

NEBRASKA STATE BOARD OF EDUCATION MEETING NOTIFICATION AND AGENDA

- Meeting Date:** Friday, June 7, 2024 9:00 AM
- Meeting Title:** State Board of Education Meeting Notification and Agenda
- Location:** NDE Office Building
Board Room
500 South 84th Street
Lincoln, NE 68510
- 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/state-board-agendas/
- Lunch:** On Friday, June 7, 2024, the State Board of Education may also take a recess for lunch. The Board may resume work on the agenda at approximately 1:00 p.m.

1. CALL TO ORDER (The Board may take a recess)
President Tegtmeier
 - 1.1. Roll Call
President Tegtmeier
 - 1.2. Pledge of Allegiance
President Tegtmeier
 - 1.3. Announcement of the placement of the Open Meetings Act information
President Tegtmeier
2. SPECIAL PRESENTATIONS
President Tegtmeier
 - 2.1. Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST) Recognitions
Megan Mullen, Paxton Consolidated Schools; and Thomas McChristian, Palmyra District OR-1

3. COMMISSIONER'S REPORT

Commissioner Maher

3.1. Agenda Overview and Consent Agenda Process

Commissioner Maher

3.1.A. Commissioner's recommendations and items to be removed from consent agenda

Commissioner Maher

3.2. Nebraska Teacher of the Year Quarterly Report

Scott Phillips, 2024 Nebraska Teacher of the Year, Math teacher, Aurora Middle School, Aurora, Nebraska

4. PRESIDENT'S REPORT

President Tegtmeier

5. PUBLIC COMMENT PERIOD

President Tegtmeier

5.1. Public Comment

5.2. Written Public Comment (None Submitted)

6. CONSENT AGENDA

President Tegtmeier

6.1. Board Member Out-of-State Travel Approval

6.2. Committee Appointments

6.2.A. Re-appoint a member to the State Committee for the Reorganization of School Districts

Bryce Wilson

6.3. Contract Approvals

6.3.A. Authorize the Commissioner to amend the contract to conduct Summer Food Service Program compliance reviews

Kayte Partch and Zainab Rida

6.3.B. Authorize the Commissioner to renew a contract to provide support for the ATP Education Program

Tobias Orr and Lindy Foley

6.3.C. Authorize the Commissioner to amend the contract for the Nebraska Career Pathways Advancement Project

Mary Kunes-Neary and Lindy Foley

6.3.D. Authorize the Commissioner to amend the contract to support the School Safety and Security Reporting System
Zainab Rida

6.3.E. Authorize the Commissioner to amend contracts to address mental health needs of nonpublic school students and staff
Zainab Rida

6.3.F. Authorize the Commissioner to contract to provide training and technical assistance related to 21st Century Community Learning Centers and Expanded Learning Opportunity Grant Programs
Zainab Rida

6.3.G. Authorize the Commissioner to contract to provide training focused on secondary (grades 6-12) foundational literacy practices
Shirley Vargas and Allyson DenBeste

6.4. Grant Approvals

6.4.A. Authorize the Commissioner to approve awards for continuation of the Early Childhood Education Program grants to the identified public school districts
Melody Hobson

6.5. Lease Approvals

6.6. Minutes of the Previous State Board of Education Meeting

6.7. Miscellaneous Approvals

6.7.A. Adopt the Prepared Order to Adjust the Boundaries for Educational Service Units No. 6 and 18
Brian Halstead

6.7.B. Adopt the Prepared Order to Adjust the Boundaries for Educational Service Units No. 7 and 8
Brian Halstead

6.7.C. 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

6.7.D. Authorize the Commissioner to pay annual dues
President Tegtmeier

- 6.7.E. Authorize the Commissioner to sign an agreement with the Nebraska Department of Health and Human Services for use of Child Care and Development Funds
Melody Hobson
- 6.7.F. Appoint a Hearing Officer in NDE Case No. 24-11, *English v. Commissioner*
Leslie Donley
- 6.7.G. Appoint a Hearing Officer in NDE Case No. 24-12, *Connelly v. Commissioner*
Leslie Donley

7. STANDING COMMITTEE REPORTS

President Tegtmeier

7.1. Executive Committee President Tegtmeier

- 7.1.A. Action Item: Discuss and approve the addendum to the employment agreement between Commissioner Maher and the State Board of Education
- 7.1.B. Discussion Item: Proposed Amendments to Board Operating Policies

7.2. Budget and Finance Committee Patsy Koch Johns

- 7.2.A. Monthly Board Travel Expense Reports
- 7.2.B. Action Item: Approve the 2024-2025 reVISION Action Grants
- 7.2.C. Action Item: Authorize the Commissioner to contract for a Special Education technical assistance project
- 7.2.D. Action Item: Issue subawards to carry out the Federal IDEA Part C grant continuation activities
- 7.2.E. Action Item: Authorize the Commissioner to contract for providing annual behavioral awareness training and an ongoing statewide teacher support system
- 7.2.F. Action Item: Authorize the Commissioner to contract to provide Cardiopulmonary Resuscitation (CPR) and AED training to public and nonpublic schools
- 7.2.G. Action Item: Accept the State Apprenticeship Expansion Formula (SAEF) Grant from the US Department of Labor and authorize the Commissioner to enter into contracts to carry out grant activities

- 7.2.H. Action Item: Approve a grant to fund a Child Development Associate (CDA) Credential navigator
- 7.2.I. Action Item: Authorize the Commissioner to accept Preschool development Grant Funds to provide a diagnostic examination of the Nebraska Early Childhood Professional Records System
- 7.2.J. Action Item: Authorize the Commissioner to approve a contract for a statewide anchor for program quality assessments

7.3. Planning and Evaluation Committee
Sherry Jones

- 7.3.A. Action Item: Approve the renewal of accreditation for school systems
- 7.3.B. Action Item: Approve the renewal of accreditation for Educational Service Units
- 7.3.C. Action Item: Renew the approval of interim-program schools for the 2024-2025 school year
- 7.3.D. Action Item: Approval of new non-public schools
- 7.3.E. Discussion Item: Discuss State Board position statements
- 7.3.F. Discussion Item: Standard setting processes for mathematics and alternate mathematics, and validation of English language arts (ELA) 2023 assessment results
- 7.3.G. Discussion Item: Professional Learning System for Evidence-Based Reading Instruction
- 7.3.H. Discussion Item: Discuss approval of early childhood education programs operated by school districts and educational service units
- 7.3.I. Discussion Item: Approve Rule 11 teacher waiver request from Fairbury Public Schools

7.4. Rules and Regulations Committee
Lisa Fricke

- 7.4.A. Report On Rules
- 7.4.B. Action Item: Adopt the proposed revisions to Rule 4
- 7.4.C. Action Item: Adopt proposed revisions to Rule 28 and the Repeal of Rule 29

7.4.D. Action Item: Approve the content tests and passing scores for endorsements

8. ADDITIONAL BUSINESS

President Tegtmeier

9. INFORMATION ITEMS AND REPORTS

President Tegtmeier

9.1. Contracts Approved by Commissioner

9.2. Grants Approved by Commissioner

9.3. Notice of vacancy and request for nominations for State Board appointed membership on the Nebraska Council on Teacher Education (NCTE)
Brad Dirksen and Jim Kent

9.4. Notification of vacancies on the Special Education Advisory Council (SEAC)
Amy Rhone

10. GOOD OF THE ORDER

This section of the agenda is intended for Board members to offer informal observations of the work of the State Board. Board members may make brief announcements about attendance at future events for the purpose of informing other Board members. No business or motions, or suggested actions of the Board may be offered at this point in the agenda; nor should Board members engage in substantive discussion about other agenda items or introduce new agenda items.

President Tegtmeier

11. ADJOURNMENT

President Tegtmeier

The next regularly scheduled meeting of the State Board of Education will be held on Friday, August 2, 2024, at 9:00 a.m. in Lincoln, Nebraska. As needed, a work session will be held on Thursday, August 1, 2024 in Lincoln, Nebraska.

The agenda contains a list of subjects known at the time of its distribution on May 30, 2024. 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/state-board-agendas/. *Except for items of an emergency nature, the agenda will not be changed later than 24 hours before the scheduled commencement of the meeting.*



★ PRESIDENTIAL AWARDS ★



FOR EXCELLENCE

IN MATHEMATICS
AND SCIENCE TEACHING

Miranda Orellana

Riley Elementary
Lincoln Public Schools



Thomas McChristian

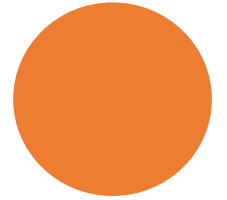


Bennet Elementary
Bennet Palmyra District OR-1



Megan Mullan

Paxton Consolidated Schools



Out-State Travel Authorization Reports - June

<u>Name</u>	<u>Event Name</u>	<u>Date</u>	<u>Location</u>	<u>Trip Request (i.e. 1st, 2nd, Other)</u>
Lisa Fricke	(NONE)			
Jacquelyn Morrison	(NONE)			
Deborah Neary	(NONE)			
Kirk Penner	(NONE)			

Out-State Travel Authorization Reports - June

<u>Name</u>	<u>Event Name</u>	<u>Date</u>	<u>Location</u>	<u>Trip Request (i.e. 1st, 2nd, Other)</u>
Patsy Koch Johns	(NONE)			
Patti Gubbels	(NONE)			
Elizabeth Tegtmeier	(NONE)			
Sherry Jones	(NONE)			



PROPOSED AGENDA ITEM RATIONALE

DATE: May 20, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Bryce Wilson, Finance Officer

PROPOSED AGENDA ITEM: Re-appointment of a member to the State Committee for the Reorganization of School Districts.

AGENDA ITEM TYPE (contract/grant/rule/program/other):

Re-appointment of Dave Welsch to serve another term (5 years) on the State Committee for the Reorganization of School Districts. Dave has been a valuable member of the State Committee for the Reorganization of School Districts since 2020. Dave has served on the Milford Public Schools school board for more than 20 years. Dave has consistently shown the ability to ask informed and appropriate questions to ensure the Committee has complete understanding of their work.

Per State Statute §79-435, "...The State committee shall be composed of six members ... Three members of the state committee shall at all times be laypersons, and two members shall at all times be persons holding teachers' certificates issued by the authority of the State of Nebraska..."

The membership and terms of office of the State Committee for the Reorganization of School Districts are as follows:

Dave Welsch, Milford, Lay person	12/31/2024
Dale Fornander, Chappell, Lay person	12/31/2025
Chris Prosocki, Blue Springs, Educator	12/31/2026
Ted DeTurk, Papillion, Educator	12/31/2027
Shad Stamm, Benkelman, Lay person	12/31/2028

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: None.

FOR CONTRACTS AND GRANTS: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

FOR GRANT SUBAWARDS: N/A



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Ph.D., Administrator, Office of Coordinated Student Support Services
Kayte Partch, Assistant Administrator, Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Grant the Commissioner the authority to amend contract with TCB Consulting, LLC dba CN Resource to include the completion Compliance Reviews for the USDA's Summer Food Service Program (SFSP). Eleven SFSP compliance will be for a total contract value of \$220,139.00.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Consent

RATIONALE/BACKGROUND INFORMATION:

The USDA requires that SFAs participating in Summer Food Service Program receive regular oversight and monitoring through the compliance review process. The NDE Nutrition Services team requires support for completing these reviews in order for participating sponsors to receive the required monitoring in accordance with federal regulations. Full-time staffing limitations governed by the Legislature, an increase in participating sites through the newly implemented rural non-congregate option (which requires oversight for all sites in their first year of operation), and staff responsibilities in other program areas necessitate the utilization of additional support to conduct the required monitoring activities. Therefore, the NDE Nutrition Services would like to expand its contractual agreement with TCB Consulting, LLC dba CN Resource to complete up to 11 SFSP compliance reviews in summer 2024. (The NDE will need to complete 31 sponsor reviews and an additional 22 site visits for new rural non-congregate meal service sites in 2024.)

TCB Consulting, LLC dba CN Resource was selected using formal procurement through a Request for Proposal process. The contract for SY2023-24 is the second of four possible renewals. Their work will begin in October 2023 and will conclude in August 2024.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$220,139.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal
- New or Renewal: Renewal (second of up to four renewals)
- If renewal, date of first approval: October 2021

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: NA
- Rationale for method of procurement: NA
- Rationale for contractor selection: NA

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Tobias J. Orr – Director, Assistive Technology Partnership (ATP)
Lindy Foley – Office Administrator, Nebraska VR

PROPOSED AGENDA ITEM: Authorize the Commissioner to renew a contract with Education Service Unit #10 (ESU 10) to provide support to the ATP Education Program.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract Renewal

RATIONALE/BACKGROUND INFORMATION: This contract is for Education Service Unit 10 (ESU 10) to provide a 1.0 FTE staff member along with office equipment and a facility to support Assistive Technology Partnership (ATP) Education activities. The ATP Education program is tasked with building capacity among educators across the state in the area of assistive technology and assistive technology services. ESU 10 has been involved with and/or provided support to the ATP Education program for over twenty (20) years. The support provided enables the program to provide services to schools/districts/ESUs in the central and western part of the state including in-person professional development and technical assistance regarding assistive devices and assistive technology services to members of Individual Education Plan (IEP) and Individualized Family Service Plan (IFSP) teams. This support also assists the program with the dissemination of equipment from the statewide assistive technology loan pool to the central and western part of the state when shipping items commercially is not financially prudent.

ESU 10 was selected to receive this grant through non-competitive negotiation because of their history supporting the ATP Education program, their geographic location, their ability to provide the needed staff/services, and because they are a local government agency and non-competitive negotiation is allowed through **Miscellaneous Requirements for Procurement of Contract Services: Exemption (vi.)**: “Agreement for services to be performed for a state agency by another state or local government agency for the direct provision of services to the public”, non-competitive negotiation is allowed.

This contract will provide support to the ATP Education program during state fiscal year 2024-2025.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$92,722.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal – Special Education IDEA Part B, and Part C – The funds for this activity are included in the grant award for this program.

- New or Renewal: Renewal
- If renewal, date of first approval: June 2022

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Non-Competitive Negotiation
- Rationale for method of procurement: This method of procurement was selected because of the amount of the contract and because these services are only available from this source (circumstance i). ESU 10 already has the staff and infrastructure in place to provide support to the ATP Education program. ESU 10 staff are trained on and familiar with ATP Education policies, procedures, and the operation of the statewide assistive technology loan pool. Also, the geographic location of ESU 10 is necessary for the program to provide services to the central/western part of the state. Lastly, ESU 10 is a local government agency, therefore under **Miscellaneous Requirements for Procurement of Contract Services: Exemption (vi.)** : “Agreement for services to be performed for a state agency by another state or local government agency for the direct provision of services to the public”, non-competitive negotiation is allowed.
- Rationale for contractor selection: This contractor was selected because of their involvement with the ATP-Education program over the past twenty (20) years. Through grants and contracts ESU 10 in the past has maintained, managed, and housed the ATP statewide assistive technology loan pool, and since 2022 has supported the ATP Education program. ESU 10 has the staff, knowledge, and experience to provide the program support necessary to assure that the program is successful.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 23, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Mary Kunes-Neary, Project Director, Nebraska VR CPAP 2.0 Grant
Lindy Foley, Office Administrator, Nebraska VR

PROPOSED AGENDA ITEM: Authorize the Commissioner to approve the amendment to the contract with the Institute for Community Inclusion (ICI) University of Massachusetts-Boston for October 1, 2023-September 30, 2024.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract Amendment

RATIONALE/BACKGROUND INFORMATION:

Nebraska VR was awarded a 5-year, Rehabilitation Services Administration (RSA) Rehabilitation Training: Disability Innovation Fund — Career Advancement Initiative Model Demonstration Project Grant for \$8,469,796. This grant began on October 1, 2021, and ends September 30, 2026. The first approval for this contract was November 5, 2021 and a renewal was approved in September 2023. The Nebraska grant is like the Nebraska Career Pathways Advancement Project (CPAP) grant awarded in 2015. The new grant is named CPAP 2.0 and has similar criteria to the 2015 grant:

- Providing for the upskill/backfill model.
- Advancing clients in their current career pathway or a different career pathway.
- Dual customer approach serving both businesses and past Nebraska VR clients.

CPAP 2.0 will contact over 2200 past successfully closed Nebraska VR clients in the FY 2017-FY 2020 who were employed successfully in the career pathways of administrative support, architecture/construction, health science, lodging, manufacturing, professional sales, restaurant & food beverage service or transportation, distribution, and logistics (TDL). Also 717 past Nebraska VR clients closed in the FY 2017-FY 2020 who were receiving Social Security benefits and closed successfully in any career pathway will be contacted. CPAP 2.0 will contact over 400 businesses to partner with upskilling incumbent workers. Openings from upskilling incumbent employees will be backfilled with Nebraska VR clients. From this outreach, the goal of CPAP 2.0 is to successfully upskill 350 clients who will be working full time with an average wage of \$18.00 per hour and receiving employer benefits.

The Institute for Community Inclusion (ICI) at the University of Massachusetts-Boston partners with Nebraska VR on the RSA Disability Innovation Fund — Career Advancement Initiative Model Demonstration Project. The ICI will continue to serve as an independent evaluator of Nebraska VR's CPAP

2.0 grant as written in the grant. In this role, the ICI evaluation unit is responsible for designing and executing the evaluation plan, aligning evaluation data collection, analysis, and reporting with Government Performance and Results Act (GPRA) measures, and generating evaluation reports documenting Nebraska VR's progress toward key objectives, challenges, and strategies to address challenges and impact on targeted outcomes. The key components of the evaluation will include:

- Progress reporting including RSA requested reports (biannually, GPRA measures)
- Process evaluation including document review, key informant interviews, surveys, and administrative data analysis to describe the implementation of the model demonstration in progress
- Fidelity assessment including developing a tool to measure fidelity of implementation and yearly assessment
- Outcome evaluation including administrative data analysis, surveys (participant, employer, and training provider), and qualitative interviewing of a subpopulation of participants and employers
- The ICI will also provide training and technical assistance to Nebraska VR staff to implement the career advancement model by a) supporting the alignment of resources that facilitate and promote career advancement as an agency priority and b) increasing the capability (knowledge and skill of staff) to serve model demonstration participants effectively.
- The ICI will engage in knowledge translation activities designed to support the dissemination goals of the model demonstration program.

There was an approved contract amendment 5/11/24-9/30/24 for supplies, accessibility that can include ASL interpreters or other accommodations for interviewees, and carryover of funds to permit additional participants for the qualitative interviews. This amendment was for less than 10% (\$18,109.94) of the original approved contract amount.

This contract amendment (\$374,207.94 to \$412,181.70) is to request additional funds for Personnel (Salary and Fringes) as the ICI has been unable to hire a data analyst which has led to an increase in support from other department staff. The updated Year 3 budget includes project staff time in the areas of training (instructional design) and evaluation allocated from unspent funds from Year 2 for two primary tasks that are carrying into Year 3 from Year 2: 1) moving asynchronous training content into Rise 360 & Canvas, which is a skilled area of Instructional Design staff that is in progress and will continue through Year 3 curriculum development, and 2) developing a longitudinal database using the CPAP 2.0 QE2 quarterly case records that the evaluation team will build to track participant outcomes at the individual level over the course of the 5-year project.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: The contract amendment is to request an increase in the maximum total amount of this contract from \$374,207.94 to \$412,181.70.

FOR CONTRACTS AND GRANTS: Indicate the Funding Source: Disability Innovation Fund-Career Advancement Initiative Model

- Demonstration Project PR/Award# H421C210021. Federal funding. The funds for this contract are included in the grant award for this program.
- New or Renewal: Amendment to current contract

- If renewal, date of first approval: November 5, 2021

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Non-Competitive Negotiation
- Rationale for method of procurement: The service is available from a single source as it was written into the grant application and approved as part of the Federal Grant Award.
- Rationale for contractor selection: Contractor was identified in the grant application and VR is required to contract with this contractor for evaluation services as part of the federal grant award.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 16, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida and Jay Martin, Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Authorize the Commissioner the authority to contract for providing a communication center to support the implementation of the School Safety and Security Reporting System Act.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract Renewal

RATIONALE/BACKGROUND INFORMATION:

What: Safe2HelpNE is a report system designed for students, staff, and parents to anonymously report concerning behavior which could impact the safety of students or schools across Nebraska.

Why: In over 80% of violent school incidents, someone “leaked” information prior to the actual incident. This means 4 of 5 times someone knew what was about to happen. 99% of students surveyed in the Nebraska school security assessment indicated they would more likely report a gun brought to schools if they could do it anonymously. Safe2HelpNE will fill a gap by providing a safe way to help someone before they do something tragic.

How: Reporting methods include phone, mobile, and web-based monitored and responded to by trained crisis counselors. Students, staff, and parents can report concerning behavior that may impact the safety of students or schools, including, but not limited school threats, bullying, suicide concern, crime, domestic violence, abuse, and a friend’s physical or mental health. The bill required the NDE to establish a multi-modal statewide, anonymous reporting system enabling students, parents, and school personnel to report threats or concerns of possible harm. The communication center is to be functional 24/7/365, with trained crisis counselors receiving and triaging reports and then notifying school district threat assessment teams of the details of the reports. This reporting system supports public and nonpublic k-12 school threat assessment teams, the intent of which is to reduce risk and incidents of targeted violence, including harm to self, others, or school property.

Who: Boys Town, USA, provides communication center support for the Douglas County Pilot Project and has been the statewide project since the inception of Safe2HelpNE. It is the only in-state 24/7/365 communication center with live crisis counselors.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$845,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State Funds
- New or Renewal: Renewal
- If renewal, date of first approval: August 2021

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 05.14.24*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 28, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Ph.D., Equity Officer and Administrator for the Office of Coordinated Students Support Services

PROPOSED AGENDA ITEM: Authorize the Commissioner to amend the contracts with partners to address mental health needs of students who are enrolled in nonpublic schools and staff across Nebraska.

RATIONALE/BACKGROUND INFORMATION:

The Office of Coordinated Student Support Services School Mental Health team would like to extend their services to nonpublic schools in their efforts to better support the mental health needs of students and school staff. Projected outcomes from this project would be that students and school staff will have their mental health supported and offered resources if needed, and that students will receive education around mental health and ways to support their own, and others', mental health.

This project will address school mental health through the following activities:

Educational Service Units (ESUs) – Partnerships with ESUs across the state will assist in recruiting for the School Mental Health Institute. ESUs will also provide ongoing Technical Assistance to LEAs as they engage in work to develop their SMH Program.

Local Education Agencies (LEAs) that will be named through a competitive grant process– LEAs that are interested in developing a School Mental Health (SMH) Program will complete the Institute application and develop a School Mental Health team of 3-7 members that would attend a School Mental Health Institute held either by the NDE or an ESU. This team will also engage in regular Technical Assistance calls with either the NDE or ESU. This project will provide financial support for the LEAs as they work to develop their SMH Program. The LEA will be provided with a list of options for financial support and will complete a budget with their plans on how they would utilize the funding. LEAs will also be responsible for collecting and reporting data required for this project.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: Not to exceed \$200,000.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: ESSA Title IV
- New or Renewal: Renew
- If renewal, date of first approval: August 4th, 2023.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 28, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Equity Officer and Administrator for the Office of Coordinated Students Support Services

PROPOSED AGENDA ITEM: Grant the Commissioner authority to approve funding recommendations for Two-Year Opportunity Grants funded by the Expanded Learning Opportunity Grant Program.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION: The Expanded Learning Opportunity Grant Program Act was created by the Nebraska Legislature to promote academic achievement in high-need schools during out-of-school time afterschool and during summer break. Beginning July 1, 2016, one percent of education proceeds from the Nebraska Lottery are transferred to this fund. Eligible sites must be receiving funding from a 21st Century Community Learning Center (21st CCLC) Continuation Grant for the 2024-26 school year. The grant period will be August 2, 2024 – June 30, 2026. Grantees are required to have a 1:1 match.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$700,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
 - Expanded Learning Opportunity Grant Fund, funded by proceeds from the Nebraska Lottery
- New or Renewal: Renewal
- If renewal, date of first approval: April 7, 2022

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

FOR GRANT SUBAWARDS:

- N/A

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 28, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Shirley Vargas, Ed.L.D.
School Transformation Officer

Allyson DenBeste
Academic Officer

PROPOSED AGENDA ITEM: Authorize the Commissioner to amend a contract to provide training focused on secondary (grades 6-12) foundational literacy practices to provide capacity for a second cohort.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

TNTP, Inc. offers six asynchronous self-paced online learning modules focused on secondary (grades 6-12) foundational literacy practices. While there is a focus on early literacy efforts, there are many older students who need support in reading. Secondary teachers who teach older struggling readers can benefit from learning focused on the key principles of phonological awareness, phonics instruction, decoding and fluency, and the elements of language comprehension and importance of regular access to complex text. It makes the brain science on reading acquisition directly applicable for secondary teachers across content areas and equips them to implement strong practices using high-quality instructional materials. This experience has two parts: (1) Secondary Science of Reading Asynchronous Course and (2) Secondary Science of Reading In-Person Professional Learning and is available to public and non-public school teachers, leaders, ESU staff, and higher education staff.

Participants engage in guided asynchronous coursework consisting of six self-paced online modules, followed by three in-person professional learning sessions to apply course content to daily practice.

The course was first offered April 2024-June 2024 and demand exceeded the capacity of the course. A second cohort is planned to provide additional opportunities for secondary teachers and leaders with a timeframe of June – September 2024.

PROPOSED BOARD MEETING (MONTH/YEAR): June, 2024

ESTIMATED COST: up to \$350,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Title II-A statewide set-aside
- New or Renewal: Renewal
- If renewal, date of first approval: May 2024

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Non-competitive negotiation.
- Rationale for method of procurement: This was selected as the method of procurement because this contract amendment provides opportunities for a second cohort where the content and delivery is the same as provided for the first cohort.
- Rationale for contractor selection: TNTP, Inc. was selected as they are a professional learning organization currently offering secondary foundational literacy training that is aligned to research and evidence-based practices to support struggling older readers to approximately 120 Nebraska educators participating in Cohort 1. A contract amendment to provide opportunities for a second cohort will allow participants to experience the same course content and outcomes as those in Cohort 1.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 30, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Grant the Commissioner the authority to approve awards for continuation of the Early Childhood Education Program grants to the identified public school districts.

AGENDA ITEM TYPE: Consent - grant

RATIONALE/BACKGROUND INFORMATION:

- The purpose of the Early Childhood Education Grant Program is to improve equity of access to early childhood education/prekindergarten programs. Children of diverse characteristics will be served in inclusive environments and will be better prepared to enter school and be successful.
- Early Childhood programs are required to operate in compliance with *Rule 11 – Regulations for Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*. The school districts on this list have shown they are in compliance with Rule 11.
- Districts are eligible for continuation funds based on a formula outlined in state statute.
- Requirements for early childhood grants are found in R. S. S. (79-1103)
- Continuation grants are for the 2024/2025 school year

PROPOSED BOARD MEETING : June 2024

ESTIMATED COST: \$2,145,950

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State General Funds identified for the Early Childhood Education Grant Program

- New or Renewal: Renewal
- If renewal, date of first approval: Varies by school district based on year of original application.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: continuation grants are determined by calculations identified in state statute

**Updated 08.15.2023*

Early Childhood Education Continuation Grants
2024/2025

District	Allocation
Adams Central Public Schools	\$13,790
Alma Public Schools	\$120,000
Arnold Public Schools	\$23,774
Auburn Public Schools	\$79,894
Bayard Public Schools	\$13,997
Beatrice Public Schools	\$31,910
Blair Community Schools	\$69,466
Clarkson Public Schools	\$49,059
Columbus Public Schools	\$130,730
Cozad Community Schools	\$14,287
Creek Valley Public Schools	\$50,775
Deshler Public Schools	\$18,339
Douglas County West Community Schools	\$60,507
Eustis-Farnam Public Schools	\$48,860
Gering Public Schools	\$28,936
Kearney Public Schools	\$164,286
Kenesaw Public Schools	\$21,604
Lakeview Community Schools	\$111,439
Logan View Public Schools	\$154,375
Nebraska City Public Schools	\$22,017
Norfolk Public Schools	\$22,059
North Platte Public Schools	\$90,886
Northwest Public Schools	\$2,933
Palmyra District OR 1	\$56,100
Papillion-LaVista Community Schools	\$105,159
Plattsmouth Community Schools	\$67,650
Scottsbluff Public Schools	\$191,329
Sidney Public Schools	\$30,081
Stapleton Public Schools	\$40,093
Thayer Central Community	\$57,270
Tri-County Public Schools	\$19,475
Wayne Community Schools	\$39,959
Westside Community Schools	\$34,819
York Public Schools	\$160,089

Estimated total: \$2,145,950

State Board of Education Work Session and Business Meeting.

