severe weather during the 2018-2019 school year  
Melody Hobson

6.5.D. Grant conditional approval under Rule 14 for the Applicant Nonpublic School to operate in the 2019-20 school year  
Don Loseke

6.5.E. Repeal Rule 53 (92 NAC 53), Regulations for Special Education Residential Care  
Amy Rhone

6.6. Budget and Finance Committee (NONE)  
President Witzel

6.7. Strategic Planning, Performance, and Improvement Committee  
Rachel Wise

6.7.A. Accept the Affidavit of School Closing, due to severe weather, filed by Cody-Kilgore Unified Schools, and grant permission to that district to offer fewer than the minimum instructional hours for school year 2018-2019 under the waiver provisions contained in State Statute 79-213 R.R.S. and NDE Rule 10  
Don Loseke

6.8. Consider the PPC's Recommended Decision in NDE Case No. 19-10, Commissioner v. Marcus Perry  
Leslie Donley

6.9. Consider the PPC's Recommended Decision in NDE Case No. 19-11, Commissioner v. Amber Douthit (Jasa)  
Leslie Donley

6.10. Consider the PPC's Recommended Decision in NDE Case No. 19-12, Commissioner v. Matthew Hoffman  
Leslie Donley

6.11. Consider the PPC's Recommended Decision in NDE Case No. 19-13, Commissioner v. Jaimi Nicholson  
Leslie Donley

6.12. Consider the PPC's Recommended Decision in NDE Case No. 19-14, Commissioner v. NiCole Merchant  
Leslie Donley

6.13. Consider the PPC's Recommended Decision in NDE Case No. 19-15, Commissioner v. Jennifer Pattee  
Leslie Donley

6.14. Consider the PPC's Recommended Decision in NDE Case No. 19-16, Commissioner v. Sharon Kramer  
Leslie Donley

6.15. Consider the PPC's Recommended Decision in NDE Case No. 19-17, In the Matter of Reinstatement of Dwain Borchers

Leslie Donley

6.16. Consider the Hearing Officer's Proposed Findings of Fact, Conclusions of Law and Recommended Decision affirming the Respondent School District's decision in NDE Enrollment Option Case No. 19-05, Reynolds v. Westside Community Schools

Scott Summers

6.17. Consider the Hearing Officer's Proposed Findings of Fact, Conclusions of Law and Recommended Decision affirming the Respondent School District's decision in NDE Enrollment Option Case No. 19-08, Avila v. Northwest Public Schools

Scott Summers

## 7. APPROVAL OF CONSENT AGENDA

President Witzel

7.1. Identify items for separate vote

Commissioner Blomstedt and President Witzel

7.2. Approve consent agenda

President Witzel

7.2.A. Approve the Request from School Districts for Payment of Half Their Total 2019/20 State Aid

Bryce Wilson

7.3. Personnel Report

Joel Scherling

7.4. Miscellaneous

President Witzel

7.4.A. Approve school districts' requests for exclusions to the budget limitation in accordance with the provisions of the Tax Equity & Educational Opportunities Support Act

Bryce Wilson

7.4.B. Grant the Commissioner the authority to continue with the Agreement between the Board of Regents, State of Iowa, on behalf of the Iowa School for the Deaf, and the Nebraska Department of Education

Amy Rhone and Teresa Coonts

7.4.C. Grant the Commissioner the authority to continue to fund the NeMTSS Regional Facilitators with ESU #3, #10, and #13

Amy Rhone

7.4.D. Grant the Commissioner the authority to continue to fund projects/entities in the provision of federally required IDEA Part C duties

Steve Milliken and Amy Bunnell

7.4.E. Grant the Commissioner the authority to continue to fund the NDE Transition System Support Project with ESU #10  
Amy Rhone and Alice Senseney

7.4.F. Dismiss Enrollment Option Case No. 19-21, Warren v. Adams Central Public Schools at the request of the Petitioner  
Scott Summers

7.4.G. Dismiss Enrollment Option Case No. 19-22, Warren v. Adams Central Public Schools at the request of the Petitioner  
Scott Summers

7.4.H. Appoint a Hearing Officer in NDE Case No. 19-18, The Matter of the Appeal of Benjamin Coleman  
Leslie Donley

#### 7.5. Grants President Witzel

7.5.A. Approve the reVISION Action Grants for 2019-2020  
Katie Graham

7.5.B. Approve proposed school year 2020 Fresh Fruit and Vegetable Grant Award Notifications  
Shannon Wilkinson

7.5.C. Grant the Commissioner the authority to accept continuation funding through the Improving Student Health and Academic Achievement through Nutrition, Physical Activity and the Management of Chronic Conditions in Schools  
Sharon Davis and Jessie Coffey

7.5.D. Approve the McKinney-Vento Homeless Assistance grants for the 2019-20 school year  
Cathy Mohnike and Diane Stuehmer

#### 7.6. Contracts President Witzel

7.6.A. Contract with UNMC-MMI for statewide evaluation services for 21st CCLC and Expanded Learning Opportunity Grant Programs  
Jan Handa and Diane Stuehmer