Thursday-Friday May 2-3, 2024

Nebraska Department of Education, State Board Room, 500 S 84th Street, Lincoln, NE 68508

[Link to Agenda and Attachments](#)

[Link to Video of Meeting](#)

Publicized notice of the business meeting was given by posting notice on the Department's website and emailed to news media requesting notification, which gave the date, time, and location of the meeting.

STATE BOARD WORK SESSION, Thursday, May 2, 2024, 11:15 a.m.

1. CALL TO ORDER

President Tegtmeier called the meeting to order at 11:25 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Lisa Fricke

Patsy Koch Johns

Elizabeth Tegtmeier

Deborah Neary

Jacquelyn Morrison

Patti Gubbels

Commissioner Maher was also in attendance.

Absent: Kirk Penner and Sherry Jones

1.2. President Tegtmeier led the Pledge of Allegiance.

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

2. BUSINESS

2.1. Legislative Priorities for 2025-2027 Biennium

President Tegtmeier had Lane Carr and Brian Halstead, NDE Representatives, updated the Board on Legislative matters from the last session and the Board began discussion of priorities for 2025-2027 Biennium.

RECESS

President Tegtmeier recessed the meeting at 12:09 p.m. The meeting resumed at 1:06 p.m.

2. BUSINESS Con't

2.1. Legislative Priorities for 2025-2027 Biennium

President Tegtmeier had Lane Carr and Brian Halstead, NDE Representatives, provide draft information and the Board continued discussion of the Legislative Priorities for 2025-2027 Biennium.

Patsy Koch Johns left the meeting at 1:20 p.m. Returned at 1:28 p.m.

Jacquelyn Morrison left the meeting at 1:32 p.m. Returned at 1:34 p.m.

3. ADJOURNMENT

President Tegtmeier adjourned the meeting at 2:15 p.m.

The State Board of Education will reconvene Friday, May 3, 2024, at 9:00 a.m. at Nebraska Department of Education, State Board Room, 500 S 84th Street, Lincoln, NE 68508.

STATE BOARD OF EDUCATION MEETING, Friday, May 3, 2024, 9:00 a.m.

1. CALL TO ORDER – President Elizabeth Tegtmeier called the meeting to order at 9:00 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Sherry Jones	Patti Gubbels	Patsy Koch Johns
Lisa Fricke	Deborah Neary	Jacquelyn Morrison
Kirk Penner	Elizabeth Tegtmeier	

Commissioner Maher was also in attendance.

1.2. President Tegtmeier led the Pledge of Allegiance.

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

2. SPECIAL PRESENTATIONS

2.1. Adopt the Resolution proclaiming May as Foster Care Awareness Month

Motion by Lisa Fricke, second by Patsy Koch Johns to proclaim May as Foster Care Awareness Month.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

Rose Hood-Buss, Executive Director, , the HUB Central Access Point, spoke about the challenges that young adults face in the foster care system and a young adult, Carolina, spoke about her experience and the help with her education.

2.2. Adopt the Resolution to Recognize Nebraska PK-12 Educators for Teacher Appreciation Month

Motion by Sherry Jones, second by Patsy Koch Johns to recognize Nebraska PK-12 Educators for Teacher Appreciation Month.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 2.3. Update on the Success Made Accessible Through Rural Tutoring (Nebraska SMART) program
Lane Carr, NDE Representative, introduced Chancellor Dr. Paul Turman, Vice Chancellor Jodi Kupper and Director of Nebraska SMART, Julie Dickerson who shared about Nebraska SMART, the one-on-one online tutoring program developed by the Nebraska State College System.

3. COMMISSIONER'S REPORT

- 3.1. Agenda Overview and Consent Agenda Process
 - 3.1.A. Commissioner Maher's recommendation and items to be removed from consent agenda
Agenda items 5.4.B. and 5.7.B. were requested to be removed from the Consent Agenda.
Commissioner Maher delivered the Commissioner's report.

- 3.2. Exempt School Update
Bryce Wilson, NDE Representative, provided an update on the Exempt School Program system improvement.

4. PRESIDENT'S REPORT

President Tegtmeier did not have a report.

5. CONSENT AGENDA

Motion by Patsy Koch Johns, second by Patti Gubbels to approve the Consent Agenda, without agenda items 5.4.B. and 5.7.B.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

President Tegtmeier called for a break at 10:12 a.m. The meeting resumed at 10:25 a.m.

6. STANDING COMMITTEE REPORTS

- 6.1. **Executive Committee** – Elizabeth Tegtmeier, Chair, reported on the meeting of the Committee.
 - 6.1.A. Discussion Item: Commissioner's Appraisal Process
Members of the committee read the evaluation summary that provided an overview of Commissioner Maher in three key areas of leadership.
 - 6.1.B. Discussion Item: Legislative Priorities for 2025-2027 Biennium
Board Members discussed the Legislative Priorities for 2025-2027 Biennium.

6.2. **Budget and Finance Committee** – Patsy Koch Johns, Chair, reported on the meeting of the Committee.

6.2.A. Monthly Board Travel Expense Report

There was no further discussion on this item.

6.2.B. Action Item: Accept the 2023 Single Audit Report

Motion by Lisa Fricke, second by Kirk Penner to accept the 2023 Single Audit Report.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.C. Action Item: Accept the 2023 Annual Comprehensive Financial Report (ACFR) Audit

Motion by Lisa Fricke, second by Patti Gubbels to accept the 2023 Annual Comprehensive Financial Report Audit.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.D. Action Item: Approve funding recommendations for the 21st Century Community Learning Centers (21st CCLC) Grant Program

Motion by Lisa Fricke, second by Patti Gubbels to approve funding recommendations for the 21st Century Community Learning Centers (21st CCLC) Grant Program.

Board Members discussed the accountability process, the annual reporting and visits the sites receive for funding.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.E. Action Item: Authorize the Commissioner to accept funds to support the development and continued support of Statewide Family Engagement Centers

Motion by Patti Gubbels, second by Kirk Penner to accept funds to support the development and continued support of Statewide Family Engagement Centers.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.F. Action Item: Authorize the Commissioner to amend a contract for providing additional training for tier two interventions to address the mental health needs of students

Motion by Patti Gubbels, second by Kirk Penner to amend a contract for providing additional training for tier two interventions to address the mental health needs of students.

Board Members discussed sustainability and monitoring of the training.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.G. Action Item: Authorize the Commissioner to approve School Safety and Security-Related Infrastructure Grants

Motion by Patti Gubbels, second by Kirk Penner to approve School Safety and Security-Related Infrastructure Grants.

Jay Martin, NDE Representative, provided additional information on the funding needs of the grants.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.H. Action Item: Authorize the Commissioner to amend the contract for the Summer Electronic Benefit Transfer (SEBT) program

Motion by Patti Gubbels, second by Kirk Penner to amend the contract for the Summer Electronic Benefit Transfer (SEBT) program.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.I. Action Item: Approve new and expansion early childhood education program grants

Motion by Sherry Jones, second by Deborah Neary to approve new and expansion early childhood education program grants.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.2.J. Action Item: Authorize the Commissioner to contract to create microcredential courses to support leadership development

Motion by Sherry Jones, second by Jacquelyn Morrison to contract to create microcredential courses to support leadership development.

Shirley Vargas and Ryan Ricenbaw, NDE Representatives, provided additional information on the microcredential courses.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 6.2.K. Action Item: Issue subawards and contract to carry out the provisions of the Nebraska Statewide Educational Programs and Support Services for Children who are Deaf or Hard of Hearing State Plan and the duties listed within

Motion by Sherry Jones, second by Jacquelyn Morrison to issue subawards and contract to carry out the provisions of the Nebraska Statewide Educational Programs and Support Services for Children who are Deaf or Hard of Hearing State Plan and the duties listed within.

Amy Rhone, NDE Representative, provided additional information on the subawards and contracts.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 6.2.L. Action Item: Issue subawards to carry out the Federal IDEA Part B grant continuation activities

Motion by Patsy Koch Johns, second by Patti Gubbels to issue subawards to carry out the Federal IDEA Part B grant continuation activities.

Amy Rhone, NDE Representative, provided additional information on the subawards.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 6.2.M. Action Item: Issue subawards to carry out the Federal IDEA Part C grant continuation activities

Motion by Patsy Koch Johns, second by Kirk Penner to issue subawards to carry out the Federal IDEA Part B grant continuation activities.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6.3. **Planning and Evaluation Committee Report** – Sherry Jones, Chair reported on the meeting of the Committee.

Decua Jean-Baptiste, NDE Representative, presented on the accreditation or approval of Rule 10, 14, 18 and 84 School Systems, Programs and Educational Service Units.

Brad Dirksen, NDE Representative, provided additional information.

Brian Halstead, NDE Representative, provided additional information on documentation from school visits.

6.3.A. Action Item: Approve Nonpublic schools for the 2024-2025 school year

Motion by Kirk Penner, second by Patti Gubbels to approve nonpublic schools for the 2024-2025 school year.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

President Tegtmeier called for a recess at 12:07 p.m. The meeting resumed at 12:45 p.m.

6.3.B. Discussion Item: Conditional approval of new nonpublic schools

Board Members discussed the meaning of conditional approval.

6.3.C. Discussion Item: Approval of Interim-Program Schools for the 2024-2025 school year

There was no additional discussion.

6.3.D. Discussion Item: Accreditation of current accredited public, nonpublic, and special purpose schools

Brian Halstead, NDE Representative, said that Rule 10 provides accreditation to come before the Board annually.

Decua Jean-Baptiste and Brad Dirksen, NDE Representatives, clarified the school changes on the list.

6.3.E. Discussion Item: Accreditation of Educational Service Units

There was no additional discussion.

6.3.F. Discussion Item: Approve educator preparation programs for the 2024-2025 school year

Brad Dirksen, NDE Representative, answered questions in regard to Rule 20 revisions and adherence demonstrated through annual assurance statements.

6.3.G. Discussion Item: Development of Model Dress Code Policy

Board Members discussed the model policy.

Zainab Rida, NDE Representative, provided the process for the model dress code policy, created in accordance with section 79-2, 159.

6.4. **Rules and Regulations Committee** – Lisa Fricke, Chair reported on the meeting of the Committee.

Board Members discussed concerns about a model book policy.

6.4.A. Report on Rules

The report on rules is linked through Sparq in Board Agenda item 6.4.A.

7. ADDITIONAL BUSINESS

5.4.B. Authorize the Commissioner to approve grant renewals to operate the T.E.A.C.H Early Childhood Nebraska® Scholarship program

Motion by Deborah Neary, second by Patsy Koch Johns to approve grant renewals to operate the T.E.A.C.H Early Childhood Nebraska® Scholarship program.

Melody Hobson, NDE Representative, provided additional information on the T.E.A.C.H Early Childhood Nebraska® Scholarship program.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

5.7.B. Approve the attached Special Grant Fund List for 024/25 School District Budgeting

Motion by Jacquelyn Morrison, second by Kirk Penner to approve the attached special grant fund list for 2024/25 school district budgeting.

Bryce Wilson, NDE Representative, provided the information used for the school district budgeting.

Kirk Penner left the meeting at 2:01 p.m.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Absent

The motion passed.

8. INFORMATION ITEMS AND REPORTS

Information items and reports are linked through Sparq under Board Agenda item 8.

9. GOOD OF THE ORDER

Patti Gubbels commented on the events and training that is offered by the National Association of State Boards of Education (NASBE), New Board Member Institute and thanked Board Members Elizabeth Tegtmeier and Sherry Jones for registering; awards, Office Hours special training sessions, and being able to submit a proposal for a session at the national conference.

10. ADJOURNMENT

President Tegtmeier adjourned the meeting at 2:12 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, June 7, 2024, at 9:00 a.m. in Lincoln, NE.

DRAFT

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

IN THE MATTER OF:)	ORDER
)	Case No. 24-13
Adjustment of the Boundaries of Educational)	
Service Unit Numbers 6 and 18)	

On June 7, 2024, the State Board of Education (Board) met in the State Board Room of the Nebraska Department of Education, 500 South 84th Street, Lincoln, Nebraska. Pursuant to Neb. Rev. Stat. Section 79-1205, the Board is required to adjust the boundaries of educational service units which do not align with the boundaries of member school districts as such school district boundaries exist on August 1, 2024.

The Board finds that the boundaries for Educational Service Unit Number 6 and 18 currently do not align with the boundaries of their member school districts of said educational service units in Lancaster County for the reason that the City of Lincoln annexed territory that was within the boundaries of Lancaster County School District No. 145 (Waverly School District 145), Lancaster County School District No. 148 (Malcolm Public Schools), and Lancaster County School District No. 160 (Norris School District 160) and pursuant to Neb. Rev. Stat. Sections 79-408 and 79-475 said territories became part of Lancaster County School District No. 1 (Lincoln Public Schools).

Therefore, the Board adjusts the boundaries of Educational Service Unit Number 18 to align with the school district boundaries of Lancaster County School District No. 1 (Lincoln Public Schools), and adjusts the boundaries of Educational Service Unit Number 6 to align with the school district boundaries of Lancaster County School District No. 145 (Waverly School District 145), Lancaster County School District No. 148 (Malcolm Public Schools), and

Lancaster County School District No. 160 (Norris School District 160) as such school district boundaries exist on August 1, 2024.

The County Clerk, Treasurer, and Assessor of Lancaster County are directed to implement the necessary changes in the educational service unit maps and tax records as required pursuant to this order and applicable law, with an effective date of August 1, 2024. A copy of this order shall also be provided to the appropriate educational service unit officials and to the Election Division in the office of the Secretary of State.

Dated this 7th day of June 2024.

Elizabeth Tegtmeier, President
State Board of Education



Lincoln Educational Service Unit No. 18

P.O. Box 82889 • Lincoln, NE 68501 • (402) 436-1636 • Fax (402) 458-3285

April 30, 2024

State Board of Education
Lincoln, NE

State Board:

Pursuant to Section 79-1205, Educational Service Unit 18 is requesting that its boundaries be adjusted so that the boundaries match those of Lancaster County School District 001.

Please contact Kim Schmidt at 402-436-1708 if you need any additional information.

Sincerely,

A handwritten signature in blue ink that reads 'Takako Olson'.

Dr. Takako Olson
ESU 18 Administrator

ns FILED 01

MAY - 6 2024

NEBRASKA DEPARTMENT
OF EDUCATION

City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Norwood Park Elementary School
- Dawes Middle School
- Northeast High School

LPS School Board District




District 1

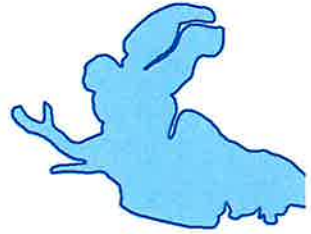
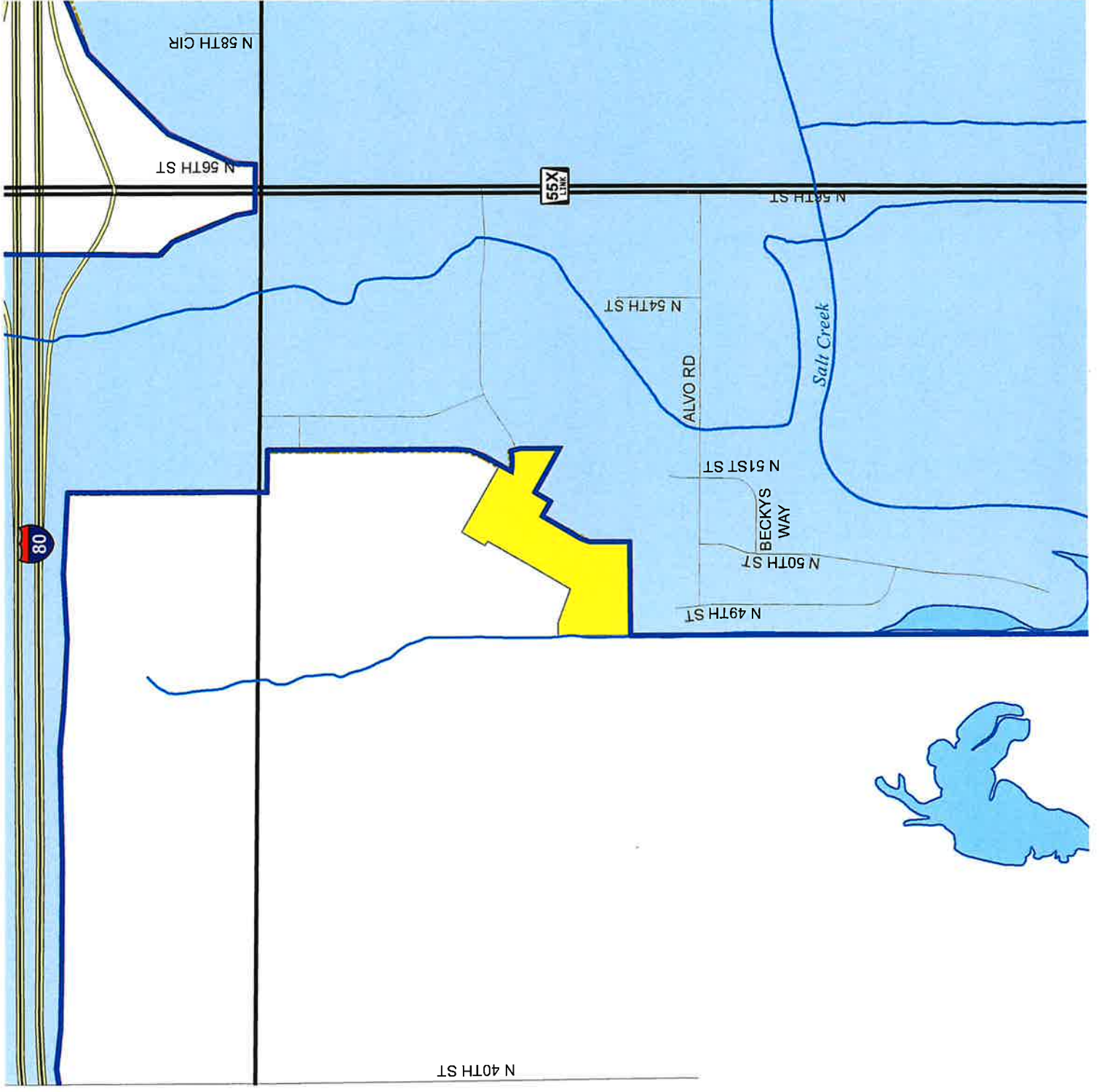
City of Lincoln Information

Annexation Number: 23010
 Ordinance Number: 21558
 Name: Northbank Junction
 Effective: February 13, 2024
 Size: 11.55 Acres

Previous School District

#148 - Malcolm

-  Area of Annexation
-  LPS District Boundary
-  Lincoln City Limits
-  Elementary Attendance Area
-  High School Attendance Area
-  Middle School Attendance Area



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Kooser Elementary School
- Schoo Middle School
- North Star High School

LPS School Board District

District 4

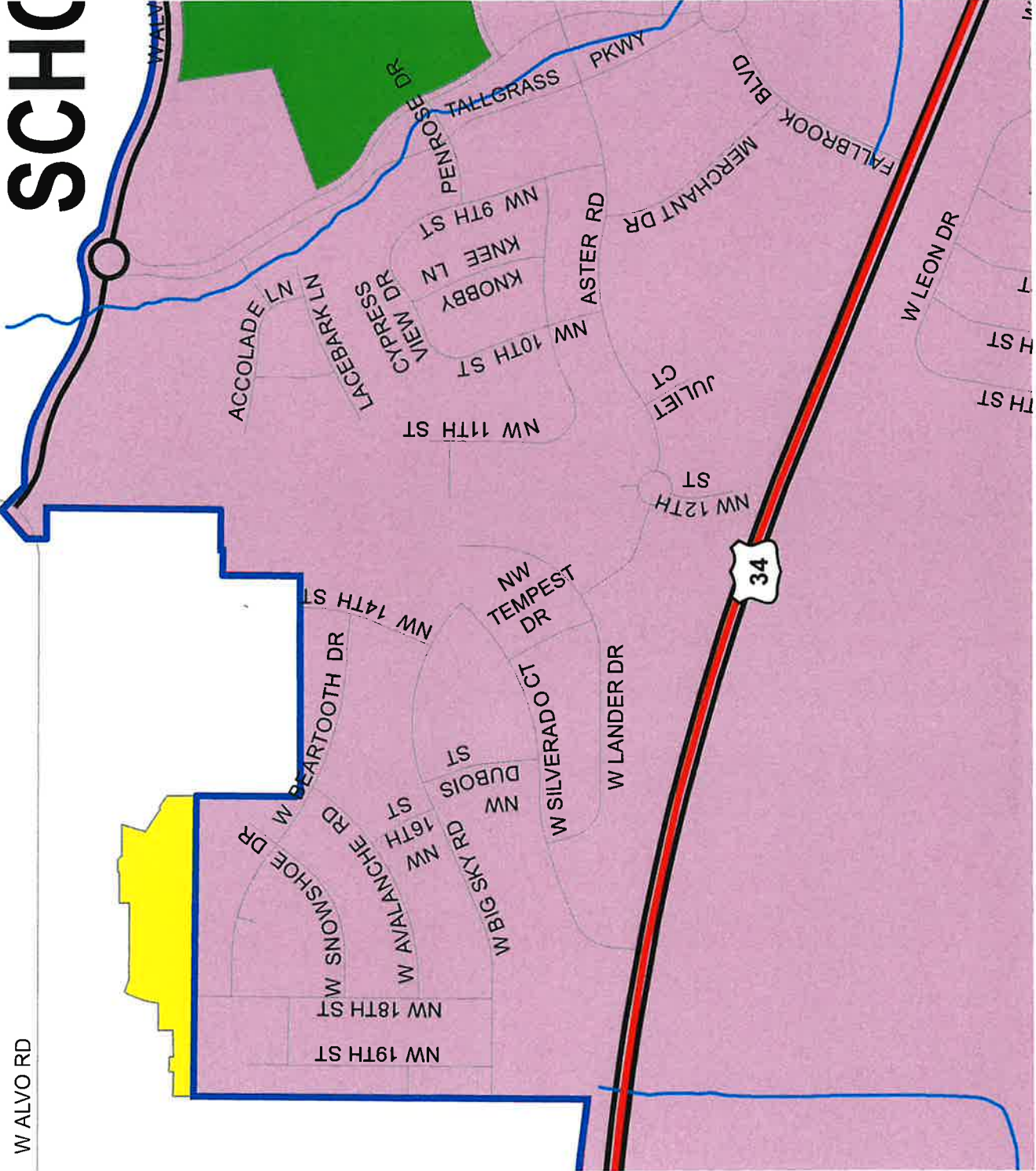
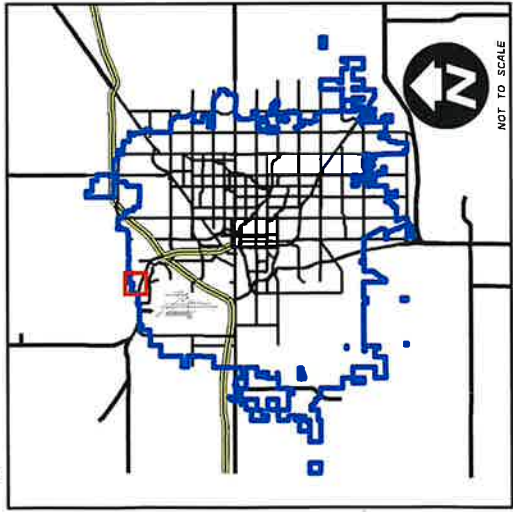
City of Lincoln Information

Annexation Number:	23012
Ordinance Number:	21560
Name:	Highland View
Effective:	February 13, 2024
Size:	7.10 Acres

Previous School District

#148 - Malcolms

- Area of Annexation
- LPS District Boundary
- Lincoln City Limits
- Elementary Attendance Area
- High School Attendance Area
- Middle School Attendance Area



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Maxey Elementary School
- Lux Middle School
- East High School

LPS School Board District

District 6

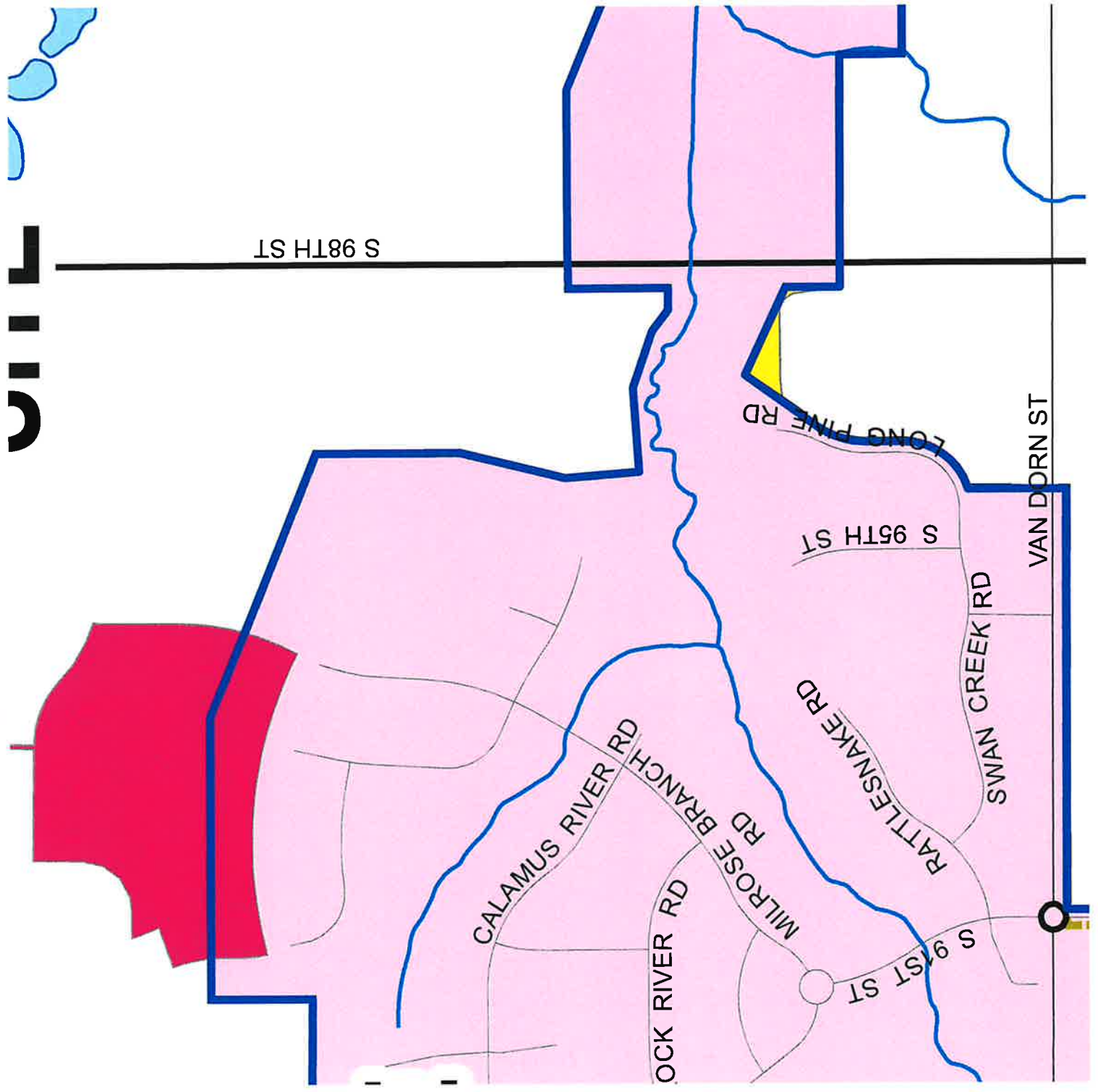
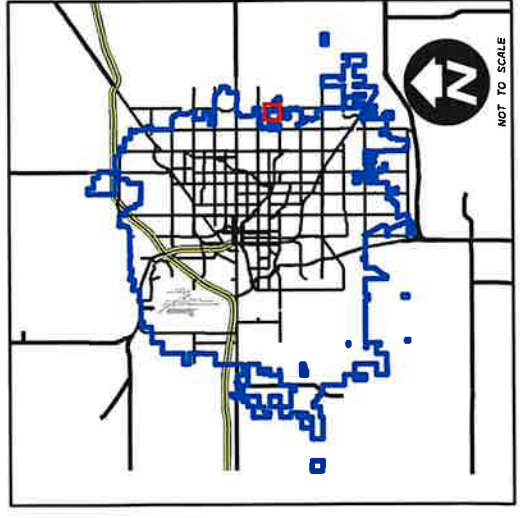
City of Lincoln Information

Annexation Number: 22006
 Ordinance Number: 21472
 Name: S. 98th St & Van Dorn St.
 Effective: June 27, 2023
 Size: 0.61 Acres

Previous School District

#145 - Waverly

- Area of Annexation
- LPS District Boundary
- Lincoln City Limits
- Elementary Attendance Area
- High School Attendance Area
- Middle School Attendance Area



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Maxey Elementary School(*)
- Moore Middle School
- Standing Bear High School

LPS School Board District

District 5

City of Lincoln Information

Annexation Number: 22012

Ordinance Number: 21430

Name: 70th & Pine Lake; 84th & Yankee Hill

Effective: July 1, 2023

Size: 84.95 Acres

Previous School District

#145 - Waverly; #160 - Norris

#145 - Waverly (31.32 acres)

#160 - Norris (53.63 acres)

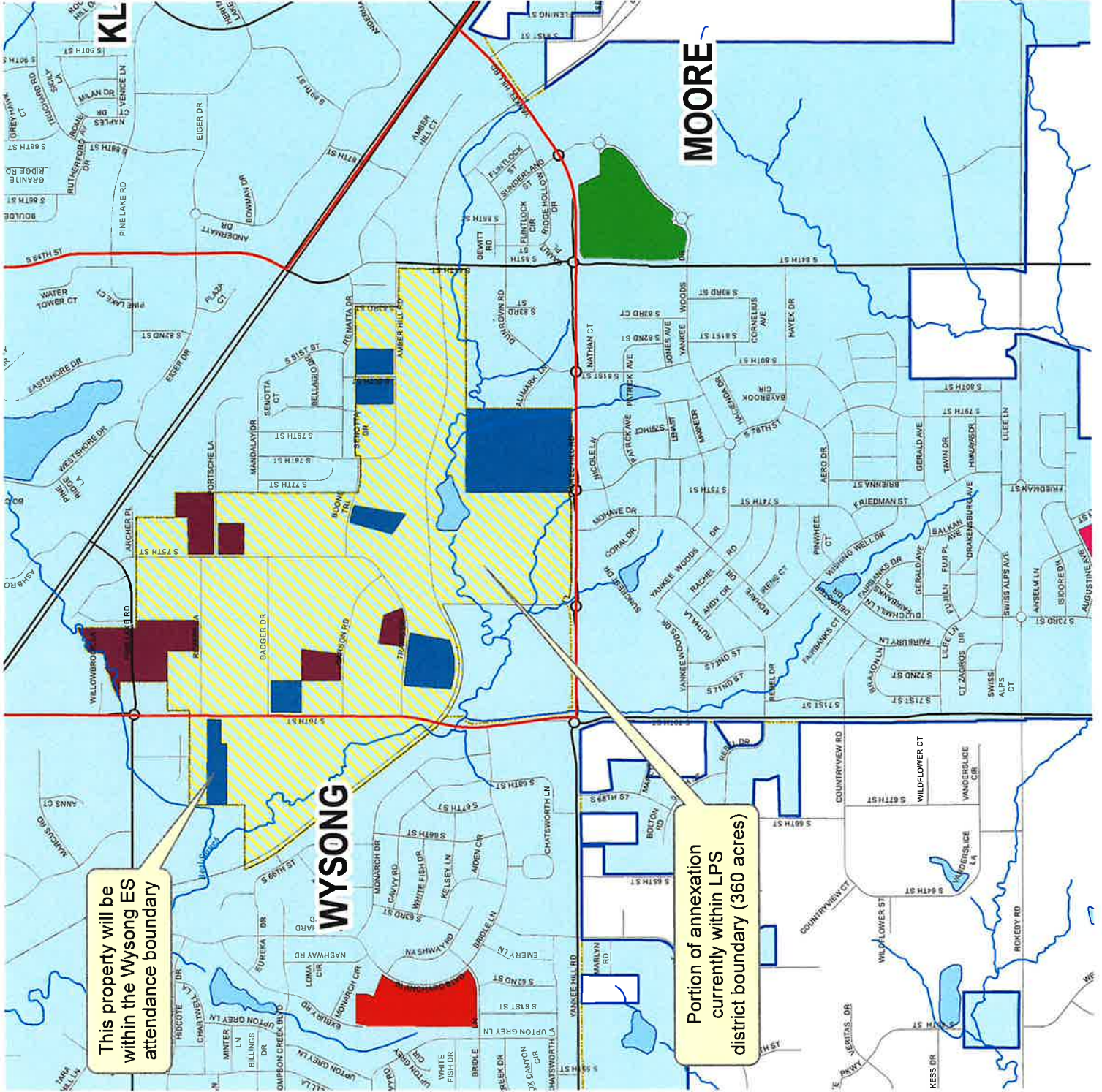
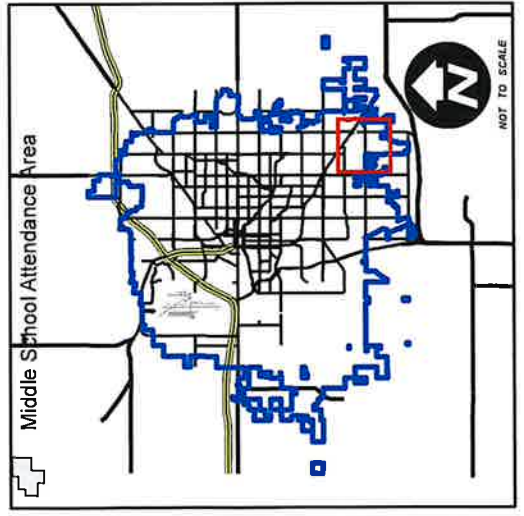
LPS District Boundary

Lincoln City Limits

Elementary Attendance Area

High School Attendance Area

Middle School Attendance Area



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Adams Elementary School
- Scott Middle School
- Southwest High School

LPS School Board District

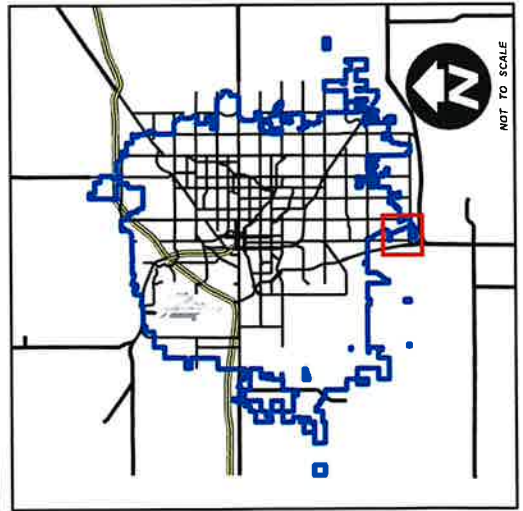
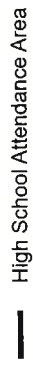
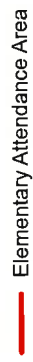
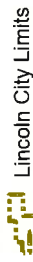
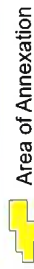
District 5

City of Lincoln Information

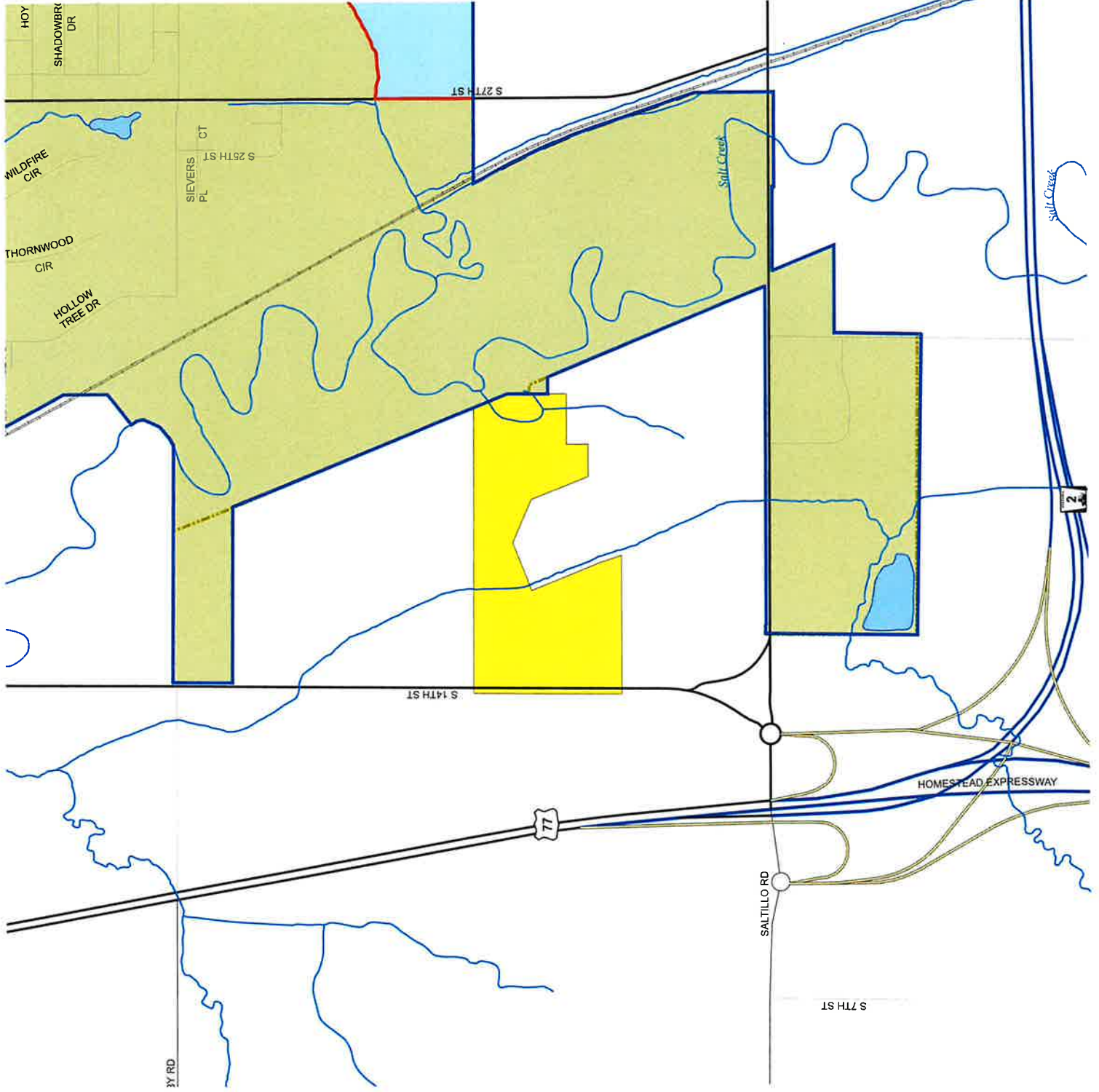
Annexation Number: 23002
 Ordinance Number: 21587
 Name: Jamaica North Business Park
 Effective: April 30, 2024
 Size: 57.76 Acres

Previous School District

#160 - Norris



NOT TO SCALE



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Robinson Elementary School
- Culler Middle School
- East High School

LPS School Board District

District 5

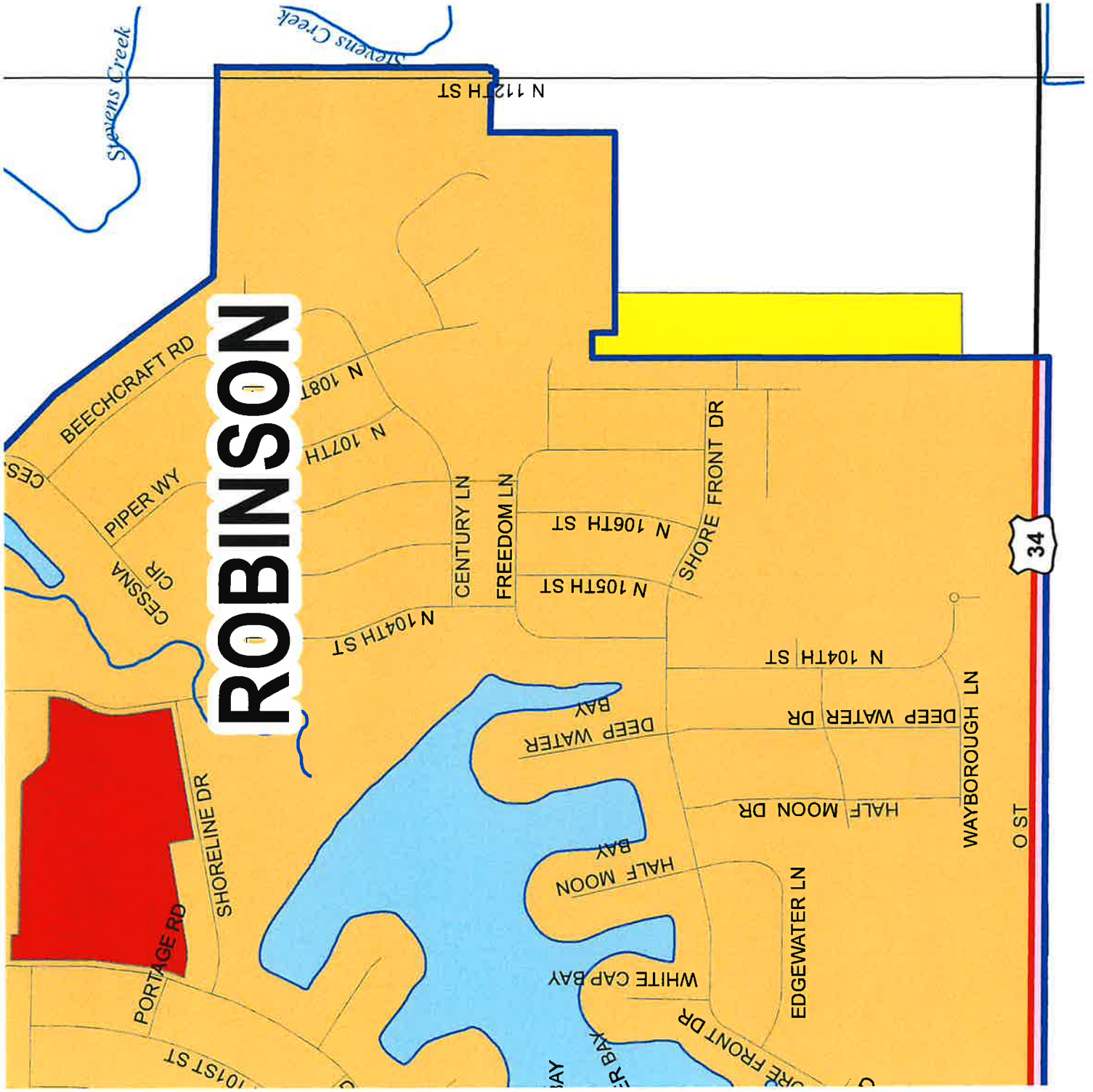
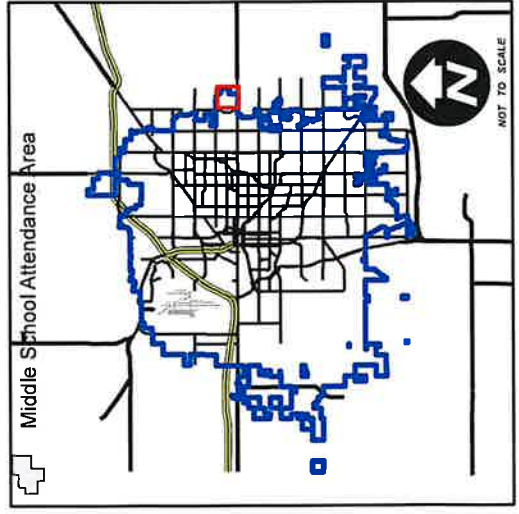
City of Lincoln Information

Annexation Number: 23007
 Ordinance Number: 21518
 Name: East Dominion Estates
 Effective: September 26, 2023
 Size: 11.82 Acres

Previous School District

#160 - Norris

- Area of Annexation
- LPS District Boundary
- Lincoln City Limits
- Area of Annexation
- Elementary Attendance Area
- High School Attendance Area



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Adams Elementary School
- Scott Middle School
- Southwest High School

LPS School Board District

District 5

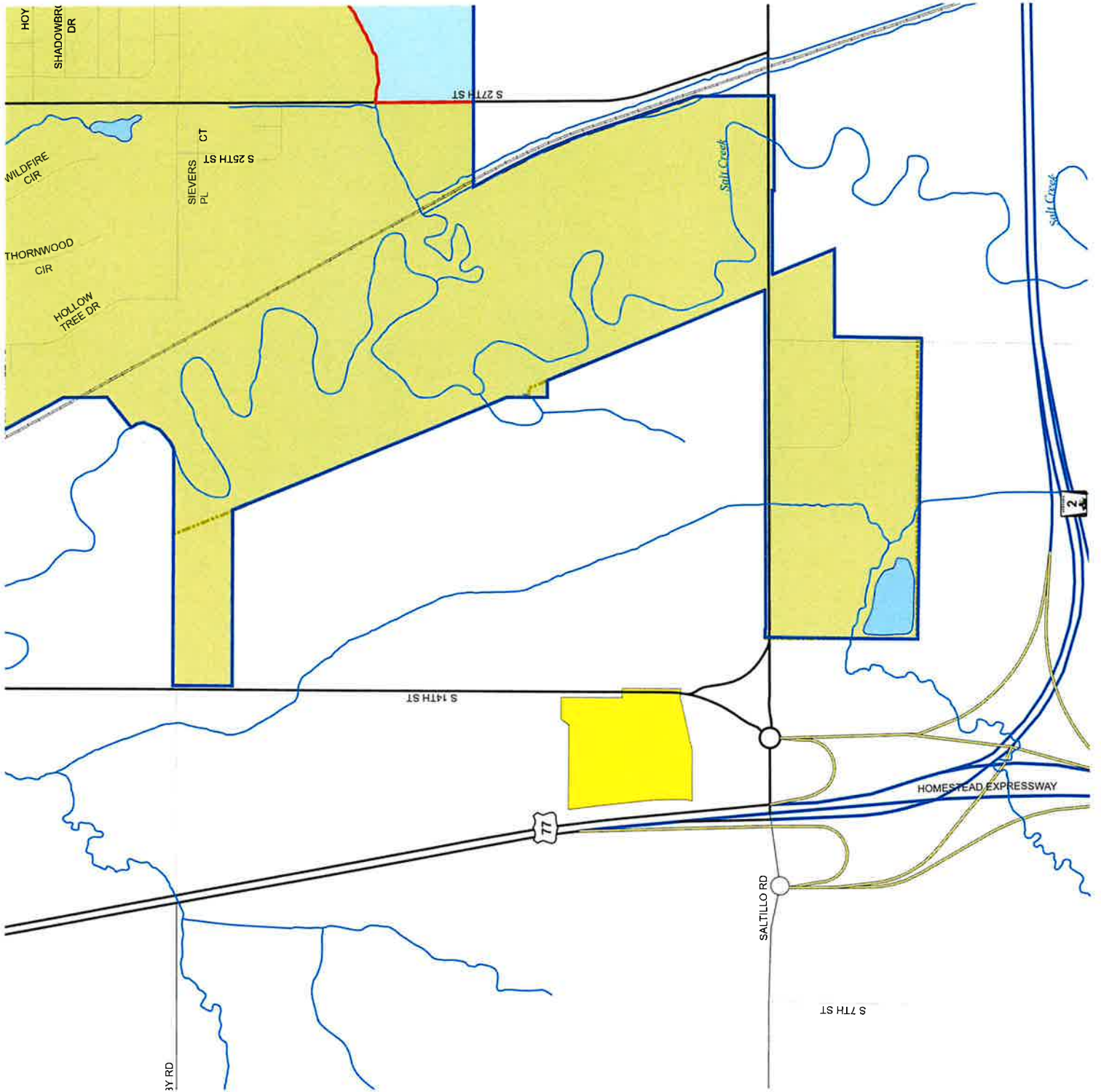
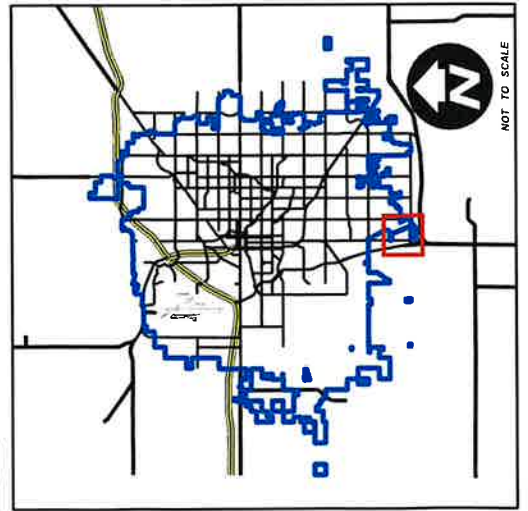
City of Lincoln Information

Annexation Number: 23003
 Ordinance Number: 21585
 Name: Saltlilo Express Business Park
 Effective: April 30, 2024
 Size: 24.59 Acres

Previous School District

#160 - Norris

- Area of Annexation
- LPS District Boundary
- Lincoln City Limits
- Elementary Attendance Area
- High School Attendance Area
- Middle School Attendance Area



NOT TO SCALE

79-1205. Annual adjustment to boundaries; State Board of Education; duties.

On or before August 1 of each year, the State Board of Education shall adjust the boundaries of any educational service unit the boundaries of which do not align with the boundaries of the member school districts on August 1 of such year. Such boundary adjustments shall align the boundaries of the educational service unit with the boundaries of the member school districts as the boundaries of the member school districts existed on August 1 of such year. Such boundary adjustments shall be referred to the appropriate county and educational service unit officials, and such officials shall implement the adjustments and make the necessary changes in the educational service unit maps and tax records.

Source: Laws 2007, LB603, § 10; Laws 2015, LB525, § 25.

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

IN THE MATTER OF:)	
)	Case No. 24-14
Adjustment of the Boundaries of Educational)	
Service Unit Numbers 7 and 8)	

On June 7, 2024, the State Board of Education (Board) met in the State Board Room of the Nebraska Department of Education, 500 S. 84th Street, Lincoln, Nebraska. Pursuant to Neb. Rev. Stat. Section 79-1205, the Board is required to adjust the boundaries of educational service units which do not align with the boundaries of member school districts as such school district boundaries existed on August 1, 2024.

The Board finds that the boundaries for Educational Service Unit Number 7 and Educational Service Unit Number 8 currently do not align with the boundaries of their member school districts in Platte County for the reason that the village of Lindsay annexed territory which was located in Madison County School District No. 13 (Newman Grove Public Schools) and pursuant to section 79-473 said territory became part of Platte County School District No. 67 (Humphrey Public Schools) .

Therefore, the Board adjusts the boundaries of Educational Service Unit Number 7 to align with Platte County School District No. 67 (Humphrey Public Schools), and adjusts the boundaries of Educational Service Unit Number 8 to align with Madison County School District No. 13 (Newman Grove Public Schools) as such school district boundaries exist on August 1, 2024.

The County Clerk, Treasurer, and Assessor of Platte County are directed to implement the necessary changes in the educational service unit maps and tax records as required pursuant

to this order and applicable law, with an effective date of August 1, 2024. A copy of this order shall also be provided to the appropriate educational service unit officials and to the Election Division in the office of the Secretary of State.

Dated this 7th day of June 2024.

Elizabeth Tegtmeier, President
State Board of Education

North Building
2657 44th Ave.
Columbus, NE 68601
O: 402.564.5753
F: 402.563.1121
@ESU7_NE
www.esu7.org



Serving the schools of Boone, Butler, Colfax, Merrick, Nance, Platte, and Polk counties.

South Building
2563 44th Ave.
Columbus, NE 68601
O: 402.564.0815
F: 402.563.1121
@ESU7_NE
www.esu7.org

Dr. Larianne Polk
Chief Administrator
E: lpolk@esu7.org

Dir. Marci Ostmeyer
Professional Development
E: mostmeyer@esu7.org

Dir. Tami Clay
Special Education
E: tclay@esu7.org

Dir. Dan Ellsworth
Network Operations
E: ellsworth@esu7.org

May 17, 2024

State Board of Education
Lincoln, NE

State Board:

Pursuant to Section 79-1205, Educational Service Unit 7 is requesting that its boundaries be adjusted so the boundaries match those of Humphrey School District including the land annexed to Lindsay, Nebraska.

The annexed parcel of land is removed from the Newman Grove School District and Educational Service Unit 8, and added to the Humphrey School District and Educational Service Unit 7.

Effective Date: March 4, 2024
Ordinance Number: 3-4-24
Size: 13.9 Acres
Name of Parcel: Lindsay Area Addition

Please contact me at 402-564-5753 ext. 1001 if you need any additional information.

Sincerely,

A handwritten signature in blue ink that reads "Larianne Polk".