7.6.B. Grant the Commissioner the authority to continue to contract with Colyar Technology Services, LLC for the period of September 1, 2019 to August 31, 2020  
Sharon Davis

7.6.C. Grant the Commissioner the authority to amend the contract with the Office of the Chief Information Officer for staff augmentation services for the development of the Special Education Improving Learning for Children with Disabilities and Contracts Service Rate

systems

Matt Hastings

7.6.D. Grant the Commissioner the authority to amend the contract with the Office of the Chief Information Officer (OCIO) for staff augmentation services in support of the Office of Nutrition Services

Matt Hastings

7.6.E. Grant the Commissioner the authority to amend the contract and lease to continue operation of the Nebraska Center for the Education of Children Who are Blind or Visually Impaired

Amy Rhone and Teresa Coonts

7.6.F. Grant the Commissioner the authority to continue to fund the Nebraska Center for the Education of Children who are Blind/Visually Impaired Project

Amy Rhone and Teresa Coonts

7.6.G. Grant the Commissioner the authority to contract with Children's Hospital and Medical Center for a period from August 10, 2019 to June 30, 2020

Sharon Davis and Jessie Coffey

7.6.H. Grant the Commissioner the authority to obligate up to \$475,000 from the Education Improvement lottery Fund to create the Instructional Materials - Professional Learning Fellowship Innovation Network and enact related contracts

Cory Epler and Dean Folkers

7.6.I. Grant the Commissioner the authority to obligate up to \$750,000 from the Education Improvement lottery Fund to create the Asynchronous Professional Learning Education Innovation Network and enact related contracts

Cory Epler and Dean Folkers

7.6.J. Grant the Commissioner the authority to obligate up to \$1,500,000 from the Education Improvement lottery Fund to create the Equitable Software Access and Digital Resources Innovation Network and enact related contracts

Dean Folkers and Cory Epler

7.6.K. Grant the Commissioner the authority to obligate up to \$800,000 from the Education Improvement lottery Fund to create the Nebraska Expanded Learning Opportunities (ELO) Innovation Network and enact related contracts

Dean Folkers and Cory Epler

7.6.L. Contract with the National Council of Behavioral Health

Dean Folkers

7.6.M. Grant the Commissioner the authority to contract with Larry Gossen

Katie Graham

7.7. Leases (NONE)

President Witzel

7.8. Committees  
President Witzel

7.8.A. Approve the re-appointment of Dr. Jeff Rippe, Superintendent of Bellevue Public Schools as a representative on the State Council of Educational Opportunity for Military Children  
Deputy Commissioner Halstead

7.8.B. Approve the appointment of Col. Allen (William) Dayton, 55 MSG Commander, Offutt Air Force Base, Omaha, NE as a representative to the State Council on Educational Opportunity for Military Children  
Deputy Commissioner Halstead

8. SPECIAL PRESENTATIONS AND DISCUSSIONS  
Commissioner Blomstedt and President Witzel

8.1. Presentation of State Leadership Playbook  
Commissioner Blomstedt and Reg Leichty

8.2. 2019 Nebraska Teacher of the Year Report (10 minutes)  
Sydney Jensen, 2019 Nebraska Teacher of the Year, Ninth Grade English Teacher, Lincoln High School, Lincoln, Nebraska

9. BOARD REPORTS, DATES AND DISCUSSION ITEMS  
Commissioner Blomstedt and President Witzel

9.1. Meetings that took place in the past and were not previously approved  
Commissioner Blomstedt and President Witzel

9.1.A. Fricke  
President Witzel

9.1.B. Koch Johns  
President Witzel

9.1.C. Neary  
President Witzel

9.1.D. Nickels  
President Witzel

9.1.E. Stevens  
President Witzel

9.1.F. Timm  
President Witzel

9.1.G. Wise  
President Witzel

9.1.H. Witzel  
President Witzel

9.2. Future Meeting participation  
Commissioner Blomstedt and President Witzel

## 10. INFORMATION ITEMS/WRITTEN REPORTS

Commissioner Blomstedt and President Witzel

10.1. Contracts approved by Commissioner  
Commissioner Blomstedt

10.2. Grants approved by Commissioner  
Commissioner Blomstedt

10.2.A. Special Education Monthly Grants under \$50K  
Steve Milliken

10.3. Updated Contested Cases  
Scott Summers

## 11. ADJOURNMENT

President Witzel

The next regularly scheduled meeting of the State Board of Education will be held on Friday, September 6, 2019, 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 on Thursday, September 5, 2019 at 2:00 p.m. at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.

The agenda contains a list of subjects known at the time of its distribution on July 31, 2019. A copy of the agenda reflecting any changes will be available for public inspection during the normal business hours in the Office of the Commissioner of Education and on the State Board of Education's Agenda page: [www.education.ne.gov/StateBoard/Agendas.html](http://www.education.ne.gov/StateBoard/Agendas.html). *Except for items of an emergency nature, the agenda will not be changed later than 24 hours before the scheduled commencement of the meeting.*