Dr. Larianne Polk
ESU 7 Chief Administrator

FILED

MAY 17 2024

**NEBRASKA DEPARTMENT
OF EDUCATION**

PLATTE COUNTY REGISTER OF DEEDS
DIANE KAPELS
December 27, 2023 09:51 AM
RECORDED & ENTERED
BOOK DEED 256 PAGE 139
Fee: 28.00 Return: VILLAGE OF LINDSAY

SPACE ABOVE RESERVED FOR REGISTER OF DEEDS OFFICE RECORDING INFORMATION

RETURN TO: Village of Lindsay
P.O. Box 66
121 Pine Street
Lindsay, NE, 68644

TITLE OF DOCUMENT: Ordinance NO. 11-6-23

ORDINANCE NO. 11-6-23

AN ORDINANCE OF THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA, MAKING FINDINGS IN REGARD TO CERTAIN PROPERTY ADJACENT TO THE VILLAGE; ANNEXING SUCH PROPERTY TO THE VILLAGE; PROVIDING AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF LINDSAY, NEBRASKA AS FOLLOWS:

SECTION 1. That the following described-property, to-wit:

A tract of land located in the E1/2 of the NE1/4, Section 18, T20N, R3W of the 6th P.M., Platte County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of said E1/2 NE1/4; thence S 89°05'31" W, 217.38 ft. on the South line of said E1/2 NE1/4 to the Southeast corner of Arrow Ridge Addition to the Village of Lindsay; thence for the next five courses on the Easterly line of said Addition:

1) N 00°09'06" E, 181.73 ft.; 2) S 89°39'51" W, 184.67 ft.; 3) N 00°09'06" E, 197.19 ft.; 4) S 89°39'51" W, 58.50 ft.; 5) N 18°26'03" W, 370.52 ft. to the Northeast corner of said Addition; thence S 71°35'05" W, 200.00 ft. on the Northwesterly line of said Addition; thence N 18°24'55" W, 60.00 ft.; thence N 71°35'05" E, 253.86 ft.; thence Easterly 49.98 ft. on a 160.00 ft. radius curve concaved to the South, long chord bears N 80°31'41" E, 49.77 ft.; thence N 18°03'13" E, 689.89 ft.; thence S 89°02'56" E, 285.70 ft. to the East line of said E1/2 NE1/4; thence S 00°56'28" W, 1459.34 ft. on the East line of said E1/2 NE1/4 to the point of beginning, containing 13.90 acres more or less.

be and hereby is determined to be contiguous or adjacent to the corporate limits of the Village of Lindsay, Nebraska and is urban or suburban in character.

SECTION 2. From and after the effective date of this ordinance, the property described in Section 1 above shall be and hereby is annexed to the Village of Lindsay, Platte County, Nebraska; shall be entitled to the benefits of being part of the Village, and shall be subject to the general taxation and other ordinances of the Village.

SECTION 3. This ordinance shall be effective from and after its approval, passage and publication as required by law.

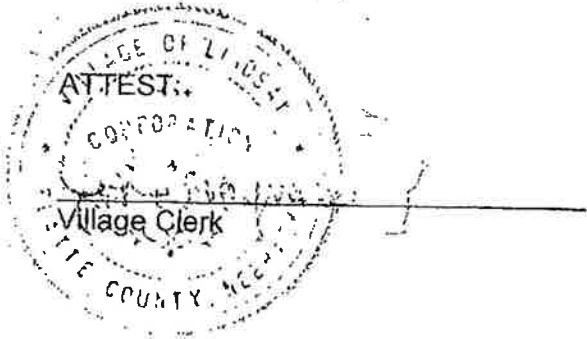
SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Dated this 4th day of December 2023.

2

VILLAGE OF LINDSAY, NEBRASKA

[Signature]
Chairman of the Village Board



CERTIFICATION

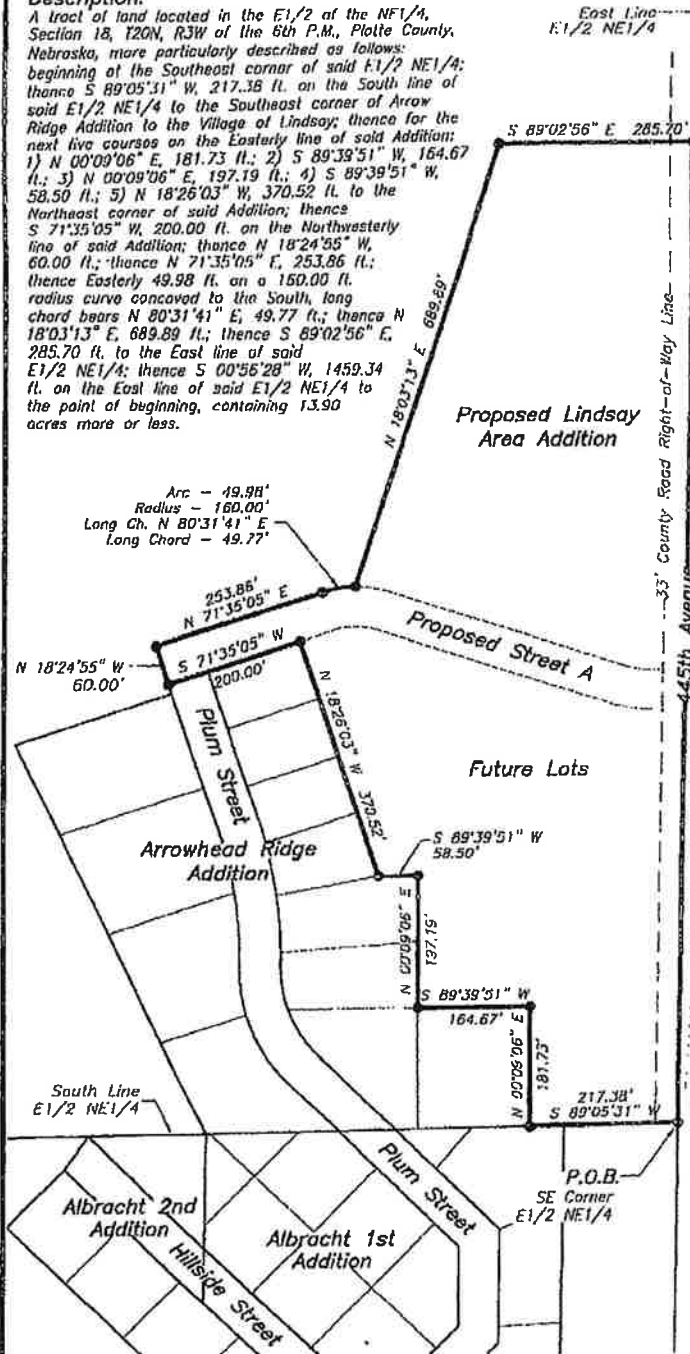
I, John Haynes, clerk of the Village of Lindsay, Nebraska, hereby certify that the foregoing is a true and complete copy of Ordinance No. 11-6-23 of said village, passed by the Village Board on the 4th day of December 2023.

[Signature]
Village Clerk

Description:

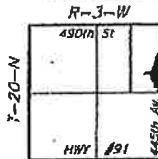
A tract of land located in the E1/2 of the NE1/4, Section 18, T20N, R3W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: beginning of the Southeast corner of said E1/2 NE1/4; thence S 89°05'31" W, 217.38 ft. on the South line of said E1/2 NE1/4 to the Southeast corner of Arrow Ridge Addition to the Village of Lindsay; thence for the next five courses on the Easterly line of said Addition: 1) N 00°09'06" E, 181.73 ft.; 2) S 89°39'51" W, 164.67 ft.; 3) N 00°09'06" E, 197.19 ft.; 4) S 89°39'51" W, 58.50 ft.; 5) N 18°26'03" W, 370.52 ft. to the Northeast corner of said Addition; thence S 71°35'05" W, 200.00 ft. on the Northwesterly line of said Addition; thence N 18°24'55" W, 60.00 ft.; thence N 71°35'05" E, 253.86 ft.; thence Easterly 49.98 ft. on a 150.00 ft. radius curve concave to the South, long chord bears N 80°31'41" E, 49.77 ft.; thence N 18°03'13" E, 689.89 ft.; thence S 89°02'56" E, 285.70 ft. to the East line of said E1/2 NE1/4; thence S 00°56'28" W, 1459.34 ft. on the East line of said E1/2 NE1/4 to the point of beginning, containing 13.90 acres more or less.

Arc - 49.98'
Radius - 150.00'
Long Ch. N 80°31'41" E
Long Chord - 49.77'



1" = 200'

Platte County
Nebraska



Section 18
Vicinity Sketch

Note: All Bearings are referenced to the Platte County Projection.

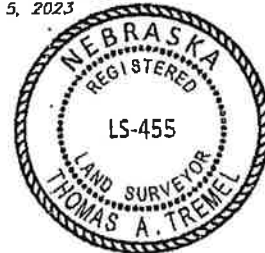
-Legend-

- Corner Location
- P.O.B. Point of Beginning

Surveyor's Statement:

I, Thomas A. Tremel, a Registered Land Surveyor in the State of Nebraska, hereby state that this plat was prepared from record plats, surveys and other preliminary plats provided by the client, under my direct supervision and is correct to the best of my knowledge and belief.

Thomas A. Tremel
Thomas A. Tremel, L.S. #455
October 5, 2023



Village of Lindsay, Nebraska Approval:

The foregoing and within plat and instrument, approved by Ordinance No. _____ by the Village

Council of Lindsay, Platte County, Nebraska, on this _____ day of _____

Attest _____
Mayor Village Clerk

**ANNEXATION PLAT TO THE
VILLAGE OF LINDSAY, PART OF
SEC 18 T20N R3W, PLATTE CNTY, NE**

TAT	10/04/2023
DRAWN	DATE
SURVEYED	



No. 1 Driftwood Drive - Columbus, NE 68601
Phone (402) 563-4559 - Fax (402) 563-3922

21

Good Life. Great Service.

- To be filed with the Register of Deeds. • Read instructions on reverse side.
- If additional space is needed, add an attachment and identify the applicable item number.

The deed will not be recorded unless this statement is signed and items 1-25 are accurately completed.

1. County Name Platte	2. County Number 71	3. Date of Sale/Transfer Mo. Day 26 Yr. 24	4. Date of Deed Mo. Day 26 Yr. 24
5. Grantor's Name, Address, and Telephone (Please Print) Grantor's Name (Seller) Wade J. Pfeifer and Kayla S. Pfeifer Street or Other Mailing Address 43420 430th Ave.		6. Grantee's Name, Address, and Telephone (Please Print) Grantee's Name (Buyer) Lindsay Area Development Street or Other Mailing Address P. O. Box 67	
City Lindsay	State NE	Zip Code 68644	City Lindsay
State NE	Zip Code 68644	State NE	Zip Code 68644
Phone Number N/A	Phone Number x402-889-5639	Is the grantee a 501 (c)(3) Organization? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Email Address N/A	Email Address N/A	If Yes, is the grantee a 509(a) foundation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

7 Property Classification Number. Check one box in categories A and B. Check C if property is also a mobile home.

(A) Status	(B) Property Type		(c)
<input type="checkbox"/> Improved	<input type="checkbox"/> Single Family	<input type="checkbox"/> Industrial	<input type="checkbox"/> Mineral Interests-Nonproducing
<input checked="" type="checkbox"/> Unimproved	<input type="checkbox"/> Multi-Family	<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Mineral Interests-Producing
<input type="checkbox"/> IOLL	<input type="checkbox"/> Commercial	<input type="checkbox"/> Recreational	<input type="checkbox"/> State Assessed
			<input type="checkbox"/> Exempt
			<input type="checkbox"/> Mobile Home

8 Type of Deed

<input type="checkbox"/> Conservator	<input type="checkbox"/> Distribution	<input type="checkbox"/> Land Contract/Memo	<input type="checkbox"/> Partition	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Other
<input type="checkbox"/> Bill of Sale	<input type="checkbox"/> Corrective	<input type="checkbox"/> Easement	<input type="checkbox"/> Lease	<input type="checkbox"/> Personal Rep.	<input type="checkbox"/> Trust/Trustee
<input type="checkbox"/> Cemetery	<input type="checkbox"/> Death Certificate - Transfer on Death	<input type="checkbox"/> Executor	<input type="checkbox"/> Mineral	<input type="checkbox"/> Quit Claim	<input checked="" type="checkbox"/> Warranty

9 Was transfer part of IRS like-kind exchange (I.R.C. § 1031 Exchange) by buyer or seller?
 Buyer Seller No

10 Type of Transfer

<input type="checkbox"/> Distribution	<input type="checkbox"/> Foreclosure	<input type="checkbox"/> Irrevocable Trust	<input type="checkbox"/> Revocable Trust	<input type="checkbox"/> Transfer on Death
<input type="checkbox"/> Auction	<input type="checkbox"/> Easement	<input checked="" type="checkbox"/> Gift	<input type="checkbox"/> Life Estate	<input type="checkbox"/> Sale
<input type="checkbox"/> Court Decree	<input type="checkbox"/> Exchange	<input type="checkbox"/> Grantor Trust	<input type="checkbox"/> Partition	<input type="checkbox"/> Satisfaction of Contract
				<input type="checkbox"/> Other (Explain)

11 Was ownership transferred in full? (If No, explain the division.)
 Yes No

12 Was real estate purchased for same use? (If No, state the intended use.)
 Yes No

13 Was the transfer between relatives, or if to a trustee, are the trustor and beneficiary relatives? (If Yes, check the appropriate box.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Aunt or Uncle to Niece or Nephew	<input type="checkbox"/> Family Corp., Partnership, or LLC	<input type="checkbox"/> Self	<input type="checkbox"/> Other
		<input type="checkbox"/> Brothers and Sisters	<input type="checkbox"/> Grandparents and Grandchild	<input type="checkbox"/> Spouse	
		<input type="checkbox"/> Ex-spouse	<input type="checkbox"/> Parents and Child	<input type="checkbox"/> Step-parent and Step-child	

14 What is the current market value of the real property?
\$ 84,000.00

15 Was the mortgage assumed? (If Yes, state the amount and interest rate.)
 Yes No \$ _____ %

16 Does this conveyance divide a current parcel of land?
 Yes No

17 Was transfer through a real estate agent or a title company? (If Yes, include the name of the agent or title company contact) Yes No

18 Address of Property

19 Name and Address of Person to Whom the Tax Statement Should be Sent
'Same as #6 above'

18a No address assigned 18b Vacant land

20 Legal Description (Attach additional pages, if needed.)
SEE EXHIBIT "A" ATTACHED HERETO

21 If agricultural, list total number of acres transferred in this transaction.

22 Total purchase price, including any liabilities assumed	22	\$84,000.00
23 Was non-real property included in the purchase? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If Yes, enter dollar amount and attach itemized list.) (see instructions)	23	
24 Adjusted purchase price paid for real estate (line 22 minus line 23)	24	\$84,000.00

25 If this transfer is exempt from the documentary stamp tax, list the exemption number #25

Under penalties of law, I declare that I have examined this statement and that it is, to the best of my knowledge and belief, true, complete, and correct, and that I am duly authorized to sign this statement.

sign here **Lindsay Area Development**
Print or Type Name of Grantee or Authorized Representative

[Signature]
Signature of Grantee or Authorized Representative

Secretary/Treasurer
Title

x402-889-5639
Phone Number

January 26, 2024
Date

Register of Deeds' Use Only		For Dept. Use Only
26. Date Deed Recorded Mo 2 Day 14 Yr. 24	27. Value of Stamp or Exempt Number \$ #25	28. Recording Data 256-533

Grantee - Retain a copy of this document for your records.

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land being located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, Township 20 North, Range 3 West of the 6th P.M., Platte County, Nebraska, being more particularly described as follows: Commencing at the Southeast corner of said E $\frac{1}{2}$ NE $\frac{1}{4}$; thence on the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, N00°48'01"W, 681.03 feet, all bearings hereon are relative hereto; thence departing said East line, S89°11'59"W, 33.00 feet to the West right-of-way of 445th Avenue and to the Point of Beginning; thence departing said West right-of-way, S89°12'35"W, 24.20 feet to a point on a circular curve to the right having a delta of 17°01'49", a radius of 100.00 feet, and whose long chord bears N82°16'31"W, 29.61 feet; thence on said curve 29.72 feet; thence N73°45'36"W, 367.35 feet to a point on a circular curve to the left having a delta of 18°30'01", a radius of 160.00 feet, and whose long chord bears N83°00'37"W, 51.44 feet; thence on said curve 51.66 feet; thence N16°18'44"E, 689.89 feet; thence N89°12'35"E, 252.67 feet to said West right-of-way, said West right-of-way being 33 feet West of and parallel with the East line of said E $\frac{1}{2}$ NE $\frac{1}{4}$; thence on said West right-of-way, S00°48'01"E, 778.32 feet to the Point of Beginning, containing an area of 261,300 square feet or 6.00 acres more or less

PLATTE COUNTY REGISTER OF DEEDS
DIANE KAPELS
April 10, 2024 10:28 AM
RECORDED & ENTERED
BOOK DEED 256 PAGE 1105
Fee: 22.00 Return: VILLAGE OF LINDSAY

After recording, please return to:

JEFFREY C. JARECKI
JARECKI SHARP & PETERSEN P.C, L.L.O.
P.O. Box 106
ALBION, NE 68620
(402) 395-1010
EMAIL: jeff@jsharpwpc.com

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Wade J. Pfeifer and Kayla S. Pfeifer, husband and wife and Lindsay Area Development, a Nebraska nonprofit corporation, the owners of the following described real estate:

A parcel of land being location in the E1/2, NE1/4 of Sec. 18, T.20N, R.3W, of the 6th P.M., Platte County, Nebraska, being more particularly described as follows:

Commencing at the SE corner of said E1/2;

Thence on the East line of said E1/2, N00°48'01" W, 621.03 feet, all bearings hereon are relative hereto;

Thence departing said East line, S89°11'59" W, 33.00 feet to the West Right-of-Way of 445th Avenue and to the point of beginning;

Thence departing said West Right-of-Way, S89°12'35" W, 24.21 feet to a point on a circular curve, to the right having a delta of 17°01'49", a radius of 160.00 feet, and whose long chord bears N82°16'31" W, 47.38 feet;

Thence on said curve 47.56 feet;

Thence N73°45'36" W, 367.35 feet to a point on a circular curve to the left having a delta of 36°23'47", a radius of 100.00 feet, and whose long chord bears S88°02'30" W, 62.46 feet;

Thence on said curve 63.52 feet to a point on the Easterly Prolongation of the North boundary of Lot 8, Block 2, Arrowhead Ridge Addition;

Thence on said Easterly Prolongation and said North boundary, S69°50'36" W, 253.86 feet;

Thence departing said North boundary, N20°09'24" W, 60.00 feet;

Thence N69°50'36" E, 253.86 feet to a point on a circular curve to the right through a delta angle of 17°53'47", a radius of 160.00 feet, and whose long chord bears N78°47'30" E, 49.77 feet;

Thence on said curve 49.98 feet;

Thence N16°18'44" E, 689.89 feet;

Thence N89°12'35" E, 252.67 feet to said West Right-of-Way, said West Right-of-Way being 33' West of and parallel with the East line of said East half;

Thence on said West Right-of-Way, S00°48'01" E, 838.32 feet to the point of beginning
Containing an area of 307,298 square feet or 7.05 acres more or less,

has caused the above described real estate to be laid out into a Plat under the name of Lindsay Area Addition to the Village of Lindsay, Platte County, Nebraska, designating explicitly the land so laid out and particularly describing any and all lots and easements belonging to such Addition, a Plat of which bearing the date of August 7, 2023, and certified by Lyle L. Loth, Registered Land Surveyor, #314, is hereto attached.

Said owner hereby dedicates the street, avenue and roadway described thereon and further dedicates a perpetual easement for drainage and for the installation of public utilities and maintenance thereof over and across the lots as set out in said Plat.

IN WITNESS WHEREOF, this instrument is hereby executed on this 4th day of March, 2024.

Wade J. Pfeifer and Kayla S. Pfeifer,
Husband and Wife,

Lindsay Area Development, a Nebraska
Nonprofit Corporation,

Wade J Pfeifer
Wade J. Pfeifer

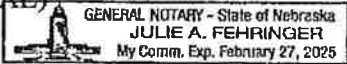
Amber Klassen
President

Kayla S. Pfeifer
Kayla S. Pfeifer

STATE OF NEBRASKA)
COUNTY OF Platte) : ss.

On this 4th day of March, 2024, before me, the undersigned, a Notary Public, personally came Wade J. Pfeifer to me personally known to be the identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed.

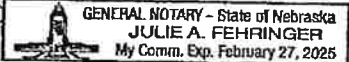
Julie A. Fehringew
Notary Public.

(SEAL) 

STATE OF NEBRASKA)
COUNTY OF Platte) : ss.

On this 4th day of March, 2024, before me, the undersigned, a Notary Public, personally came Kayla S. Pfeifer to me personally known to be the identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be her voluntary act and deed.

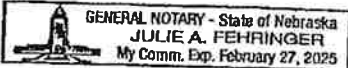
Julie A. Fehringew
Notary Public.

(SEAL) 

STATE OF NEBRASKA)
COUNTY OF Platte) : ss.

On this 4th day of March, 2024, before me, the undersigned, a Notary Public, personally came Amber Klassen, President of Lindsay Area Development, a Nebraska nonprofit corporation, to me personally known to be the identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be their voluntary act and deed for and on behalf of Lindsay Area Development.

Julie A. Fehringew
Notary Public.

(SEAL) 

PLATTE COUNTY REGISTER OF DEEDS
DIANE KAPELS
April 10, 2024 10:28 AM
RECORDED & ENTERED
BOOK DEED 258 PAGE 1108
Fee: 34.00 Return: VILLAGE OF LINDSAY

SPACE ABOVE RESERVED FOR REGISTER OF DEEDS OFFICE RECORDING INFORMATION

RETURN TO: Village of Lindsay
123 Pine Street
P.O. Box 56
Lindsay, NE 68544

TITLE OF DOCUMENT: Lindsay Area Addition

ORDINANCE NO. 3-4-24

AN ORDINANCE OF THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA, ACCEPTING THE PLAT AND DEED OF DEDICATION OF LINDSAY AREA ADDITION TO THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Village Board of the Village of Lindsay, Platte County, Nebraska, as follows:

SECTION 1: That the Plat of Lindsay Area Addition, dated August 7, 2023, prepared by Rega Engineering of Lincoln, Nebraska, and the Deed of Dedication signed by the owners of the subject land, dated 3-4-2024, be and the same are hereby approved and accepted by the Village Board of the Village of Lindsay, Nebraska. Copies of such Plat and Deed of Dedication, marked Exhibit A and B respectively, are attached hereto and made a part hereof by reference.

SECTION 2: That all ordinances or parts of Ordinances in conflict herewith be and the same are repealed.

SECTION 3: That this ordinance shall become in full force and effect from and after its passage, approval and publication as required by law.

Dated this 4th day of March 2024.



John Haynes, Village Clerk/Treasurer

VILLAGE OF LINDSAY, NEBRASKA

Fred Koepf
Chairman of the Village Board

CERTIFICATION

The undersigned Village Clerk/Treasurer hereby certifies that the above and foregoing ordinance was adopted by the Lindsay Village Board on the 4th day of March 2024.

Dated this 4th day of March 2024.

John Haynes
John Haynes, Village Clerk/Treasurer



PUBLIC NOTICES

OFFICIAL PROCEEDINGS OF THE VILLAGE OF LINDSAY BOARD OF TRUSTEES REGULAR BOARD MEETING AND PUBLIC HEARING

January 2, 2024

The Village of Lindsay Board of Trustees held their Regular Meeting and Public Hearing on January 2, 2024 at the hour of 7:00 p.m. in the Town Hall as advertised. Advance notice for the Regular Meeting and availability of the agenda was published in the Humphrey Democrat on December 20, 2023. The Clerk/Treasurer upon completion of the roll call announced a quorum of the Board of Trustees was present. Absent Trustee Jacob Hall. Those in attendance were: Board Chairman Fred Hoefler, Trustees Dave Arlt, Kyle Lindhorst, and Gene Werner. Others present at this meeting was Amber Klansen, Patrick Murphey (Humphrey Democrat), Attorney Jim McNulty, Roger Protzman (JEO Consulting Group), Fire-Chief Michael Weeder. The Chairman of the Board stated to all in attendance that a current and complete copy of the Open Meeting Act was available for review and indicated the location of such a copy in the meeting room. With a quorum present, and the meeting duly commenced, all proceedings hereafter shown was taken while convened, had, done, and open to the attendance of the public. Trustee Lindhorst made the motion to approve the agenda for the January 2nd, 2024 Regular Board Meeting and Public Hearing as presented, Trustee Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Trustee Arlt made the motion to suspend the reading and approve the Minutes from the December 4th, 2023 Regular Board Meeting and Public Hearing, Werner seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Public Hearing; Board Chairperson Hoefler opened the Public Hearing for Agenda Items One and Two at 7:01 P.M. Trustee Lindhorst made the motion to move the statutory rules requiring ordinances to be read by title on three different days be suspended and that Ordinance 12-4-23, and Ordinance 1-2-24 be considered for passage on the same day upon reading by number only and then placed on final passage, and that the Village Clerk be permitted to call out the number of the Ordinance on its first reading, and then upon its final passage, and call for a roll call vote on each reading and final passage. Werner seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Chairperson Hoefler stated the motion to suspend the statutory rules having been concurred in by three-fourths of the Village Board of Trustees, said motion is declared passed as adopted. Agenda Item 1: Chairman Hoefler asked if there was anyone in the audience interested in commenting on Ordinance No 1-2-24 of the Village of Lindsay, Platte County, Nebraska accepting the Plat and Deed of Dedication of Lindsay Area Addition to the village of Lindsay, Platte County, Nebraska; repealing all conflicting ordinances or parts of ordinances; and providing

ordinances and providing for an effective date. Chairman Hoefler asked if there was anyone in the audience interested in commenting on the said ordinance. The question received from the public was could the school use move-in-place classrooms without a permit, Attorney McNulty stated yes if for an office setting but if turned into storage units then would need to apply for a permit. Trustee Werner, made the motion that Arlt seconded to close the Public Hearing at 7:55 p.m. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Chairman Hoefler asked the Trustees if they had any discussion on the said ordinance, Trustee Werner commented he had three individuals contact him on elements associated with the ordinance requirements, but they have been answered. Arlt made the motion to approve Ordinance 12-4-23 prohibiting placement of storage containers, semi-trailers, and vans in residential areas of the village; to repeal all ordinances and resolutions in conflict herewith; and to provide for an effective date, Lindhorst seconded. The Clerk asked for a roll call vote of those in favor on the first reading of Ordinance 12-4-23. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. The Clerk asked for a roll call vote of those in favor of the final passage of Ordinance 12-4-23. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. By reason of the roll call votes on the first reading and final passage of said ordinance Chairman Hoefler declared Ordinance 12-4-23 to be lawfully passed and adopted upon publication as required by law.

ORDINANCE NO. 12-4-23

AN ORDINANCE OF THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA, DEFINING STORAGE CONTAINERS, SEMI-TRAILERS AND VANS; PROHIBITING THE PLACEMENT OF STORAGE CONTAINERS, SEMI-TRAILERS AND VANS WITHIN THE VILLAGE RESIDENTIAL AREAS; PROVIDING REGULATIONS FOR PLACEMENT OF STORAGE CONTAINERS, SEMI-TRAILERS AND VANS IN NON-RESIDENTIAL AREAS OF THE VILLAGE; PROVIDING PENALTIES; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE. Old Business: Agenda Item 3: With areas of the village with no sidewalks and concerns for pedestrian safety, JEO Consulting Group provided details to evaluate and estimate costs to install sidewalks to connect Third and Fourth Street west of Elm Street to Sixth Street. Along with replacing the current steps on the Southeast corner of the Third and Ash Street Intersection with an ADA compliance ramp approach to the sidewalk. Arlt made the motion to table the discussion at this time, Lindhorst seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. New Business: Agenda Item 4: With no representation from Advanced Consulting Engineering Services to provide details of their Street Superintendent expertise, Trustee Werner

status before Werner made the motion closed session for a strategy session I collective bargaining for Resolution Arlt seconded. Upon rollcall, the Trustees voted "Yeas" Arlt, Lindhorst and Hoefler; voting "Nay" none, "Absent" Motion carried. Chairman Hoefler announced the purpose of the closed session to review and possibly recommend 2024 Annual Wages and Benefits app month for the Assistant and Full-Time nance Manager Positions. The Board meeting room at 7:45 p.m., Trustee Werner made the motion to reconvene to open session p.m., Trustee Werner seconded. Upon the following Trustees voted "Yeas" Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Chairman Hoefler made the motion to adopt Resolution adjusting the wages and benefits effective ary 1st, 2024 for the New Maintenance ager position to \$25.00 per/hr., with Dollar per hour increase when certified received for Grade 4 Water Operator and also a Class K CDL License, a Dollar per hour increase for Lagoon ter Certification from NDEB, begin weeks' vacation, and after Five Years Three weeks, and effective January add to the Assistant Maintenance position a \$500.00 per/month stipend, wages and benefits remaining the same horst seconded. Upon rollcall, the Trustees voted "Yeas" Arlt, Lindhorst and Hoefler; voting "Nays" none; Trustees Hall. Motion carried.

RESOLUTION NO. 1-2-24

A RESOLUTION OF THE CHAIRMAN BOARD OF TRUSTEES OF THE VILLAGE OF LINDSAY, NEBRASKA, SETTING WAGE AMOUNTS FOR VILLAGE LINDSAY'S EMPLOYEES UNDER RESOLUTION NO. 8-7-23. BE IT RESOLVED by the Chairman of Trustees of the Village of Lindsay, that the following wages are hereby effective January 1, 2024 for the following employees of the village, to-wit:

Full-time Maintenance Manager \$25.00 per/hour, plus \$1.00 per/hr. for Grade Four Water Operator License DHHS, \$1.00 per/hr. increase for Class K License, \$2.00 per/hr. increase for Wastewater certification from NDEB vacation benefits of 2 weeks (80 Hr.) start, and 3 weeks (120 Hr.) after Five Full-time Assistant Maintenance Manager \$500.00 per/month Stipend

Agenda Item 11: Werner made the motion to table the discussion on utilizing an emergency agency to solicit candidates for the Assistant Maintenance Manager position, Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Agenda Item 12: Arlt made the motion to authorize the payments to JEO Consulting Group \$155.73 for Invoice NO. 14 Lindsay General Engineering, Invoice 146633 \$1,530.00 and Invoice NO. 146634 \$510.00 for Lindsay Pond Restoration

the Plat and Deed of Dedication of Lindsay Area Addition to the village of Lindsay, Platte County, Nebraska, repealing all conflicting ordinances or parts of ordinances; and providing an effective date. Chairman Hoefler responded to the one question received from the public on if this was for the new Education Center. Trustee Werner made the motion that Arlt seconded to close the Public Hearing at 7:45 p.m. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Lindhorst made the motion to approve Ordinance No 1-2-24 accepting the Plat and Deed of Dedication of Lindsay Area Addition to the Village of Lindsay, Platte County, Nebraska; repealing all conflicting ordinances or parts of ordinances; and providing an effective date. Arlt seconded. Chairman Hoefler asked the Trustees if they had any discussion on the said ordinance. With none the Clerk asked for a roll call vote of those in favor of Ordinance 1-2-24 on the first reading. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. The clerk then asked for a roll call vote of those in favor of the final passage of Ordinance 1-2-24. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. By reason of the roll call votes on the first reading and final passage of said ordinance, Chairperson Hoefler declared Ordinance 1-2-24 to be lawfully passed and adopted upon publication as required by law.

ORDINANCE NO. 1-2-24

AN ORDINANCE OF THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA, ACCEPTING THE PLAT AND DEED OF DEDICATION OF LINDSAY AREA ADDITION TO THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Agenda Item 2: With the Public Hearing opened at 7:01 P.M. and the statutory rules requiring ordinances to be read by title on three different days suspended, Chairman Hoefler presented Ordinance 12-4-23 of the Village of Lindsay, Platte County, Nebraska, defining storage containers, semi-trailers and vans; prohibiting the placement of storage containers, semi-trailers and vans within the village residential areas; providing regulations for placement of storage containers, semi-trailers and vans in non-residential areas of the village; providing penalties; repealing all conflicting ordinances or parts of

Ordinance 12-4-23. Chairman Hoefler made the motion to approve Ordinance 12-4-23. Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Agenda Item 3: With the Public Hearing opened at 7:01 P.M. and the statutory rules requiring ordinances to be read by title on three different days suspended, Chairman Hoefler presented Ordinance 1-2-24 of the Village of Lindsay, Platte County, Nebraska, accepting the Plat and Deed of Dedication of Lindsay Area Addition to the Village of Lindsay, Platte County, Nebraska; repealing all conflicting ordinances or parts of ordinances; and providing an effective date. Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Agenda Item 4: With no representation from Advanced Consulting Engineering Services to provide details of their Street Superintendent expertise, Trustee Werner made the motion to appoint Terry J. Mead (S-1138) with JEO Consulting Group as the Village of Lindsay Street Superintendent from January 1, 2024 - December 31, 2024. Trustee Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nays" none; "Absent" Trustees Hall. Motion carried. Agenda Item 5: Fire-Chief Weeder reported they will be conducting training and then updating the squad's rosters and are still soliciting new recruits with a mentoring program. Agenda Item 6: Lindsay Area Development submitted a Building Permit to construct 189' X 117' Education Center in Lindsay Area Addition. With the Board determining no review of the job site was required, Trustee Werner made the motion to approve the Building Permit Application. Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none; "Absent" Hall. Motion carried. Agenda Item 7: Lindsay Corporation's Building Permit submitted for 214 East 2nd Street to remove, relocate and construct several structures. With discussion of the location of the buildings on the property, Lindhorst made the motion to approve the construction of the request except before proceeding with item number three the final location needs to be identified, and reported to the Board for approval. Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner Hoefler; voting "Nay" none; "Absent" Hall. Motion carried. Agenda Item 8: Hoefler made the motion to approve the application for a 45' X 60' Storage Facility upon review and acceptance of Trustee Werner of the building site at 200 East 2nd Street, Lindhorst seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, and Hoefler, voting "Nay" none, "Abstaining" Werner, "Absent" Hall. Motion carried. Agenda Item 9: With the recommendation of Ken Kurtenbach to purchase a timeclock to set off the noon and six o'clock sirens, Arlt made the motion to purchase the \$800.00 timeclock from Blue Valley Public Safety and to table the discussion on connecting the new siren wireless alert system for the second siren as Mr. Kurtenbach seeks funding. Lindhorst seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nays" None, "Absent" Hall. Motion carried. Agenda Item 10: Chairman Hoefler updated the trustees on the maintenance staff future employment

to authorize the payments to JEO Consulting Group \$155.73 for Invoice NO. 147189 for Lindsay General Engineering, Invoice NO. 146633 \$1,530.00 and Invoice NO. 147376 \$510.00 for Lindsay Pond Restoration Project, Invoice NO. 146883 \$1,320.00 for Lindsay Park Trail Project, for a total of \$3,515.73. Lindhorst seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. Chairman Report: Chairman Hoefler had nothing to report. Maintenance Report: Nothing to report. Clerks/Treasurer Report: Mr. Haynes provided the clerk's report and explained the financial status of the village's accounts: General Fund \$2,749.88 HI-FI Account \$257,137.14, Wastewater Account \$16,107.58, KENO Account \$2,643.43, ARPA Fund \$46,370.78 equaling \$325,008.81 a decrease of \$71,602.94. Pay Bills: Motion made by Arlt and seconded by Lindhorst to allow the claims as paid and stated. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. ACRS Equipment parts & equip 40.10, Appears sv 46.59, B&B Repair & Towing repairs 2,225.48, B&C Electrical repairs 240.00, Black Hills Energy gas 402.75, Bomgaars parts 52.45, Budget Sanitary trash 220.00, December Payroll wages 12,298.49, Dish Network tv 146.74, Eak s sppls 454.67, Federal Tax tax 3,474.15, Humphrey Democrat adv. 131.58, Jackson Service svc 51.26, JEO Consulting Group engine 918.75, John Deere Financial parts 32.23, John Haynes postage 55.80, Loup Power District elec 3,008.50, McNally Law attorney 703.20, Menards sppls 156.39, Midwest Lab testing 200.57, NDEE Fiscal Services three loc 57,936.15, Nebr. Dept. Health testing 645.00, NT&T phone 75.78, One-Call Concepts Inc lcts 11.16, Platte Co Register of Deeds annual 28.00, Platte Valley Communications radio FD 633.75, Post Office postage 234.00, Stealth Broadband phn 168.68, Steve Johnson postage 68.40, Steve Johnson mileage pay 32.43, USA Blue Book sppls 54.95, Verizon Wireless phn 149.77, Wemhoff Company parts 52.00, Werner Hardware & Gift parts 104.00. Adjourn: Lindhorst made the motion and Arlt seconded to adjourn at the hour of 8:17 P.M. Upon rollcall, the following Trustees voted "Yeas" Arlt, Lindhorst, Werner, and Hoefler; voting "Nay" none, "Absent" Hall. Motion carried. ATTEST: Village Clerk/Treasurer: John Haynes

NOTICE OF ORGANIZATION

Notice is hereby given of the organization of Bell-Aero Services, LLC, as a Nebraska limited liability company organized to engage in a lawful business authorized under the laws of Nebraska. The designated office to the limited liability company is 43721 460th Street, Lindsay, Nebraska 68644, and the registered agent at the office is Douglas J. Beller. The limited liability company commenced its existence on December 29, 2023, and it has perpetual duration. The business affairs of the company will be conducted by a manager who initially Beau D. Beller.

BELL-AERO SERVICES, LLC
Michael T. Brogan, Attorney
BROGAN & STAFFORD, P.C.
1400 North 9th Street
P.O. Box 100
Norfolk, NE 68701
Phone: (402) 371-9000
3/1/10/17

NOTICE OF MEETING SCHOOL BOARD OF DISTRICT NO. 67

NOTICE IS HEREBY GIVEN that a special meeting of the School Board of School District #67, will be held at 6:30 p.m. on Wednesday, January 31, 2024, at the Humphrey P

Humphrey Democrat
(USPS 254-280)
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PATRICK MURPHY
EDITOR
PATRICK AND KELLY MURPHY
PUBLISHERS
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Village of Lindsay

121 Pine St. - P.O. Box 66

Lindsay, Nebraska 68644

(402) 428-4010

VILLAGE OF LINDSAY REGULAR BOARD MEETING REORGANIZATION AND PUBLIC HEARING December 4, 2023

The Village of Lindsay Board of Trustees held their Regular Meeting and Public Hearing on December 4, 2023 at the hour of 7:00 p.m. in the Town Hall as advertised. Advance notice for the Meeting and availability of the agenda was published in the Humphrey Democrat on November 22, 2023. The Clerk/Treasurer upon completion of the roll call announced a quorum of the Board of Trustees was present. Those in attendance were: Board of Trustees Dave Arlt, Fred Hoefler, Gene Werner, absent Kyle Lindhorst, arriving at 7:25 p.m. Jacob Hall. Others present at this meeting was Amber Klassen, Patrick Murphey (Humphrey Democrat), Attorney Jim McNally, Fire-Chief Michael Weeder, Tim Wiese, Clerk Haynes called the Reorganization and Regular meeting to order at 7:01 P.M. The Clerk stated to all in attendance that a current and complete copy of the Open Meeting Act was available for review and indicated the location of such copy in the meeting room. With a quorum present, and the meeting duly commenced, all proceedings hereafter shown were, taken while convened, had, done, and open to the attendance of the public.

Arlt made the motion to approve the agenda for the December 4, 2023 Reorganization, Regular Meeting and Public Hearing as presented, Werner seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hoefler, and Werner; voting "Nay" none, "Absent" Hall, and Lindhorst. Motion carried.

Werner made the motion to suspend the reading and approve the Minutes from the November 6th, 2023 Regular Board Meeting and Public Hearing, Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler; voting "Nay" none, "Absent" Hall, and Lindhorst. Motion carried.

Werner made the motion to suspend the reading and approve the Minutes from the November 16th, 2023 Special Board Meeting and Public Hearing, Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler; voting "Nay" none, "Absent" Hall, and Lindhorst. Motion carried.

Reorganization;

Agenda Item 1A: Clerk opened nominations for Chairman of the Board of Trustee, Arlt nominated Fred Hoefler to be Chairman, with no additional nominees submitted, Werner made the motion to close the nominations, Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hoefler, and Werner, Voting "Nay", none, "Absent" Trustees Hall, and Lindhorst. Motion carried. Clerk Haynes called for a rollcall vote on the nominee Hoefler as Village of Lindsay Board Chairman. Upon rollcall, the following Trustees voted "Yeas" Arlt, and Werner, Voting "Nay", none, "Abstaining" Hoefler, "Absent Trustees Hall, and Lindhorst. Motion carried. Clerk Haynes asked Trustee Hoefler if he accepts the Chairman position, he responded he consents. With Hoefler's response, Clerk Haynes transferred the delegation of the meeting over to Fred Hoefler the 2023-2024 Chairman of the Board of Trustees for the Village of Lindsay, Nebraska.

Agenda Item 1B: Chairman Hoefler opened nominations for the Village Clerk/Treasurer position, Arlt nominated John Haynes. With no additional nominations submitted, Werner made the motion that Arlt seconded to close the nomination and approve John Haynes as Village Clerk/Treasurer. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler, Voting "Nay", none, "Absent" Hall, and Lindhorst. Motion carried.

Chairman Hoefler asked for nominations for Village Attorney, Werner nominated Jim McNally from McNally Law Office. With no other nominations Werner made the motion to close the nomination and appoint Jim McNally from McNally Law Office as Village Attorney, Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler, Voting "Nay", none, "Absent" Hall, and Lindhorst. Motion carried.

Chairman Hoefler assigned the following appointments to serve for the 2023-2024 year in the various Village departments. Water/Sewer/Lights; Arlt and Lindhorst, Fire Department; Hall and Werner, Municipal Streets; Arlt and Lindhorst, Municipal/Park/Lake/Ball Fields/Tree Board; Hall and Werner, Street Commissioners; Arlt and Lindhorst, Lagoon; Hall and Lindhorst Town Hall; Arlt and Hall FEMA & Safety Officer; Arlt and Lindhorst (Ken Kurtenbach as Consultant), Solid Waste; Arlt and Hall, Board of Health; Arlt, Werner, (Ken Kurtenbach as Consultant), Physician; Dr. Anthony P. Kusek of Albion, Nebraska, License & Management Agreement Approval; Lindhorst, and Werner. Motion by Arlt and seconded by Werner to approve Chairman Hoefler's recommendations for the appointed position. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler, Voting "Nay", none, "Absent" Trustee Hall, and Lindhorst. Motion carried.

Motion by Werner and seconded by Arlt to close at 7:09 P.M. the Reorganization portion of the meeting. Upon rollcall, the following Trustees voted "Yea" Arlt, Werner, and Hoefler, Voting "Nay", none, "Absent" Trustee Hall, and Lindhorst. Motion carried.

Public Hearing; Board Chairman Hoefler opened the Public Hearing for Agenda Item Two at 7:10 P.M.

Agenda Item 2: With consideration for approval of Ordinance No 11-6-23 on its Third and Final reading to annex a tract of land in the East Half of the Northeast Quarter of Section 18, Township 20 North, Range 3 West of the 6th P. M., Platte County, Nebraska, to the Village of Lindsay currently referred to as the New Pfeifer annexation tract of land;

Chairman Hoefler invited all local citizens and any other interested parties, governmental agencies, or groups to make comments on the elements of the annexation plan. Chairman Hoefler received no questions or comments from the public, so Trustee Werner made the motion that Arlt seconded to close the Public Hearing at 7:57 p.m. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none, "Absent" Lindhorst. Motion carried. With no comments from the Trustees, Hall made the motion to adopt Ordinance No 11-6-23 on its Third and Final reading to annex a tract of land in the East Half of the Northeast Quarter of Section 18, Township 20 North, Range 3 West of the 6th P. M., Platte County, Nebraska, to the Village of Lindsay currently referred to as the New Pfeifer annexation tract of land. Arlt seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none, "Absent" Lindhorst. Chairman Hoefler declared the motion to adopt Ordinance 11-6-23 on its third and final reading is carried.

ORDINANCE NO. 11-6-23

AN ORDINANCE OF THE VILLAGE OF LINDSAY, PLATTE COUNTY, NEBRASKA, MAKING FINDINGS IN REGARD TO CERTAIN PROPERTY ADJACENT TO THE VILLAGE; ANNEXING SUCH PROPERTY TO THE VILLAGE; PROVIDING AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF LINDSAY, NEBRASKA AS FOLLOWS:

SECTION 1. That the following described property, to-wit:

A tract of land located in the E1/2 of the NE1/4, Section 18, T20N, R3W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of said E1/2 NE1/4; thence S 89°05'31" W, 217.39 ft. on the South line of said E1/2 NE1/4 to the Southeast corner of Arrow Ridge Addition to the Village of Lindsay, thence for the next five courses on the Easterly line of said Addition: 1) N 00°09'06" E, 181.73 ft.; 2) S 89°39'51" W, 184.87 ft.; 3) N 00°09'06" E, 197.19 ft.; 4) S 89°39'51" W, 58.50 ft.; 5) N 18°26'03" W, 370.82 ft. to the Northeast corner of said Addition; thence S 71°36'05" W, 200.00 ft. on the Northwestly line of said Addition, thence N 16°24'55" W, 60.00 ft.; thence N 71°35'05" E, 253.86 ft.; thence Easterly 49.98 ft. on a 160.00 ft. radius curve concave to the South, long chord bears N 80°31'41" E, 49.77 ft.; thence N 18°03'13" E, 689.89 ft.; thence S 89°02'58" E, 285.70 ft. to the East line of said E1/2 NE1/4; thence S 00°56'28" W, 1459.34 ft. on the East line of said E1/2 NE1/4 to the point of beginning, containing 13.90 acres more or less.

be and hereby is determined to be contiguous or adjacent to the corporate limits of the Village of Lindsay, Nebraska and is urban or suburban in character. SECTION 2. From and after the effective date of this ordinance, the property described in Section 1 above shall be and hereby is annexed to the Village of Lindsay, Platte County, Nebraska; shall be entitled to the benefits of being part of the Village, and shall be subject to the general taxation and other ordinances of the Village.

SECTION 3. This ordinance shall be effective from and after its approval, passage and publication as required by law.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Dated this 4th day of December 2023.

Old Business:

replacing the current steps on the southeast corner of the 14th and Ash Street intersection with a ramp approach to the sidewalk. Arlt made a motion to table the discussion until next month, seconded by Werner. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler; voting "Nay" none, "Absent" Hall and Lindhorst. Motion carried.

Regular Board Meeting and Public Hearing – December 4, 2023 – continued:

New Business:

Agenda Item 4: Fire-Chief Weeder reported the Department was working on purchasing a new Rescue Unit. Chairman Hoefler commented he noted the funds for the down payment was documented in the financial report submitted.

Agenda Item 5: Arlt made the motion to authorize Chairman to sign the Nebraska Liquor Control Commission's Form 200 recommending the approval of the Special Designated Liquor Permit for Holy Family Church's Fun Night Jan. 20, 2024 (Alt Date Jan. 21, 2024), Werner seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, and Werner; voting "Nay" none; "Abstaining" Hoefler; "Absent" Hall, and Lindhorst. Motion carried.

Agenda Item 6: With no representative from Advanced Consulting Engineering Services or JEO Consulting Group present to talk about the Village appointing a Street Superintendent from January 1, 2024 to December 31, 2024. Werner made the motion to table the discussion until the January 2, 2024 Board Meeting, Hoefler seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Werner, and Hoefler; voting "Nay" none, "Absent" Hall, and Lindhorst. Motion carried.

Agenda Item 7: Hoefler made the motion to table the discussion on Ordinance 12-4-23 prohibiting placement of Storage Containers, Semi-Trailers, and Vans in Residential Areas of the village, as the trustees review and seek public input, Werner seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Lindhorst. Motion carried.

Agenda Item 8: Arlt made the motion to authorize Chairman Hoefler to sign agreement with Contryman Associates for Audit services of the villages 2022-2023 Financial Accounts, Werner seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, and Werner; voting "Nay" none; "Abstaining" Hoefler; "Absent" Lindhorst. Motion carried.

Agenda Item 9: Trustee Werner made the motion to pay to NDEE the Clean Water Loan Payment Invoice #9663 for Loan #C317839 \$13,387.11 from the Wastewater Account, Drinking Water Loan Payments for #D31618 Invoice #9093 for \$27,835.09, and Loan #D311570 Invoice #9092 for \$16,713.95 from the General Fund, Trustee Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Lindhorst. Motion carried.

Agenda Item 10: Hall made the motion to approve the Loan Payment to Depository Trust Co. (DTCC) for the 2021 General Obligation Highway Allocation Fund Pledge Bond interest only payment of \$325.00, Trustee Arlt seconded the motion. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Lindhorst. Motion carried.

Agenda Item 11: Arlt made the motion to authorize the payments of \$318.75 to JEO Consulting Group for Invoice 146187 for General Engineering, Hall seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Lindhorst. Motion carried.

Agenda Item 12: Trustee Werner made the motion to adopt Resolution 12-4-23 adjusting the wages and benefits effective January 1, 2024 for the Part-Time Maintenance to \$20.00 per/hr. and Two weeks vacation, all other wages and benefits remaining the same, Hall seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nays" none; "Absent" Trustees Lindhorst. Motion carried.

RESOLUTION NO. 12-4-23

A RESOLUTION OF THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF LINDSAY, NEBRASKA, SETTING THE WAGE AMOUNTS FOR VILLAGE OF LINDSAY'S EMPLOYEES UNDER ORDINANCE NO. 8-7-23.

BE IT RESOLVED by the Chairman and Board of Trustees of the Village of Lindsay, Nebraska, that the following wages are hereby set, effective January 1, 2024 for the following employees of the village, to-wit:

Full-time Village Clerk/Treasurer; \$42,000.00 annual salary, plus benefits, Clerk performing Non-Clerk/Treasurer duties; \$30.00 /hour, Full-time Maintenance Manager Position; \$21.00 /hour, plus benefits, Regular Part-time Maintenance Position; \$20.00 /hour, plus cell phone, and some benefits, Summer Part-time Maintenance Position; \$15.00 /hour, plus paid holidays, Custodial (part-time) Position; \$15.00 /hour, No benefits, Assistant Village Clerk Position; \$15.00 /hour, No benefits, Other Employees; \$10.00 /hour, No benefits.

Agenda Item 13: Trustee Arlt made the motion to reschedule the January Regular Town Board Meeting from Monday January 1, 2024 to Tuesday January 2, 2024 at 7:00 p.m., Hall seconded. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nays" none; "Absent" Trustees Lindhorst. Motion carried.

Chairman Report: Chairman Hoefler reported the lagoon discharge was completed for this year. Public asked about the pumping expenses being incurred for the Pond Restoration project, Chairman Hoefler stated he would check with the engineer and report at next month's meeting.

Maintenance Report: No report provided.

Clerks/Treasurer Report: Mr. Haynes provided the clerk's report and briefed the Board on the financial status of the village's accounts: General Fund \$61,544.25, HI-FI Account \$256,814.72, Wastewater Account \$29,242.37, KENO Account \$2,639.63, ARPA Fund \$46,370.78 equaling \$396,611.75 an increase of \$83,677.49. Clerk/Treasurer Haynes attended the Nebraska Rural Water Association Wastewater Operator Training November 15, 2023 in Duncan, Nebraska. The Board authorized Clerk/Treasurer Haynes permission to attend the Neb Clerk Academy & Institute in Columbus Neb. March 17-22, 2024.

Pay Bills: Motion made by Arlt and seconded by Werner to allow the claims as paid and stated. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Trustee Lindhorst. Motion carried.

AKRS Equipment	parts/equip	50.20	McNally Law	attorney	859.25
Appears	svc	49.46	Menards	sppls	349.65
Arnold Motors	parts	139.34	NDEE	license	115.00
Black Hills Energy	gas	182.57	Nebr. Dept. Health	testing	64.00
Dish Network	tv	141.47	November Payroll	wages	9,971.41
Farmers COOP	parts	419.91	NT&T	phone	75.78
Federal Tax	tax	2,713.88	One-Call Concepts Inc.	lcls	6.98
Humphrey Democrat	adv.	346.30	Schumacher Smejkal & Elm	budget prep	2,750.00
Jackson Services	svc	100.18	Stanek Fire Protection	testing	213.00
JEO Consulting Group	engineer	6,575.00	Stealth Broadband	phn	168.68
John Deere Financial	parts	405.03	Ulline	parts	65.49
Lindsay Cooperative Market	sppls	126.55	USA Blue Book	sppis	48.86
Loup Power District	elec	2,326.06	Verizon Wireless	phn	149.77

Adjourn: Hall made the motion and Werner seconded to adjourn at the hour of 8:05 P.M. Upon rollcall, the following Trustees voted "Yeas" Arlt, Hall, Werner, and Hoefler; voting "Nay" none; "Absent" Lindhorst. Motion carried.

Chairman: Fred Hoefler

Trustee: Dave Arlt

Trustee: Jacob Hall

Trustee: Kyle Lindhorst

ATTEST:

Trustee: Eugene Werner

Village Clerk/Treasurer: *John Haynes*
(SEAL)

Minutes of the December 27, 2023 Special Board Meeting

The special meeting was called to order at 6:00 p.m. by Vice President Baumgart with members: Huettner, Vering, Korth, Brandl, Schemek, and Preister present. Absent members were Zach and Meyer.

Open meetings act is posted on the wall in the Newman Grove Public School library.

The meeting was legally advertised for public notice in the Humphrey Democrat on December 20, 2023.

This is a joint meeting with the Newman Grove Public School Board of Education.

Visitors present: Christie Wallin – Business Manager, Newman Grove Board Members – Jeanie McCloud, David Fowlkes, Eric Stone, Ginger Buhl-Jorgensen.

Superintendent King provided a copy of the letter that was sent to the Newman Grove Public School Board of Education on December 5, 2023 requesting 13.9 acres that was annexed into the Village of Lindsay on December 4, 2023 to be redistricted from the Newman Grove School District to the Humphrey School District. Superintendent King outlined the criteria to support the territory move pursuant to NE Statute 79-473.

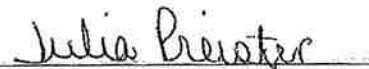
Superintendent Warren provided a letter from Donald Gasper requesting a parcel of his land be transferred from the Humphrey School District to the Newman Grove School District. Superintendent King asked if this request is in conjunction with the Humphrey Public request due to the annexation. Superintendent Warren said no that this request is separate. Superintendent King said he would have to check with the school attorney on the legalities.

Superintendent Warren asked if the Humphrey School District would continue to pursue the land being moved if the Lindsay Academy isn't established. Superintendent King said that is hard to answer at this time due to the timeline pursuant to NE Statute 79-473. The Lindsay Academy has stated they intend to continue to move forward with their plans.

There was no further discussion.

The next regular school board meeting date is Monday, January 8, 2024 @ 7:30 p.m.

It was moved by Huettner and seconded by Schemek to adjourn the meeting at 6:09 p.m. ROLL CALL VOTE: Meyer, ABSENT; Huettner, YES; Vering, YES; Korth, YES; Brandl, YES; Schemek, YES; Baumgart, YES; Preister, YES; Zach, ABSENT. Motion Carried. 7 YES 0 NO 0 ABSTAIN 2 ABSENT


Julie Preister, Board Secretary

Regular School Board Meeting
Monday, February 12, 2024 7:30 p.m.
Newman Grove, NE 68768


Jeanle McCloud: Present
David Fowlkes: Present
Eric Stone: Present
Ginger Buhl-Jorgensen: Present
Becky Wallin: Present
Kevin Patzel Present

1. Call to Order: This meeting was open to the public. An agenda for the meeting, kept continuously current, was available for public inspection in the office of the Superintendent of Schools.
 - 1.1. Pledge of Allegiance:
 - 1.2. Roll Call: All members were present. Others in attendance: Superintendent Warren, Principal Forre, Assistant Principal Sausser, Christle Wallin, Donna Schroeter, Kathy Busch, Kristin Banson, Katie Stone, Jason Anderson, Karl Fehrlinger, Christyan Anderson, Aleeya Morris, Brooke Forre, Emily Schlecht and Brody Busch.
 - 1.3. Announce Open Meetings Act Posting and Location: The Open Meetings Act was posted in the room in according with the law.
 - 1.4. Approve the Agenda: President McCloud approved the agenda as published or amended.
 - 1.5. Approve Last Meeting's Minutes: A motion approving the minutes of the January 22, 2024 regular meeting, made by Becky Wallin and seconded by Ginger Buhl-Jorgensen, passed. Jeanle McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 1.6. Future Meeting Date/Time: The next regular meeting is scheduled for Monday, March 11, 2024 at 7:30 p.m.
 - 1.7. Public Comments: None.
2. Reports:
 - 2.1. Curriculum Reports: Kristin Banson (2nd grade teacher), Katie Stone (3rd grade teacher), and Kathy Busch (7-12 Language Arts teacher) presented their curriculum reports to the board.
 - 2.2. Counselor's Report: None this month.
 - 2.3. Activity Director's Report: None this month.
 - 2.4. Principal's Report: Mrs. Forre's report was presented to the board, which included:
 - English Language Proficiency Assessment.
 - Parent/Teacher Conferences on February 7th.
 - Region III Principles Meeting on February 14th.
 - Professional Development on February 20th (7-12 team attending)
 - NG Speech Meet on February 22nd - No School for Students.
 - Newman Grove Student Showcase/Family Literacy Night/Science Fair on March 4th from 3:37-5:00.
 - End of Quarter on March 7th.
 - 2.5. Superintendent's Report: Mr. Warren presented his superintendent's report to the board, which included:
 - \$7,500 CTE biennium grant received.
 - \$41,500 School Mental Health grant received.
 - Preschool changes for 2024-2025 school year.

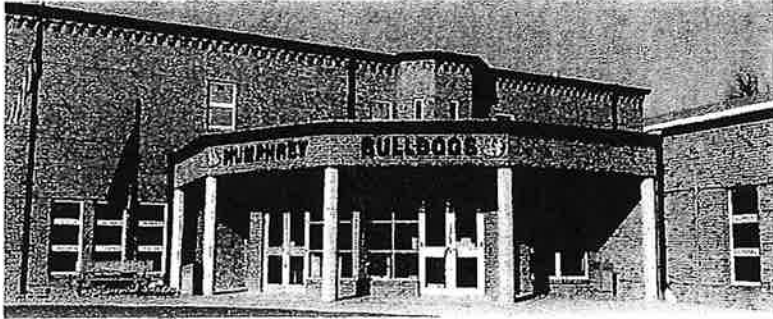
3.

Action Items:

- 3.1. Discuss and take necessary action on 2024-2025 School Calendar: A motion to approve the 2024-2025 academic school calendar as presented, made by Kevin Patzel and seconded by Becky Wallin, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.2. Discuss and take necessary action approving the use of REAP funds for building technological capacity and infrastructure in our school through the ESU: A motion to approve said action item, made by Eric Stone and seconded by David Fowlkes, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.3. Discuss and take necessary action on transferring 13 acres to the Humphrey Public School District for Lindsay Academy: A motion approving the transfer of 13 acres to the Humphrey Public School District for Lindsay Academy, made by Eric Stone and seconded by Becky Wallin, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.4. Discuss and take necessary action on new lower bleachers for gymnasium: A motion approving said bleacher upgrade, pending electrical capabilities, made by Eric Stone and seconded by Kevin Patzel, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.5. Approval of the 2024-2025 Negotiated Agreement: A motion approving the 2024-2025 Negotiated Agreement, made by Eric Stone and seconded by Ginger Buhl-Jorgensen, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.6. Approval of Assistant Principal Contract: A motion approving the Assistant Principal's Contract for 2024-2025, made by Eric Stone and seconded by Becky Wallin, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.7. Approval of Principal Contract: A motion approving the Principal's Contract for 2024-2025, made by Becky Wallin and seconded by Eric Stone, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.8. Approval of Superintendent salary increase of 4%: A motion approving Superintendent salary increase of 4% for 2024-2025, made by Ginger Buhl-Jorgensen and seconded by David Fowlkes, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.9. Accept Treasurer's Report: A motion to accept the Treasurer's Report as presented, made by David Fowlkes and seconded by Kevin Patzel, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
 - 3.10. Payment of Claims: A motion approving the payment of claims totaling \$299,748.68 (general fund); \$1,263.39 (depreciation fund); and \$637.90 (building fund). This motion, made by Eric Stone and seconded by Ginger Buhl-Jorgensen, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.
- 4.0. Adjournment: A motion to adjourn @ 8:37 p.m., made by Eric Stone and seconded by Ginger Buhl-Jorgensen, passed. Jeanie McCloud, Yea; David Fowlkes, Yea; Ginger-Buhl Jorgensen, Yea; Eric Stone, Yea; Becky Wallin, Yea; and Kevin Patzel, Yea. Vote 6-0.



Respectfully Submitted,
Christa Wallin, Business Manager



PLATTE COUNTY SCHOOL
DISTRICT #67
HUMPHREY PUBLIC SCHOOLS
405 S. 7th St ~ PO Box 278
Humphrey, NE 68642
Ph: (402)923-1230 Fax: (402)923-1235
www.humphreybulldogs.org
Superintendent: Mr. Brice King
Secondary Principal: Mr. Brandon Kirby
Elementary Principal: Mr. Josh Rathje

December 5, 2023

Newman Grove Public School Board
101 South 8th Street
Newman Grove, NE 68758

To the Newman Grove Public School Board,

Pursuant to NE Statute 79-473, this letter serves as official notice and a formal request for our respective school boards to meet and negotiate the move of the territory listed below from the Newman Grove School District into the Humphrey School District. Appended with this letter includes a map that outlines 13.9 acres annexed by the Village of Lindsay effective on December 4, 2023. This territory is contiguous to the existing boundaries of the Humphrey School District who currently serves the majority of the residents in the Village of Lindsay.

Multiple considerations are factored into the reasoning behind the need to move this territory to the Humphrey School District. First, a portion of this area will be the new location for Lindsay Holy Family's 7-12 high school. Second, prioritizing the needs of the students to have consistent delivery of services from the ESU7 district and finally recognizing the financial burden on Newman Grove to replicate the services currently provided by Humphrey to students attending this high school. Additional criteria to support the territory move are:

- (a) The move of this territory to Humphrey School District will best serve the educational needs of the students through a consistent delivery of services. With early childhood services starting at birth and through 6th grade, being able to maintain this continuity of care throughout high school is in the best interest of the children.

Humphrey currently employs and sends staff to Lindsay to provide elementary music, elementary technology and Title 1 along with Occupational, Speech and Physical therapy services. This provides the least disruption to the students and delivery of services at the student's school maximizes their time in the classroom. In the past, Newman Grove has opted to contract for services to be delivered by Humphrey staff for students who reside in the Newman Grove School District attending school in Lindsay, and classes offered to the high school students are virtual or students must travel to Newman Grove. Thus, it is in the best interest of the students' educational needs to continue to maintain services that can be delivered in-person at their school and via the continuity of consistent delivery under the ESU7.

- (b) The economic impact upon the affected school districts. Six (6) acres of the affected territory are being purchased by the non-profit organization who will own the property with a closing date set for December 7, 2023. Upon taking ownership, there will no longer be any tax revenue paid into the school district and the financial burden for Newman Grove to hire the staff required to add new services to this facility will be greater than revenue received. This will result in increased financial stress on Newman Grove and passed to tax payers.

Because of the existing relationship and service to the Lindsay community, the Humphrey District already has the staff and resources located in the Village of Lindsay and will be able to continue to maintain the level of services

provide without incurring new additional expense. Thus, the impact of absorbing territory that will not generate tax revenue is not a financial burden on the Humphrey District.

- (c) The common interests between the annexed area and the Humphrey District which serves the majority of the residents of the Village of Lindsay is demonstrated by the current relationships between the schools.
 - a. Humphrey Public Schools and Lindsay Holy Family have had a successful sporting cooperative since 2012 and partner closely on other academic opportunities.
 - b. Humphrey District has a building adjacent to the current school which provides kindergarten and is staffed with 3 full-time resources with additional staff who travel to Lindsay to provide music, SPED and other services to the students of Lindsay Holy Family.
- (d) The ongoing community education planning by the Humphrey District continues to look ahead at the growth in the community of Lindsay and needs of residents to incorporate into its strategic plans. As the enrollment levels are projected to continue to rise, Humphrey has built into its budget and long-term plan the hiring of additional staff to support the needs of the students it services and to continue to provide the services to district residents.

We would like to meet on Monday December 18, 2023 at 7:30pm at Humphrey Public Schools. If this time will not work, please contact me as soon as possible to arrange a meeting prior to January 2, 2024 to discuss and negotiate the transfer of the territory in reference.

If the Newman Grove School Board agrees to the terms of this territory move in lieu of a formal meeting, please provide copies of the meeting minutes and documentation of approvals by the board by December 18, 2023 to the address provided below:

Humphrey Public Schools
Attn: Brice King
405 S. 7th St.
Humphrey, NE 68642

Respectfully submitted,



Brice King, Superintendent
On behalf of Humphrey Public Schools Board of Education

79-1205. Annual adjustment to boundaries; State Board of Education; duties.

On or before August 1 of each year, the State Board of Education shall adjust the boundaries of any educational service unit the boundaries of which do not align with the boundaries of the member school districts on August 1 of such year. Such boundary adjustments shall align the boundaries of the educational service unit with the boundaries of the member school districts as the boundaries of the member school districts existed on August 1 of such year. Such boundary adjustments shall be referred to the appropriate county and educational service unit officials, and such officials shall implement the adjustments and make the necessary changes in the educational service unit maps and tax records.

Source: Laws 2007, LB603, § 10; Laws 2015, LB525, § 25.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 23, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Bryce Wilson, Administrator, Office of Financial & Administrative Services

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

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION:

1. Native American Impact Aid

Proposed Board Action: Approve the exclusion amount for Native American Impact Aid Exclusion for the district shown on the attachment.

Rationale/Background information: Section 79-1028.01(1)(n) provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for Federal Impact Aid received by the district. Districts that have land within its boundaries that is federal property classified as Indian lands under and have children in attendance who reside on Indian lands in accordance with 20 U.S.C. 7703(7) and have received funds in accordance with 20 U.S.C. 7703(a)(1)(c) are eligible for this exclusion. Department Staff have reviewed the request listed on the attachment and recommend approval. If approved, the school district may access additional budget authority.

2. Reimbursement for Wards of the Court

Proposed Board Action: Approve the Reimbursement for Wards of the Court listed on the attachment as a Special Grant Fund.

Rationale/Background Information: Section 79-1028.01(1)(m) provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for amounts received for Reimbursement for Wards of the Court as a special grant fund for budget limitation purposes. The Reimbursement for Wards of the Court listed on the attachments has been reviewed by Department Staff and appears to qualify as a special grant fund per State Statute Section 79-1003(38). If approved, the school

district may access additional budget authority. This request is applicable to the 2024/25 school district budget.

3. Retirement Contribution Increase

Proposed Board Action: Approve the exclusion amount for a Retirement Contribution Increase for the district shown on the attachment.

Rationale/Background information: Section 79-1028.01(1)(e)&(f) provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for a retirement contribution increase. Department Staff have reviewed the request listed on the attachment and recommend approval. If approved, the school district may access additional budget authority. This request is applicable to the 2024/25 school district budget.

4. Short-Term Borrowings

Proposed Board Action: Approve the Short-Term Borrowing listed on the attachment as a Special Grant Fund.

Rationale/Background Information: Section 79-1028.01(1)(m) provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for amounts received for Short-Term Borrowings as a special grant fund for budget limitation purposes. The Short-Term Borrowing listed on the attachment has been reviewed by Department Staff and appears to qualify as a special grant fund per State Statute Section 79-1003(38). If approved, the school district may access additional budget authority. This request is applicable to the 2024/25 school district budget.

5. Special Supplementary Grant

Proposed Board Action: Approve the grant listed on the attachment as a Special Supplementary Grant.

Rationale/Background Information: Section 79-1028.01(1)(m) provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for amounts received for Special Supplementary Grants from Corporations, Foundations, or Other Private Interests as special grant funds for budget limitations purposes. The individual grant listed on the attachment has been reviewed by Department Staff and appears to qualify as a special supplementary grant per State Statute Section 79-1003(38). If approved, the school district may access additional budget authority. This request is applicable to the 2024/25 school district budget.

6. Voluntary Termination Agreements

Proposed Board Action: Approve the exclusion amount for Voluntary Termination Agreements for the district shown on the attachment.

Rationale/Background information: Section 79-1028.01(1) (g), (i), (j), (k), provides for the State Board to permit a district to exceed its budget authority for the general fund budget of expenditures for expenditures for voluntary termination agreements. Department Staff have reviewed the request listed on the attachment and recommend approval. If approved, the school district may access additional budget authority. This request is applicable to the 2024/25 school district budget.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: None

FOR CONTRACTS AND GRANTS: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

FOR GRANT SUBAWARDS: N/A

**Updated 08.15.2023*

**Requests Relative to the Budgeting Provisions
of the Tax Equity & Educational Opportunities Support Act
For the 2024/25 School Year
June 7, 2024**

Recommendation 1

Native American Impact Aid [Section 79-1028.01(1)(n)]

County-District Number	School District Name	Amount to be Approved	School Year
87-0016	UMÓ ⁿ HO ⁿ Nation Public Schools	\$10,300,000	2024/2025

Recommendation 2

Reimbursement for Wards of the Court [Section 79-1003(38)]

County-District Number	School District Name	Amount to be Approved
41-0504	Aurora Public Schools	\$25,000.00

Recommendation 3

Retirement Contribution Increase [Section 79-1028.01(1)(e)&(f)]

County-District Number	School District Name	Amount to be Approved
10-0069	Ravenna Public Schools	\$101,568.00
11-0020	Lyons-Decatur Northeast Public Schools	\$75,900.00
12-0056	David City Public Schools	\$196,679.00
13-0032	Louisville Public Schools	\$154,388.00
13-0097	Elmwood-Murdock Public Schools	\$108,291.00
22-0011	South Sioux City Community Schools	\$910,800.00
23-0071	Crawford Public Schools	\$50,701.00
24-0020	Gothenburg Public Schools	\$207,688.00
27-0062	Scribner-Snyder Community Schools	\$68,310.00
28-0054	Ralston Public Schools	\$692,328.00
28-0059	Bennington Public Schools	\$740,343.00
34-0100	Diller-Odell Public Schools	\$70,089.00
37-0030	Elwood Public Schools	\$62,005.00
41-0504	Aurora Public Schools	\$370,994.00
50-0503	Minden Public Schools	\$190,917.00
54-0501	Niobrara Public Schools	\$73,431.00
69-0044	Holdrege Public Schools	\$257,788.00
72-0032	Shelby-Rising City Public Schools	\$96,418.00
76-0002	Crete Public Schools	\$442,750.00
76-0068	Friend Public Schools	\$59,838.00
78-0072	Mead Public Schools	\$69,761.00
78-0107	Cedar Bluffs Public School	\$104,632.00
87-0016	UMÓ ⁿ HO ⁿ Public Schools	\$280,456.00
92-0045	Wheeler Central Schools	\$49,715.00

Recommendation 4**Short-Term Borrowings [Section 79-1003(38)]**

County-District Number	School District Name	Amount to be Approved
41-0504	Aurora Public Schools	\$1,500,000
92-0045	Wheeler Central Schools	\$800,000

Recommendation 5**Special Supplementary Grant [Section 79-1003(38)]**

County-District Number	School District Name	Amount to be Approved	Source
28-0054	Ralston Public Schools	\$100,000.00	Ralston School Foundation
		\$20,000.00	Region 24 Interagency Planning
		\$85,000.00	Learning Community Elementary Center Programming Grant
		\$135,000.00	Buffet Early Childhood Grant

Recommendation 6**Voluntary Termination Agreements [Section 79-1028.01(1)(g), (i), (j), (k)]**

County-District Number	School District Name	Amount to be Approved
26-0561	Emerson-Hubbard Public Schools	\$25,348.00
28-0054	Ralston Public Schools	\$205,896.00
37-0030	Elwood Public Schools	\$10,000.00
76-0002	Crete Public Schools	\$21,401.00



National Association of
State Boards of Education

INVOICE

National Association of State Boards of Education

123 North Pitt St. #350
Alexandria, VA 22314

INVOICE #: INV-00416
DATE: 05/06/2024
DUE DATE: 06/06/2024

TOTAL AMOUNT: \$24,230.00
TOTAL DUE: \$24,230.00

BILL TO: Nebraska Department of Education
P.O. Box 94987
Lincoln, NE 68509

DESCRIPTION / MEMO	AMOUNT
2025 NASBE Membership Dues	\$24,100.00
2025 NCOSEA Membership Dues	\$130.00
TOTAL AMOUNT:	\$24,230.00

National Association of State Boards of Education

123 North Pitt St. #350
Alexandria, VA 22314

Customer ID - Name: C-00031 - Nebraska Department of Education
Invoice #: INV-00416

TOTAL DUE: \$24,230.00

AMOUNT ENCLOSED:

NASBE has a relationship with [REDACTED]. The account information is below:

JMB Routing # [REDACTED]

Checking Account # [REDACTED]

Questions regarding this invoice can be directed to acctnas@nasbe.org; or by calling 703-684-4000.

NASBE

National Association of
State Boards of Education

Benefits of Membership National Association of State Boards of Education

The nonprofit, nonpartisan **National Association of State Boards of Education (NASBE)** is the only organization focused on meeting the needs and supporting the work of state boards of education. NASBE's mission is to develop, support, and empower citizen leaders on state boards of education to strengthen public education systems so students of all backgrounds and circumstances are prepared to succeed in school, work, and life.

By and For State Boards of Education

State boards are uniquely positioned to reflect the citizen voice at the intersection of legislative policy making and state agency implementation. Boards are focused, deliberative and collaborative as they amplify legal requirements and work to create the conditions for a state's education system to grow, improve and excel. They are situated to ask questions, reflect on data and research, convene partners and stakeholders, prioritize and plan, and enact policies, always working in sync within the complex eco-system of the education sector.

The role and needs of state boards can best be met and supported by an organization that is uniquely designed and governed by them, and with them in mind. There is no other option that affords the board-centric information and peer-to-peer interaction opportunities that NASBE offers. The knowledge and perspective that comes with such interactions in combination with customized expertise can help increase boards' effectiveness, impact, and influence. To this end NASBE focuses on the following.:

- Creating opportunities for state board members to network and learn from each other, and share interests, advice, lessons and goals as they seek to advance equity and excellence in education;
- Building state board members' understanding of key education issues, practices, and challenges and the role of state boards in addressing them;
- Inspiring boards to identify priorities, engage partners, ask questions, examine data and evidence, identify strategies and actions, and support implementation to improve state education systems;
- Providing direct services and training to boards to build their capacity to operate effectively; and
- Synthesizing and communicating the perspective of state boards so they can impact federal policy deliberations and actions toward prioritizing state leadership of public education.

The Benefits of Membership

There are many benefits to a state board's membership in NASBE. Among these are the following:

Expertise. NASBE's team knows how boards operate and is able to connect boards to the resources, research, and leading experts needed to navigate the policymaking process. NASBE leverages an extensive system of partners, coalitions, networks and connections to bring even more expertise to bear. NASBE not only brings boards together, it connects advocacy, research, and practice through a lens of pragmatic board action. State boards often turn to NASBE's experts for thought partnership on particular issues of policy or

practice. NASBE's team can also offer personalized support on board operations, constituent engagement, goal setting, or policy review.

Publications. Members want and need thought-provoking, practical, actionable, research-based information about the latest issues in education and on their role and functioning. The wide range of NASBE publications respond to those needs.

- *State Education Standard.* This journal, written by subject-matter experts, provides insight into education policy issues of significance. An editorial advisory board comprising state board members reads and comments on drafts of each major article of the Standard prior to its approval for publication.
- *Education Leaders Reports* cover hot topics as well as over-the-horizon thinking on education. They provide background on policy issues, relevant research, and practical steps that the research findings imply for state policymaking and practice.
- *State Innovations* provide concise examples of the policymaking experiences of particular state boards of education. These reports serve as a source of new ideas for other states' policymaking, contacts to enable cross-state networking on key issues, and benchmarking.
- *Policy Updates* are two-page briefs on changes in federal education policy, state policy impacts, and trends in education.
- *Power of the Question* reports are designed to present boards with a set of questions they may want to ask on key education issues before them.
- *Boardsmanship Reviews* offer practical ideas on how to enhance the effectiveness and impact of a state board of education.

Conferences and Events. NASBE hosts meetings and events each year for board members to engage with national experts and to network with peers from other states. Membership includes the following:

- Regularly scheduled virtual "*Office Hours*" for board members to join with each other across the country to gain insight into shared state policy issues and interact around their challenges and experiences.
- Invitations to webinars on emerging issues and topics of interest in education.
- Discounted registration for NASBE's Annual Conference.
- Two free registrations to the New Member Institute.
- Access to special interest meetings and convenings that bring together state board members and national policy experts to examine key policy issues.

Training and Technical Assistance. NASBE offers member boards tools and resources to support them in effective leadership. Among the varied needs of state boards supported by NASBE are the following:

- strategic planning
- assistance with state superintendent hiring and evaluation
- support for task forces and working groups
- boardsmanship
- board self-evaluation
- leading for equity and excellence

A National Voice. As the national voice of state board members, NASBE has long represented its membership on critical education issues before Congress, the U.S. Department of Education, and other federal agencies. Member states are entitled to name one individual to serve on the *Government Affairs Committee*, which coordinates this work, and one individual to serve on the *Public Education Positions Committee*, which develops NASBE's policy positions to guide this work. NASBE's *Public Education Positions*

are approved by the organization's Delegate Assembly which meets each year during the Annual Conference. This member approval again demonstrates NASBE's member-driven approach.

Selected Project Support. On selected policy and practice issues, NASBE often forms study groups or networks to assist state boards and their members to dive deep into subjects and further their state work. In some cases, these activities are accompanied by stipends. Stipends may be used to cover in-state meetings, technical assistance, and board professional development.

Leadership Opportunities. State boards are encouraged to nominate members to serve on NASBE committees and the Board of Directors to lead on education issues and governance on a national scale.

Testimonials: Here's what past and present members have said about the value of their membership in NASBE:

"NASBE provides a wealth of benefits that stretch from top-notch professional development to serving as a prominent voice in shaping national education policy. More crucially, NASBE offers a forum where state education leaders from diverse regions and backgrounds can come together and not only learn from one another but create a common vision for public education and what's best for children, regardless of whether they come from rural, urban, red, blue, north, south, or even non-states like the District of Columbia. Not only is NASBE great bang for the (minimal) buck, it is an amazing group of people."

"I am a better state board member because of the training, counsel, and interaction with NASBE. NASBE has also been a direct support to our state. The Kansas State Board of Education developed stronger relationships with our school administrators, especially those in small school districts, through activities and programs underwritten by a NASBE stipend. NASBE provides state board members with the supports necessary to meet the challenges of our times. I cannot imagine serving my state without the support and fellowship of NASBE."

"NASBE was instrumental in designing the process for evaluating our state superintendent, leading us to identify goals and metrics based on our strategic plan. The partnership with NASBE enabled us to set up an effective means of self-evaluation and holding state leadership accountable."

"When I was a local district board member, participation in our state school board association was a tremendous benefit for me. Now that I'm a state board member, the opportunities provided by NASBE for me are so valuable in helping me to be the best I can be. Other public officials I've known benefit from their organizations, so it only makes sense for me to do the same with NASBE."

For More Information

Contact Paolo DeMaria, NASBE's president and CEO at paolo.demaria@nasbe.org with membership questions.

NASBE

National Association of
State Boards of Education

Member Service Offerings

The nonprofit, nonpartisan **National Association of State Boards of Education (NASBE)** is the only organization focused on meeting the needs and supporting the work of state boards of education. NASBE's mission is to develop, support, and empower citizen leaders on state boards of education to strengthen public education systems so students of all backgrounds and circumstances are prepared to succeed in school, work, and life.

In furtherance of this mission, NASBE offers to its members a wide range of services designed to support success in board activity, policy development, system improvement and impact.

Boardsmanship Training

A functioning board is fundamental to achieving success and driving an agenda committed to excellence and improvement. Even when Board members bring differing perspectives and opinions to the table, courtesy and collaboration, and an understanding of collective voice, can lead to an effective board process.

- A free service (excluding travel expenses) provided to all NASBE members and customizable in duration beginning at a minimum of 2 hours up to a full day.
- Can be delivered to new members, one-on-one, in small groups, or to the full board, virtually or in-person.
- Virtual option – no charge
- In-person option – state pays actual travel and lodging expenses. No consultation fee.
- An excellent contribution to a board retreat or onboarding process.

Board Effectiveness – Self-Assessment

From time to time, every board wants to know how well it is doing. Creating an open and honest opportunity to gauge member satisfaction with board processes and approaches can be a powerful contributor to continuous improvement, and strengthen relationships and effectiveness.

- A free service (excluding travel expenses) that utilizes a survey of board members to assess members' opinions of the board's effectiveness in policy leadership and efficiency of operations.
- A report is generated and shared with members followed by a discussion for priority setting and action steps to improve effectiveness and operations.
- Can be delivered virtually or in person.
- Virtual option – no cost.
- In-person option – state pays actual travel and lodging expenses. No consultation fee.

Strategic Planning

A strategic plan for education is at the heart of the work of most State Boards. Developing one is no small feat. NASBE offers two levels of service: Process consultation, and complete strategic planning support.

This article from the January 2023 issue of *The State Education Standard* discussed what good strategic planning looks like.

Process Consultation:

- A free service of up to 8 hours in assisting state boards in conceptualize and designing a strategic planning process to meet their needs and context.

Complete Strategic Planning:

- A fee-based service discounted for NASBE member states.
- An in-depth process of data analysis, policy review, brainstorming, consensus building, metrics determination, and plan development.
- A multi-phase process from stakeholder engagement to final adoption generally spanning three to six months.
- Consultation fee – negotiated based on exact project specifications.
- Expenses based on actual travel and lodging costs.

Chief State School Officer Assessment or Evaluation

For those State Boards that employ their chief state school officer, a fair and meaningful process of assessment or evaluation can be an important tool to promote greater alignment, collaboration and impact.

- A fee-based service (discounted for NASBE members) that utilizes a process of surveying board members combined with a self-assessment by the chief to identify strengths and improvement opportunities relative to the chief's performance.
- Designed around five forces of leadership: technical leadership, human leadership, educational leadership, cultural leadership, symbolic leadership.
- Consultation fee – negotiated based on exact project specifications.
- Expenses based on actual travel and lodging costs.

Chief State School Officer Search

For those State Boards that hire the chief state school officer, there is no more important activity than the identification of a highly-qualified and effective individual to lead. NASBE is unique positioned to assist with such searches given its deep understanding of state boards, state departments of education and state chiefs. NASBE offers two levels of service: Process consultation, and a complete search process.

Process Consultation

- A free service of up to 8 hours in assisting a state board to conceptualize and design a chief state school officer search to meet their needs and context.

Complete Search Process

- A fee-based service, discounted for NASBE member states.
- Comprehensive multi-phase chief search led by NASBE staff.
- Conducted over a four to five month period.
- Detailed proposal can be supplied on request.
- Consultation fee – negotiated based on exact project specifications.
- Expenses based on actual travel and lodging costs.

Task Force/Work Group Facilitation/Board Retreats

Many state boards identify issues or challenges that require more intensive and thorough attention. The idea of a task force or work group is very common, and has proven to be a successful way to understand issues, identify appropriate data and research and build consensus around needed policies, approaches and practices. Board retreats often include planning activities that lay out the work for the coming year.

Often such engagements require outside facilitation. NASBE also brings to the process deep expertise on education issues as well as an understanding of state boards and their role. NASBE offers two levels of service: Process consultation, and complete facilitation support.

Process Consultation

- A free service of up to 4 hours of support in assisting a state board to conceptualize and design a task force or working group approach around a particular issue or challenge.

Complete Facilitation Support

- A fee-based service discounted for NASBE member states.
- Comprehensive multi-phase task force or work group facilitation led by NASBE staff.
- Conducted over a three to four month period.
- Detailed proposal can be supplied upon request.
- Consultation fee – negotiated based on exact project specifications.
- Expenses based on actual travel and lodging costs.

For more information about these or any other assistance that NASBE may be positioned to provide, reach out to Paolo DeMaria, President & CEO at paolo.demaria@nasbe.org, or at 614-357-8545.

Council of Chief State School Officers (CCSSO)
One Massachusetts Avenue NW, Suite 800
Washington, DC 20001
FEIN: 53-0198090



INVOICE NO. 359054 **DATE** 04/19/2024

BILL TO
Nebraska Department of Education
Brian Maher
500 S. 84th Street, 2nd Floor
Lincoln NE, 68510-2611

PREPARED BY
Michelle Singleton
michelle.singleton@ccsso.org

DESCRIPTION	TERMS	QUANTITY	PRICE	AMOUNT
Membership Dues - FY25	07/01/2024 – 06/30/2025	1	\$56,238.00	\$56,238.00
			INVOICE TOTAL	\$56,238.00
			AMOUNT PAID	\$0.00
			PLEASE PAY	\$56,238.00

*****Payment Terms: Net 30 Days*****

PLEASE DETACH AND REMIT WITH YOUR PAYMENT

INVOICE#: 359054

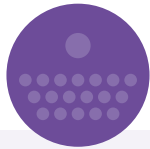
BALANCE DUE: \$56,238.00

CUSTOMER#: 87949
Nebraska Department of Education
Brian Maher
500 S. 84th Street, 2nd Floor
Lincoln
NE 68510-2611

REMIT PAYMENT TO: Council of Chief State School Officers
Attn: Accounting Department
One Massachusetts Avenue NW, Suite 800,
Washington, DC 20001
202.336.7000

Amt Remitted: _____

Membership in the Council of Chief State School Officers



LEADING



CONNECTING



INFLUENCING

WHAT CCSSO MEMBERSHIP DUES COVER

The Council of Chief State School Officers (CCSSO) is proud to support you in your leadership to provide a high-quality education to every child today while building the education system of tomorrow. We are grateful for your investment in us and, in return, you can expect support from the team at CCSSO, who deeply understand the context in which you work.

Annual membership dues contribute to CCSSO being able to represent chief state school officers and their state education agencies. The CCSSO Board of Directors sets the membership dues for the organization, and the membership levels align to the dues band each state falls within. The Council's general membership dues bands are set based on each state and territory's K-12 spending. Membership invoices are sent to chiefs each May and cover membership for the upcoming fiscal year of July 1-June 30.

Membership to CCSSO grants the state education agency access to a wide range of CCSSO services throughout the year, including advocacy support, communications support, professional learning and cross-state networking opportunities. Support and services are outlined below.

Chief Expenses Covered for Invitation-Only Membership Meetings: One of your best resources is your colleagues from across the country who know what it's like to lead an education system. We convene chiefs, their deputies and senior leaders from partner organizations three times a year to share best practices and learn from one another and experts in the field.

- Chief state school officers' expenses are covered for each member meeting. CCSSO covers the full cost of travel, including airfare, lodging, registration costs and per diem expenses for chief state school officers to each of the three annual member meetings (Legislative Conference, Summer Leadership Convening and Annual Policy Forum).
- The registration fee for one senior deputy per state or territory is covered by annual membership dues. Additional team members will be asked to pay a registration fee. The registration fee covers meals and refreshments provided by CCSSO, the materials for the meeting and additional costs associated with convening at a hotel, such as audio/visual and meeting space.
- Often there are additional meetings throughout the year that chiefs are invited to attend on specific topics and priorities and one-time meetings called to address emerging issues as a membership. CCSSO will cover these expenses for chiefs.

WHAT CCSSO MEMBERSHIP DUES COVER (CONT.)

State and Territory Support on Federal Advocacy: CCSSO proudly represents state education agency leaders across the country as a nonpartisan membership association. Advocacy positions are informed through conversations with chief state school officers and chiefs' designated federal liaisons throughout the year, including at member meetings, during one-to-one conversations with our senior staff and during our regular calls with all chiefs and CCSSO's Federal Liaisons Network. Council positions are also reviewed by the Council's [Board of Directors](#). The Board of Directors is the organization's governing body, comprising nine current chief state school officers appointed by their peers.

Professional Learning for State Education Agency Leaders: We build communities to facilitate peer-to-peer learning for staff in the state education agency. Senior leaders in the organization can join a role-alike network aligned with their role in the organization to convene with others who truly understand what the role entails. Networks meet regularly throughout the year, both virtually and in person. Networks include:

- Chiefs-Only Sessions
- New Chiefs Cohort
- Deputies Network
- Federal Liaison Network
- Communication Directors Network

Additionally, your staff have the option to enroll in CCSSO's [Collaboratives](#) and join more than 475 colleagues from states and territories who participate in premier professional learning on 17 different policy or role-alike areas. Please note: CCSSO's Collaboratives have a separate enrollment fee.

Access to CCSSO and National Experts: When questions arise, you're wrestling with a challenge or you want to know how other states and territories might be approaching an issue, you can call CCSSO. Staff at CCSSO are standing by to respond to your queries and can share information, provide expert advice and connect you with your colleagues or experts from CCSSO and around the country.

Just-in-Time National Updates: CCSSO is the go-to source of information for state education leaders on key federal and national education issues that impact your daily work. We help you keep your finger on the pulse through timely updates such as our *Weekly Wrap* and *Chiefline* newsletters, federal policy updates, publications that share promising practices and frequent webinars that provide meaningful technical assistance.

State- and Territory-Focused Policy Resources: We regularly create tools and implementation resources that help states further their policy and implementation goals, as well as case studies that help bring research to life by showcasing our members in action.

National Teacher of the Year Program: CCSSO runs the National Teacher of the Year Program, the most prestigious teacher recognition program in the country. States and territories name a State Teacher of the Year and submit an application to CCSSO for that individual to be named the National Teacher of the Year. On behalf of our members, CCSSO provides a year of professional learning and support for all State Teachers of the Year and the state coordinators who support them.



EDUCATION COMMISSION OF THE STATES

Your education policy team.

ecs.org | 303.299.3600

OFFICERS 2023-25

CHAIR

Laura Kelly

Governor

State of Kansas

VICE CHAIR

Don Schaible

Senator

North Dakota

TREASURER

Charlene Russell-Tucker

Commissioner of Education

Connecticut

PRESIDENT

José Muñoz

May 1, 2024

Dr. Brian Maher
Commissioner of Education
Nebraska Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509-4987

Dear Dr. Maher,

This was a year of states tackling difficult challenges and working to advance education for all learners. From assisting states as you worked to combat teacher shortages to deliberating on how to best improve your school funding formulas, Education Commission of the States was proud to be a part of your state's work this past year.

You will find enclosed Nebraska's annual state dues invoice and the 2023 state support report, which details the myriad ways that Education Commission of the States supported your work over the last calendar year. We hope it demonstrates how your membership to Education Commission of the States provides the state with invaluable resources to meet your education policy goals. Education Commission of the States has worked diligently to keep state dues consistent for well over a decade, while at the same time increasing our level of service to policymakers.

With your support through state dues, Education Commission of the States is able to provide a comprehensive suite of services to the policymakers and education leaders in your state, including:

- **Research:** We review the latest academic research and summarize it into concise, reader-friendly findings and policy implications for key education issues. We also maintain databases and resources that allow policymakers to quickly research policies in other states.
- **Report:** We take issues we hear from states and regularly issue useful policy analyses, trends reports and comparisons of state policies — enacted or pending — on a wide variety of education topics. These reports provide concise, factual overviews of specific state education policies and offer considerations for state leaders.
- **Counsel:** We provide unbiased advice on policy plans, review and consult on proposed legislation, provide expert knowledge for state education work groups and testify at hearings as third-party experts. We also remain responsive to requests for information, by providing written responses to your policy questions within 72 hours.
- **Convene:** We bring education leaders together both within states and across states. Through our annual national convenings, regional meetings and issue-specific or role-specific meetings, we create opportunities for policymakers to interact, learn and collaborate.

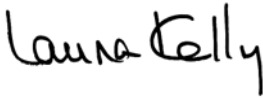
While providing these services, Education Commission of the States remains committed to being a nonpartisan, unbiased resource. We do not advocate for specific policies; rather, we only provide impartial, factual information so that you can make the best decision for learners in your state.

The most effective policy occurs when all state education leaders are involved. That is why we are the only national education policy organization to work with the full range of education leaders. We work with governors, legislators, chief state school officers, state board members, higher education officials, business leaders and teachers, all of whom have a voice in making education policy better for students. Challenges such as funding or accountability do not affect just one level of education; they cross the full spectrum of education policy. Because of this, we cover all education issues from early learning through postsecondary and the workforce and are uniquely positioned to help state policymakers craft the best education policy for your students.

These unique qualities make Education Commission of the States a trusted and valued education policy partner to all 50 states and Washington, D.C.

As we continue into 2024 and beyond, we are excited to further improve and innovate the ways we support your work. We appreciate your prompt payment so we can continue to provide quality and timely services to your state.

Sincerely,



The Honorable Laura Kelly
ECS Chair, 2023-2025



José Muñoz
President

cc: Hon. Jim Pillen
Dr. Ryan Foor



Dr. Brian Maher
Commissioner of Education
Nebraska Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509-4987

INVOICE # 2025 NE

DATE: 05/01/2024

cc: Hon. Jim Pillen
Dr. Ryan Foor

**Annual State Dues
For Nebraska
Interstate Compact for Education**

Dues for Fiscal Year 2025: 07/01/24 - 06/30/25 \$ 60,500.00

Due and payable by July 15, 2024

Please return a copy of the invoice with payment to:
Education Commission of the States, Attention: Accounting Department - Dues
Invoice # 2025 NE
**Education Commission of the States
P.O. Box 33674
Northglenn, CO 80233-0674**

State Statutory Reference: NEB. REV. STAT. §§ 79-1501 to 79-1504

Fed. I.D. No. 31-0722194

Please direct inquiries on billing, including electronic payments, to: Deven Scott, 303-299-3622.



Nebraska

January 1 – December 31, 2023

Serving as partners to state policymakers, Education Commission of the States provides nonpartisan information, personalized support and opportunities for collaboration. We believe that informed policymakers create better education policy. As the essential, indispensable member of your state education policy team, we:

- **Remain nonpartisan and unbiased.**
- **Serve all education leaders**, including governors, legislators, chief state school officers, state board members, higher education officials, business leaders and teachers.
- **Cover the full education spectrum** from early learning through postsecondary and the workforce.

Education Commission of the States receives most of our funding from the states and territories we serve. With funding from state dues, Education Commission of the States works to research, report, counsel and convene. This state support summary outlines the direct services provided to Nebraska by Education Commission of the States.

Current Education Commission of the States Commissioners

Each state appoints Commissioners who help guide our work and their own state's education agendas. Commissioners provide strategic information to our staff regarding key state education policy issues.

Nebraska Statute Authorizing the Compact for Education: **R.S.N. Secs. 79-1501 to 79-1504**

Nebraska Appointed Commissioners:

Jim Pillen, Governor, State of Nebraska

Governor's Proxy: Grant Latimer, Policy Advisor, State of Nebraska

Mike Baumgartner, Executive Director, Nebraska Coordinating Commission for Postsecondary Education

Kathleen Kauth, State Senator, Nebraska State Unicameral Legislature

Lou Ann Linehan, State Senator, Nebraska State Unicameral Legislature

John Spatz, Executive Director, Nebraska Association of School Boards

Lynne Walz, Senator, Nebraska State Unicameral Legislature

(as of March 15, 2024)

ECS Services and Supports

Counsel

Education Commission of the States provides personalized state support, including unbiased advice on policy plans, consultation on proposed policy legislation and testimony, and presentations as third-party experts.

Research

Many states face similar education challenges. By sharing research about what has worked and what has not, states can learn from each other. Education Commission of the States compiles information on the full spectrum of education policies so state policymakers can make informed decisions.

Reports

Education Commission of the States believes in the power of learning from experience. Our reports highlight state policy examples so policymakers in all states gain the insight needed to create effective education policy.

Convenings

Education Commission of the States brings education leaders together within states and across states. Through our annual, national convenings, regional meetings and issue-specific or role-specific meetings, we create opportunities for policymakers to interact, learn and collaborate.

Counsel

In 2023, Nebraska ECS Commissioners and other key state education leaders received the following support and national features:

- **Technical Assistance** provided to the Nebraska state team at the ECS Work-Based Learning & Career and Technical Education Policy Academy. State teams were supported in developing action plans for expanding access to quality work-based learning and career and technical education through funding opportunities, alignment, and collaboration.
- **Presentation** to the Annual Meeting of School Board Association Executive Directors on trending education policy topics.
- **Hosted** governors' education policy advisors for in-person policy discussions, networking, and professional development, in conjunction with ECS' National Forum on Education Policy.
- **Hosted** state legislative education staff for in-person policy discussions, networking, and professional development through ECS' annual LESN Summer Seminar.
- **Hosted** state legislative education staff for in-person policy conversations, professional development, and networking at the 2023 Legislative Education Staff Network Fall Meeting.
- **State Policy Feature** at the 2023 National Forum on Education Policy about Nebraska's work on Special Education Access and Funding.
- **State Information Requests:** Answered 8 requests for information on the following topics: accountability, assessments, instructional approaches, leadership, literacy and reading policies, school climate and safety, teacher quality and technology.

Research

In 2023, Education Commission of the States monitored, compiled and shared the following research that included examples of state education policy in Nebraska:

- **50-State Comparisons:** In 2023, we released eight 50-State Comparisons covering the full spectrum of education policy issues, including [State K-3 Policies](#) and [High School Graduation Requirements](#) as well as [Work-Based Learning](#) and [Secondary Career and Technical Education](#).
- **State Education Policy Tracking:** In 2023, we tracked, summarized and entered 8 enacted and/or vetoed Nebraska bills in our [State Education Policy Tracking](#) resource. Additionally, Education Commission of the States closely monitors policy actions, including pending, enacted and vetoed bills on several key education issues in our [State Education Policy Watchlist](#).
- **Governors' State of the State Addresses:** This was our 19th year tracking education-related proposals from governors' annual State of the State addresses. We provide ongoing, up-to-date analysis in an [online resource](#), and later, we compile top trends and other findings in a [report](#).

Reports Highlighting State

In 2023, Education Commission of the States sent personalized, state-specific correspondence with ECS Commissioners and state leaders, featuring new resources and releases and upcoming opportunities for collaboration.

Nebraska was highlighted in the following reports and blogs:

- [Computer Science Education Policy Levers](#)



- [Governors' Top Education Priorities in 2023 State of the State Addresses](#)
- [As Federal Relief Funding for Early Care and Education Fades, States Step In](#)
- [The U.S. Supreme Court Considers Student Debt Forgiveness](#)

To view all Education Commission of the States resources mentioning Nebraska, click [here](#).

Convenings

In 2023, Education Commission of the States welcomed attendees from Nebraska at 11 convenings listed below. Education Commission of the States provides travel support for appointed Commissioners and speakers to attend our in-person convenings.

- 2023 National Forum on Education Policy (*9 registrants*)
 - Mike Baumgartner, Executive Director, Nebraska Coordinating Commission for Postsecondary Education
 - Lane Carr, Administrator Office of Policy and Strategic Initiatives, Nebraska Department of Education
 - Ryan Foor, Administrative Officer/State Board Relations, Nebraska Department of Education
 - Grant Latimer, Policy Advisor, State of Nebraska
 - Brian Maher, Commissioner of Education, Nebraska Department of Education
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature
 - John Spatz, Executive Director, Nebraska Association of School Boards
 - Lynne Walz, State Senator, Nebraska State Unicameral Legislature
 - Brad Wilkins, Nebraska Association of School Boards
- Aligning CTE and Work-Based Learning Policy Academy (*3 registrants*)
 - Dan Curran, Executive Director, Nebraska Business Development Center
 - Kathleen L. Fimple, Academic Programs Officer, Nebraska Coordinating Commission for Postsecondary Education
 - Katie Graham, State CTE Director, Nebraska Department of Education
- Arts Education Partnership National Town Hall for Local Arts Education Supervisors April 2023 (*2 registrants*)
 - Evan Lee, Grand Island Public Schools
 - Cody Talarico, Nebraska Department of Education
- Arts Education Partnership National Town Hall for Local Arts Education Supervisors January 2023 (*3 registrants*)
 - Evan Lee, Grand Island Public Schools
 - Lorinda Rice, Lincoln Public Schools
 - Cody Talarico, Nebraska Department of Education
- Arts Education Partnership 2023 Annual Convening (*1 registrant*)
 - Cody Talarico, Nebraska Department of Education
- Partnering for Success: Addressing the Increase in Uncertified Teachers (*4 registrants*)
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office
 - Lisa Fricke, Member, Nebraska State Board of Education
 - Grant Latimer, Policy Advisor, State of Nebraska
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature



- **Partnering for Success: Education Trends in Governors' State of the State Addresses (10 registrants)**
 - Anne Alston, Arts Program Specialist, Nebraska Arts Council
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office
 - Joshua Brown, Nebraska Arts Council
 - E. Fenton, Grant Writer, Boys Town
 - Sommer Fousek, University of Nebraska, Lincoln
 - Susan Lamke, Director National Training, Boys Town
 - Denise Pratt, Sr. Training Consultant, Boys Town
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature
 - Mariella Resendiz, State Coordinator of Full-Service Community Schools, Nebraska Department of Education
 - Daniel Russell, Stand For Schools
- **Partnering for Success: Funding Innovation with Federal Relief (6 registrants)**
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office
 - Taeyeon Kim, Assistant Professor, UNL
 - Elsa Knight, Research Analyst, Nebraska State Unicameral Legislature
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature
 - Daniel Russell, Stand For Schools
 - Brad Wilkins, Nebraska Association of School Boards
- **Partnering for Success: Opportunities to Expand Computer Science Education (5 registrants)**
 - Mike Baumgartner, Executive Director, Nebraska Coordinating Commission for Postsecondary Education
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office
 - Jacqui Garrison, Information Technology Career Field Specialist, Nebraska Department of Education
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature
 - Guy Trainin, University of Nebraska, Lincoln
- **Partnering for Success: Shifting Formulas for Student Success (5 registrants)**
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office
 - Joshua Brown, Nebraska Arts Council
 - Grant Latimer, Policy Advisor, State of Nebraska
 - W. LaMont Rainey, Legal Counsel, Legislative Research Office, Nebraska State Unicameral Legislature
 - Daniel Russell, Stand For Schools
- **Partnering for Success: State Strategies for Implementing High-Impact Tutoring (1 registrant)**
 - Bill Biven, Jr., Fiscal Analyst, Nebraska Legislative Fiscal Office



PROPOSED AGENDA ITEM RATIONALE

DATE: May 20, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson, Administrator, Office of Early Childhood Education

PROPOSED AGENDA ITEM: Grant the Commissioner the authority to sign an agreement with the Nebraska Department of Health and Human Services for use of Child Care and Development Funds.

AGENDA ITEM TYPE: Information

RATIONALE/BACKGROUND INFORMATION:

- The Nebraska Department of Health and Human Services (DHHS) Division of Children and Family Services has been designated by the Governor of Nebraska as the State Lead Agency for the Child Care and Development Block Grant (CCDBG) (45 C.F.R. 98.et.seq).
- Annually, the DHHS enters into an agreement with the Nebraska Department of Education (NDE) to carry out training, technical assistance and other activities to support early childhood education and care providers across Nebraska.
- The period of the 2024 agreement will be from October 1, 2024, through September 30, 2025.
- The CCDF funds support:
 - Staffing within the Office of Early Childhood Education,
 - Grants to ESUs for the Early Learning Connection system,
 - T.E.A.C.H. Early Childhood Nebraska® scholarships,
 - Maintenance and enhancements to the Nebraska Early Childhood Professional Records System (NECPRS),
 - Coaching, training, and other support for Step Up to Quality.

PROPOSED BOARD MEETING: June

ESTIMATED COST: Agreement provides approximately \$5 million to the NDE

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: *Federal CCDF funds*
- New or Renewal: Renewal
- If renewal, date of first approval: The NDE and DHHS have had agreements for the use of a portion of the CCDF funds since the 1990's.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 08.15.2023*

Child Care and Development Fund

Child Care and Development Fund (CCDF)

- The Child Care and Development Fund (CCDF) is the federal government's funding source for child care subsidies to help eligible low-income families access child care and improve the quality of child care for all children
- Program from the Department of Health and Human Services
- Lead agency for CCDF is the Nebraska Department of Health and Human Services
- Originated as a block grant combining earlier child care related programs in the 1990's

Nebraska Quality Child Care Act

- R.S.S 43-2601 to 43-2625
- Creates the office for child development and early childhood education services within the NDE
- Requires the Department of Health and Human Services and the Department of Education to collaborate
- Identifies Child Care and Development Block Grant – and requires some specific uses of it.
 - Requires a percentage of the fund to be used to support Step Up to Quality
 - Requires a percentage of the fund to be used for Early Childhood Endowment program grants to school districts to partner with community child care programs to improve quality (Sixpence CCP)

Quality Child Care Act (Continued)

- Authorizes several things that the two agencies may do, including:
 - Provide a hotline for providers to get assistance – the NDE Early Childhood Training Center (part of the Office of Early Childhood) operates this
 - Provide a resource and referral line for families looking for child care – the NDE Early Childhood Training center operates this as well (this is also a requirement of CCDF)
 - Provide training for early childhood education providers

Quality Child Care Act (Continued)

- Facilitate cooperation between private and public sectors to promote the expansion of child care
- Encourage the development of comprehensive systems for child care and early education programs which promote wholesome growth and educational development of children, regardless of the child's level of ability
- Encourage and promote parenting education, developmentally appropriate activities, and primary prevention services by program providers.

CCDF State Plan

- CCDF activities for the DHHS and the NDE are planned and governed by federal requirements
- State respond to the federal requirements through the CCDF State plan
- The Office of Early Childhood Education prepares several sections of the plan.
- Nebraska is working on the state plan for 2025 -2027
- DHHS will host a public hearing on the proposed plan this summer.

CCDF MOU

- DHHS and the NDE have annual agreements to use “ set aside” funds for Nebraska’s Early Childhood infrastructure
- Portions of two sections of CCDF come to the NDE
- Quality
- Quality QRIS (Quality Rating and Improvement System)

CCDF Quality

- Staff salary
- TEACH scholarships
- WAGES
- Small number of contracts to support out of school providers or infant/toddler training
- Expenses and support for the Early Childhood Interagency Coordinating Council (ECICC)

CCDF QRIS

- Office of Early Childhood Staff salaries
 - Full or partial salary of most members of the 3 sections of the OEC
- State infrastructure
 - Child Care Resource and Referral
 - Child Care Referral Network (CCRN)
 - “Warm line” and website for families and providers
 - Grants to ESUs
 - Early Learning Connection Training Coordination System
 - Coach Coordination System
 - CDA Navigator

CCDF QRIS

- Other grants
 - Rooted in Relationships
 - WAGE\$
 - Occasional smaller grants

CCDF QRIS

- **Contracts**
 - Public Engagement Campaign
 - Coaches for Step Up to Quality
 - Training development and trainers
 - Anchors and Program Quality Observers for Step Up to Quality
 - Step Up to Quality Raters
- **Other activities**
 - Nebraska Early Childhood Professional Records System (NECPRS)
 - Materials, travel, etc.



STATE BOARD OF EDUCATION EXECUTIVE COMMITTEE REPORT

Date: June 6, 2024

The Executive Committee reports on the June 6, 2024, meeting of the committee.

Members present were chair Elizabeth Tegtmeier and Kirk Penner.

The committee first reviewed the proposed addendum to the employment agreement between the Commissioner and the State Board of Education. The committee recommends the Board adopt the addendum to the employment agreement between the Commissioner and the State Board of Education.

The committee then discussed two proposed amendments to the Board Operating Policies: 1.06 & 1.10. The committee recommends these policy revisions appear on the August 2024 agenda as an action item.

The committee then reviewed a summary of the 2024 legislative session and the potential implications for the Executive Committee. The committee also discussed the development of legislative priorities for the next biennium and reviewed the plan for the legislative work session. The Commissioner presented recommendations on the strategic plan including a focus on the State's ESSA goals, the legislative priorities expected to be adopted in August, and the development of a new strategic plan starting in January 2025.

This concludes the Executive Committee report.

Elizabeth Tegtmeier, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 31, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Elizabeth Tegtmeier, President
State Board of Education

PROPOSED AGENDA ITEM:

Action Item: Discuss and approve the addendum to the employment agreement between Commissioner Maher and the State Board of Education.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

Pursuant to Neb. Rev. Stat. § 79-315 (2014), the State Board of Education (State Board) and Commissioner Maher (Commissioner) previously entered into an employment agreement (Agreement) for a three-year term beginning July 1, 2023. Section 3(a) of the Agreement provides that “[t]he State Board retains the option to adjust Dr. Maher’s salary during the Term hereof.” The proposed addendum would increase the Commissioner’s salary by five percent beginning July 1, 2024. The percentage increase in the proposed addendum is the same increase negotiated for Department of Education employees.

PROPOSED BOARD MEETING (MONTH/YEAR): June 7, 2024

ESTIMATED COST: \$315,000.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State General Fund
- New or Renewal: N/A
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 08.15.2023*

ADDENDUM TO EMPLOYMENT AGREEMENT

This addendum ("Addendum") is entered into by and between the **STATE BOARD OF EDUCATION**, a Nebraska public body corporate ("State Board") and **BRIAN L. MAHER, Ed.D.**, an individual ("Dr. Maher") (collectively, the "Parties"), for the purpose of amending and modifying the provisions of their current employment agreement.

RECITALS

- A. The State Board and Dr. Maher previously entered into an employment agreement ("Agreement") that commenced on July 1, 2023, and continues through June 30, 2026.
- B. The Parties wish to modify the Agreement in the manner reflected herein.
- C. The State Board has duly considered and approved this Addendum by formal action taken during a public meeting conducted on June 7, 2024.

NOW, THEREFORE, in consideration of the mutual premises and covenants hereof, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend and modify the provisions of the Agreement as follows:

Section 1. Section 3(a) of the Agreement is deleted and replaced in its entirety with the following section:

Section 3. Compensation. For the performance of all duties and responsibilities in his capacity of Commissioner, Dr. Maher shall be compensated during the Term as follows:

(a) Salary. Effective July 1, 2024, Dr. Maher shall be paid a full-time annual salary in the gross amount of \$315,000.00 (Three Hundred and Fifteen Thousand Dollars), which shall be paid pro rata at normal payroll intervals and shall be subject to normal payroll deductions. The State Board retains the option to further adjust Dr. Maher's salary during the Term.

Section 2. All terms and provisions of the Agreement not expressly amended in this Addendum shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have duly executed this Addendum on the date set forth below.

STATE BOARD OF EDUCATION

BRIAN L. MAHER, Ed.D.

By: _____
Elizabeth Tegtmeier, President

By: _____

Date: _____

Date: _____

49-3549-31

DRAFT



PROPOSED AGENDA ITEM RATIONALE

DATE: May 24, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brian Halstead, Deputy Commissioner; Ryan Foor, Ph.D. Assistant Commissioner/Chief of Staff

PROPOSED AGENDA ITEM: Discuss proposed amendments to Board Operating Policies

AGENDA ITEM TYPE (contract/grant/rule/program/other): board policy

RATIONALE/BACKGROUND INFORMATION:

Board Operating Policy 1.06: Public Participation at Board Meetings (BOP 1.06) and Board Operating Policy 1.10: Hearing Officers (BOP 1.10) were reviewed as a result of changes to legislation. Specifically, LB 43 changed provisions relating to public meetings, which causes need for change to BOP 1.06, and LB 1306 eliminated the Professional Practices Commission, which causes need for change to BOP 1.10.

With respect to BOP 1.06, LB 43 amends Neb. Rev. Stat. § 84-1412 to require members of the public an opportunity to speak at each meeting. Thus, an amendment to BOP 1.06 is recommended to align with this statutory change.

With respect to BOP 1.10, LB 1306 amends statutes to eliminate the Professional Practices Commission (PPC). With the elimination of the PPC, the Board will need to employ hearing officers to hold hearings and make recommendations to the Board concerning alleged violations of standards of professional ethics and practices by persons holding a teacher's or administrator's certificate. Thus, an amendment to BOP 1.10 is recommended to facilitate implementation of this statutory change.

The recommended amendments to BOP 1.06 and BOP 1.10 are proposed to the Executive Committee at the June 2024 meeting, with recommended adoption by the State Board at the August 2024 meeting.

PROPOSED BOARD MEETING (MONTH/YEAR): June/2024, Discussion Item; August/2024: Action Item

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: NA
- New or Renewal: NA

- If renewal, date of first approval: NA

(--Following the funding source, include a statement that indicates if/ how the activity is part of an annual budget or allocation, or, approved as an activity for a grant. For example, "The funds for this contract are budgeted in the Office's annual allocation of state funds." Another example, "The funds for this activity are included in the grant award for this program.")

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: NA

- Rationale for method of procurement: NA

- Rationale for contractor selection: NA

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA

**Updated 08.15.2023*

BOP 1.06

Public Participation at Board Meetings

The Board establishes the following procedures with regard to public participation in the meetings of the Board.

The published agenda of ~~the majority of regular~~ meetings of the Board shall contain an item identified as public comment period. This period may be available to any person who wishes to address the Board on any subject within its authority, except for contested cases, including items appearing on the agenda ~~except for contested cases~~. Up to two hours will be allowed for the public comment period when on the agenda of a regular meeting. A majority of members present and voting may take action to extend the total amount of time allowed for the public comment period. A majority of members present and voting may also take action to allow or terminate public comment at any time during a meeting. Each person may address the Board for up to five minutes. A majority of members present and voting may take action to reduce or extend the amount of individual time allotted to all speakers. If at any time persons appearing before the Board exceed the time limitations set forth in this policy or on the agenda, or become abusive or threatening in language or behavior, it shall be the responsibility of the President to refuse permission to continue to address the Board.

Each individual speaking to the Board will be required to complete a "Sign-in" card for identification of oneself. Individuals are required to include on the Sign-In card their name, address, and name of any organization represented. Individuals may be prohibited to speak in public comment if the Sign-In card does not include the required information. Persons speaking to the Board during public comment should state their name at the beginning of their allotted time and may submit printed materials for the Board but may not use any other form of media. Anyone refusing to be identified will be prohibited from speaking.

Generally, Board members will not engage in dialogue during the public comment period. A Board member may request from the President to ask a clarifying question of a public comment speaker for

the purpose of understanding a point or statement made by the speaker. Asking a clarifying question should not result in extended dialogue.

Persons may address the Board for public comment purposes by written submission in lieu of live testimony. Such written submissions must be provided 24 hours prior to the start of the public meeting where public comment is scheduled, or by close of business of the Thursday prior to any meeting scheduled for a Monday and is limited to 750 words. Written public comments submitted in accordance with these requirements will be provided to the Board members and become part of the record of the meeting, but will not be read aloud during the meeting.

Revision History

- Created: 1981
- Last Revised: 2024
- Reviewed: 1984, 1995, 2006, 2013, 2014, 2016, 2017, 2020, 2022, 2023
- Approved: 01/05/2024

Board Action History

- 11/15/1981 – Prior BCBI
(No copies of prior version.)
- 12/07/1984 – Prior 9322 BOP
(Same text as BCBI, except for deletion of statute references.)
- 12/08/1995 – Prior B12
(Similar text in first 3 paragraphs, but appearance extensions may also be granted by majority, public comment period reduced from 30 to 15 minutes for items not on agenda [and from 6 to 3 persons], added agenda item public comment designations, and option for allowing additional public comment during meetings.)
- 09/07/2006 – B12
(Added majority vote option for extending public comment period.)
- 03/05/2013 – B12
(Changed wording regarding the Public Comment Period.)

Board Action History (cont'd)

- 01/07/2014 – B12
(Changed wording regarding the Public Comment Period.)
- 05/06/2016 – B12
(Added language for special appearances.)
- 03/03/2017 – B12
(Align language with B5 (formerly B11) regarding dates of Board Meetings.)
- 03/03/2017 – B12(B9)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. B12 is now B9)
- 12/11/2020 – B9
(Four-year review. Added language to reflect current approaches providing public participation in remote audio video/audio technologies at Board meetings.)
- 01/07/2022 - B9
(Changed wording regarding the Public Comment Period.)
- 12/02/2022 – B9(BOP 1.06)
(Reorganized Board bylaws and policies with new designated letters for categories of bylaws [BLW], board operating policies [BOP] and agency management policies [AMP]. B9 is now BOP 1.06.)
- 01/05/2024 – BOP 1.06
(Reordered information to organize like information together; deleted pandemic-specific paragraph; deleted opening paragraph and paragraph on contested cases; revised to include consistent language throughout the document.)

Cross-References

- 84-1412 R.R.S.– Public participation.
- 79-317(2) R.R.S. – Public participation.
- State Board Policy B5, “Board Meeting Notification for Regular Meetings”

BOP 1.10

Hearing Officers

When a contested case is properly filed under law before the Board, ~~the use of a hearing officer will be appointed by the Board President from the list of hearing officers. is advisable. A recommendation for the appointment of a hearing officer will be placed on the consent agenda by the Commissioner, or, in cases in which the Commissioner is a party, by the attorney serving as the legal advisor to the Board in the case.~~

When a contested case involves the Enrollment Option Program the Commissioner shall appoint a hearing officer within five (5) days after the filing of such petition and an expedited hearing shall be set so that the case can be decided by the Board within sixty (60) days after the filing of such petition or as soon thereafter as is practicable.

Hearing officers appointed under this policy shall be admitted to practice law in the State of Nebraska. The Legal Services Office shall maintain a list of such attorneys who have indicated a willingness to serve as hearing officers that is annually approved by the Board.

Revision History

- Created: 1976
- Last Revised: 2024
- Reviewed: 1984, 1990, 1995, 2006, 2017, 2021, 2022, 2023
- Approved: 01/05/2024

Board Action History

- 12/10/1976 – Prior BCAF
(Board may delegate authority to Commissioner or member to conduct rule hearings.)
- 12/07/1984 – Prior BCAF
(Rescinded upon adoption of revised manual.)
- 10/12/1990 – Prior 8001 BOP
(Option enrollment hearing officers.)

Board Action History (cont'd)

- 12/08/1995 – Prior B17
(Replaced 8001 BOP – Covers all types of contested case hearing officers.)
- 09/07/2006 – B17
(Same bylaw text.)
- 03/03/2017 – B17(B10)
(Reorganized Board Policy Reference Manual with new designed letters for categories of policy [P], bylaws [B] and position statements [S]. B17 is now B10.)
- 06/02/2017 – B10
(Added language to have Commissioner appoint a hearing officer within five days of NDE receiving an Enrollment Option petition, instead of Board, to expedite the process of having a decision before the Board within sixty days of the filing of the petition.)
- 08/05/2021 – B10
(Four year review of Policy Committee, language added to specify hearing officers are to be licensed attorneys in the State of Nebraska.)
- 12/02/2022 – B10(BOP 1.10)
(Reorganized Board bylaws and policies with new designated letters for categories of bylaws [BLW], board operating policies [BOP] and agency management policies [AMP]. B10 is now BOP 1.10.)
- 01/05/2024 – BOP 1.10
(Rearranged paragraph for clarity related to option enrollment cases; removed direct reference to state statute to rephrase contested case petitions for Option Enrollment Program; revised to include consistent language throughout the document.)

Cross-References

- 84-901(5) R.R.S.
- 92 NAC 19 (Rule 19)
- 79-239 R.R.S.



STATE BOARD OF EDUCATION BUDGET AND FINANCE COMMITTEE REPORT

Date: June 6, 2024

“The Budget and Finance Committee reports that at its Thursday, June 6 meeting, members present were Patsy Koch Johns, Lisa Fricke and Patti Gubbels. The Committee reviewed nine action items with NDE’s staff providing summaries and answering questions on all action items. The Committee is supporting all nine for full board consideration.

Additionally, the Committee reviewed twelve other upcoming action items that included a summary of upcoming work for the Committee related to the 2024 Legislative session, an upcoming agreement with DHHS for Child Care Development Funds, a contract amendment to support the Child Care Resource Network, the upcoming McKinney Vento Homeless Grant Funds, a contract for homeless youth and young adults, a mental health grant, the upcoming two year opportunity grant funds, a contract to provide external evaluation services of the 21st Century Learning Centers, grant funds to eligible providers to administer the College Pathway Program, the possibility of GEAR UP funds to address and increase the number of low income students prepared for postsecondary education, a contract with the ESUCC to administer the textbook loan program and an overview of NDE’s current budget with a timeline for the upcoming submission of the Biennial Budget and Deficit Budgets.

Last, the Committee reviewed the monthly board travel expenses noting no concerns.

This concludes the Budget and Finance Committee report.”

Patsy Koch Johns, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.
Updated 02.02.2023



2023-2024 Board Travel

At-A-Glance

Budgeted

\$29,391

Monthly Spending

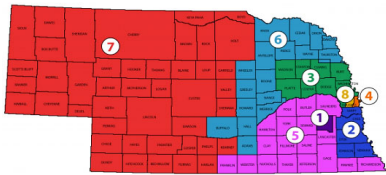
\$3,000
Average

Annual Spending

\$36,000
Projected

Expenditures

Lodging
Meals
Mileage



Board Member Activity

District Board Member

1	Patsy Koch Johns
2	Lisa Fricke
3	Patti Gubbels - President
4	Jacquelyn Morrison
5	Kirk Penner - Vice President
6	Sherry Jones <i>Appointed Dec. 2022</i>
6	Maureen Nickels <i>Incumbent</i>
7	Elizabeth Tegtmeier <i>Appointed Dec. 2022</i>
7	Robin Stevens <i>Incumbent</i>
8	Deborah Neary

Current Year
July 2023-June 2024

May	Year-To-Date
	\$1,403
\$196	\$8,078
\$240	\$8,481
\$66	\$2,191
	\$762
	\$3,817
\$714	\$10,326
	\$3,458
\$1,217	\$38,518
	\$29,381
	\$9,137

Prior Year
July 2022-June 2023

May	Year-To-Date
\$234	\$2,114
\$908	\$6,239
\$1,772	\$9,315
\$504	\$2,563
\$439	\$1,623
\$495	\$2,023
\$15	\$2,294
\$2,089	\$5,476
\$15	\$4,353
\$362	\$1,981
\$6,833	\$37,981
	\$29,381
	\$8,600

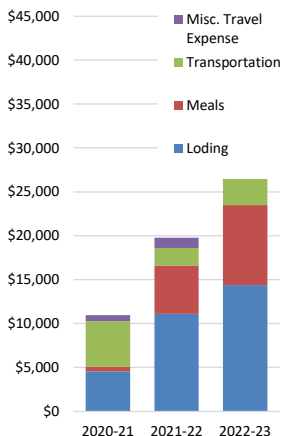
Variance

May	Year-To-Date
-\$234	-\$711
-\$712	\$1,839
-\$1,532	-\$834
-\$438	-\$372
-\$439	-\$861
-\$495	\$1,794
-\$15	-\$2,294
-\$1,375	\$4,850
-\$15	-\$4,353
-\$362	\$1,477
(\$5,616)	\$537

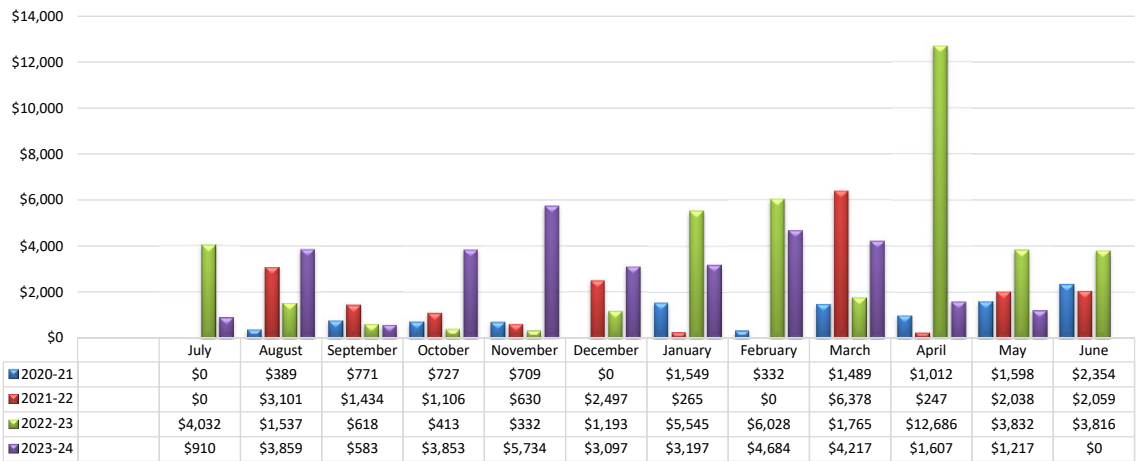
Annual Budget

Over/(Under) Budget

Annual Expenditures by Fiscal Year



Annual Expenditures by Month



In-State Travel Authorization Reports - June

Name	Event Name	Date	Location	Board Bylaw B16 Code A-F
Lisa Fricke	(NONE)			
Jacquelyn Morrison	50th Annual NCE Conference	June 3-4, 2024	Kearney, NE	E
Deborah Neary	(NONE)			
Kirk Penner	(NONE)			

In-State Travel Authorization Reports - June

Name	Event Name	Date	Location	Board Bylaw B16 Code A-F
Patsy Koch Johns	(NONE)			
Patti Gubbels	Advancing Education in the ERA of AI	June 10-11, 2024	Lincoln, NE	E
	Administrators' Days (July 24 & July 25)	July 23-25, 2024	Kearney, NE	E
Elizabeth Tegtmeier	(NONE)			
Sherry Jones	(NONE)			



PROPOSED AGENDA ITEM RATIONALE

DATE: May 13, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Katie Graham, Ph.D.
Administrator, Office of Career, Technical, and Adult Education

PROPOSED AGENDA ITEM: Action Item: Approve the 2024-2025 reVISION Action Grants

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION:

Description: The purpose of the reVISION Action Grant is to improve, modernize, and expand career and technical education (CTE) programs to align with Nebraska's economic priorities and workforce demands. The reVISION Action Grant program provides Perkins funds for eligible secondary and postsecondary recipients to help implement the action steps developed and identified throughout the reVISION local needs assessment process.

History: Since 2012, the NDE's reVISION needs assessment process has been instrumental in improving and strengthening CTE in Nebraska. This process provides Nebraska schools with the opportunity to analyze and transform their current CTE systems in order to improve their ability to educate a qualified workforce that meets industry needs within an ever-changing economy.

With the passage of Perkins V in 2018, a new federal eligibility requirement was added that dictates all eligible recipients must complete a comprehensive local CTE needs assessment. Given the alignment and success of the original reVISION process, it was updated to meet the requirements of Perkins V and serves as Nebraska's CTE comprehensive local needs assessment. Perkins V additionally stipulates that Perkins funds may only be spent locally on outcomes identified through the reVISION process.

The reVISION Action Grant program was created to assist school districts and community colleges with implementing the action items that were identified through the reVISION process. These activities must align with high-skill, high-wage, and in-demand occupational preparation and Nebraska's economic priorities.

Funding for the 2024-2025 reVISION Action grants come from three sources. The primary source of funding comes from Perkins, leveraging the Reserve funds (Section 112(c)) which were identified in Nebraska's Perkins V State Plan as being earmarked for competitive grants to secondary and postsecondary eligible recipients in support of activities that align with the priorities of Nebraska CTE. These funds

represent 15% of the flow-through formula funding (approximately \$1,057,412 for FY25) and must target (1) rural areas, or (2) areas with high percentages or numbers of CTE concentrators, or (3) areas with gaps in performance. Approximately \$50,000 of Perkins Leadership funds (Section 124) were also included in the total allocation to support year two of the regional ESU 7 CTE pilot project. ESU 7 has committed to share back best practices of regional CTE delivery statewide to support innovative programming and meeting the needs of all learners. This project supports the 19 school districts they serve.

For the 2024-2025 grant year, \$500,000 will be provided from reappropriated ESSER III statewide set-aside funds, as approved during the February State Board of Education meeting.

Finally, the Grace S. Pfister Foundation Trust has provided approximately \$4,000 to support a rural reVISION project.

In recent years, the requests for these competitive grants exceed available funds by approximately 3:1.

Over the past 11, years reVISION Action Grants have been awarded to 84 school districts, five ESUs (impacting 71 districts), four community colleges, and the Nebraska College for Technical Agriculture (NCTA). Recipients include diverse geographic representation from across the state.

Eligibility: The reVISION Action Grants are available to all Perkins-eligible school districts, community colleges, and consortia of recipients who have completed the reVISION needs assessment process (currently, this includes 237 of the 244 public school districts, all six community colleges, and NCTA). Given this grant has been available for over 11 years, we continue to find new ways to ensure all eligible recipients across the state are aware of the opportunity. Notices and presentations were provided to all Perkins grant recipients (district administration), through quarterly CTE newsletters, through content area listservs, at ESU CTE collaboration days around the state, at Perkins Technical Assistance Meetings, to NDE staff, to the Nebraska Partner Council, to agency and community partners, and to the ESU Perkins Cadre.

Grant Administration/Selection Process: The reVISION Action Grant is administered through the Office of Career, Technical, and Adult Education. In November of 2023, the 24-25 grant application and template/guidelines were released and shared widely across the state. Applications were due by March 22, 2024. Application elements included: an Application Overview, Key Objectives, Project Activities, Commitment and Capacity, and a Budget Proposal.

Applications are scored by a review committee which includes NDE staff and external partners (e.g., members from Department of Labor and Economic Development grant program staff). Applications are ranked based on overall score. The geographic location and/or size of participating institution(s) along with grant history of all proposals are taken into consideration to ensure equitable access to funds and diverse representation across the State. Selection criteria is outlined in detail within the reVISION Grant guidelines, and includes an evaluation of the proposed activities, strength of alignment to reVISION outcomes and local/state workforce needs, a review of the budget and allowable uses of funds, and alignment to one of the three target areas mentioned in the History section above. Technical assistance and grant informational webinars were provided to interested applicants.

For the 2024-2025 year, a total of 38 grant applications were received, with a total funding request of \$2,681,120. Applications were reviewed and scored by review teams. Based on those scores, approval to award the following proposed recipients grant funds is sought:

LEA	Award
Bancroft-Rosalie Community Schools	\$34,170.00
Battle Creek Public Schools	\$99,999.00
Boone Central Schools	\$36,037.00
Central Community College	\$100,000.00
Chase County Schools	\$56,615.00
Crete Public Schools	\$100,000.00
Deshler Public Schools	\$100,000.00
Educational Service Unit 2	\$97,086.00
Educational Service Unit 6	\$94,245.00
Educational Service Unit 7	\$150,000.00
Gering Public Schools	\$100,000.00
Kenesaw Public Schools	\$96,111.00
Lincoln Public Schools	\$84,650.00
Meridian Public Schools	\$93,381.00
Millard Public Schools	\$79,760.00
North Bend Central Public Schools	\$100,000.00
Sumner-Eddyville-Miller Schools	\$66,289.00
Wakefield Community Schools	\$31,420.00
Wheeler Central Public Schools	\$100,000.00
Total	\$1,619,763.00

** ESU 7 submitted a project on behalf of, and in collaboration with the 19 districts it represents: Boone Central Public Schools, Central City Public Schools, Clarkson Public Schools, Columbus Public Schools, Cross County Public Schools, David City Public Schools, East Butler Public Schools, Fullerton Public Schools, High Plains Community Schools, Howells-Dodge Consolidated Schools, Humphrey Public Schools, Lakeview Community Schools, Leigh Public Schools, Osceola Public Schools, Palmer Public Schools, Schuyler Community Schools, Shelby-Rising City Public Schools, St. Edward Public Schools, Twin River Public Schools*

PROPOSED BOARD MEETING (MONTH/YEAR): June, 2024

ESTIMATED COST: \$1,619,763.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Perkins (1,115,000), ESSER (\$500,000), Grace S. Pfister Foundation Trust (\$4,000)
- New or Renewal: N/A – each year there are new applicants and awards. Board approval has been sought for reVISION Action Grants each year since 2012.
- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

Applications are scored by a review committee which includes NDE staff and external partners (e.g., members from Department of Labor and Economic Development grant program staff). Applications are ranked based on overall score. The geographic location and/or size of participating institution(s) along with grant history of all proposals are taken into consideration to ensure equitable access to funds and diverse representation across the State. Selection criteria is outlined in detail within the reVISION Grant guidelines, and includes an evaluation of the proposed activities, strength of alignment to reVISION outcomes and local/state workforce needs, a review of the budget and allowable uses of funds, and alignment to one of the three target areas mentioned in the History section above. Technical assistance and grant informational webinars were provided to interested applicants.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Amy Rhone, Administrator – The Office of Special Education

PROPOSED AGENDA ITEM: Authorize the Commissioner to contract with SPED Strategies to build out a technical assistance project.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION: As provided for under the Individuals with Disabilities Education Act (IDEA) Part B, 34 C.F.R. §§ 300.156 and the Nebraska Department of Education Regulations and Standards for Special Education Programs, Title 92, Nebraska Administrative Code, Chapter 51 (Rule 51); and Part C, 34 C.F.R. §§ 303.31, 34 C.F.R. §§ 303.118, and 34 C.F.R. §§ 303.119 and the Nebraska Department of Education Regulations and Standards for the Provision of Early Intervention Services, Chapter 52 (Rule 52) each state must include a Comprehensive System of Personnel Development as a part of the State Performance Plan.

Across Nebraska, school leaders work relentlessly to provide a high-quality educational experience that ensures every student is equipped with the knowledge and skills that lead to post-secondary education success. However, despite best efforts school leaders struggle to lead schools that address long-standing inequities. This reality is reflected in statewide assessment data that points to significant gaps in outcomes for special populations of students, especially those with identified disabilities. In recent years, an increasing number of schools have been identified as requiring Targeted Support and Improvement (TSI), Additional Targeted Support and Improvement (ATSI), or Comprehensive Support and Improvement (CSI) due to significant performance gaps between students with disabilities and their peers. School leaders are eager to address these challenges yet lack adequate training and support to do so.

Each year across Nebraska, new leaders enter school communities committed to addressing the challenges that have existed across our schools for decades. However, traditional pathways to leadership roles do not offer a robust-enough understanding of learner variability and how to support teachers in meeting the needs of students with disabilities. Research makes it clear that traditional approaches to leader preparation are resulting in school leaders across Nebraska feeling underprepared and struggling to address the realities that exist within their current school communities. While some progress has been made to include specific coursework, standards, or clinical experience on special education in teacher preparation, most school leaders have little or no direct experience with children with disabilities as part of their training programs. Nebraska

needs an innovative approach to preparing and coaching school leaders to affect systemic change and lead inclusive school communities that transform outcomes and prepares all students for a brighter future.

To address these long-standing issues, NDE is contracting with SPED Strategies to assist in developing an innovative approach to preparing new and aspiring school leaders. NDE's Building Inclusive Leaders program is aimed at building the capacity of novice school leaders to effectively improve outcomes for all learners, especially those with disabilities. This program will include in-person learning opportunities, ongoing coaching from expert mentors, and access to curated critical resources. The NDE OSE issued a request for proposal for a partner to contract with in building out and delivering the technical assistance needed for the core elements of NDE's Building Inclusive Leaders program.

ESTIMATED COST: Year 1 - \$320,000
 Year 2 - \$150,000
 Year 3 - \$55,000
 Total - \$525,000

** The Office of Special Education requested and received a waiver to extend the contract with the selected contractor to a three-year period.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Funding
- New or Renewal:
- If renewal, date of first approval:

**FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:
FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:**

- Indicate the method of procurement: Competitive Negotiation
- Rationale for method of procurement: NDE reviewed proposals from multiple potential vendors via a publicly posted RFP. Vendor responses evaluated by the evaluation committee members. A Request for Proposals was publicly posted on the websites of the Nebraska Department of Administrative Services, Nebraska Department of Education, and The Office of Special Education. The RFP was also shared on The Office of Special Education's Social Media Platforms. The proposals were reviewed and scored by a team of 4. This contract does not create an employee/employer relationship.
- Rationale for contractor selection: SPED Strategies proposal earned the highest overall score from the evaluation committee members. The SPED Strategies proposal demonstrated developing an innovative approach to preparing new and aspiring school leaders. NDE's Building Inclusive Leaders program is aimed at building the capacity of novice school leaders to effectively improve outcomes for all learners, especially those with disabilities. This program will include in-person learning opportunities, ongoing coaching from expert mentors, and access to curated critical resources. The contractor is familiar with The Office of Special Education Programs (OSEP) requirements around General Supervision for State Educational Agencies and has provided this support and project development, successfully for other states. Given SPED

Strategies received a high score and has demonstrated previous quality performance with other states, they were selected for this contract.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Amy Rhone, Administrator – The Office of Special Education

PROPOSED AGENDA ITEM: Issue subawards to carry out the Federal IDEA Part C grant continuation activities.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION: Per BOP 1.14, The Office of Special Education is bringing forward the activities that are being continued pursuant to the Federal IDEA Part C regulations that require federal IDEA Part C funds to be utilized by states for activities outlined within the IDEA Part C federal application. The Office of Special Education, Part C Discretionary Grant funds requested within this proposal meet the Federal subgranting requirements contained within 2 CFR §200.331 to use the funds to carry out a portion of the public award and for a public purpose specified in the authorizing statute of IDEA Part C. The following projects will be using these funds:

In order to receive IDEA Part C funds, the state must assure that funds will be used to operate consistently with all requirements of Part C of the IDEA, including:

- Child Find and Public awareness for parents of infants/toddlers with disabilities
- Provision of scientifically based early intervention services
- Provision of timely, comprehensive, multidisciplinary evaluation and child/family assessments and early intervention services
- Comprehensive system of personnel development
- Dispute Resolution Procedures
- Data activities for federal reporting requirements
- Parent Training and information resources
- Development, implementation, and evaluation of federally required Results Driven Accountability/State Systemic Improvement Plan

In efforts to meet these federal requirements regarding use of IDEA Part C funds, the Nebraska Department of Education, Office of Special Education has requested as part of the federal application process to utilize the awarded funding to sub-grant IDEA Part C funds to the following entities for federally required purposes:

University of Nebraska Medical Center – Munroe Meyer Institute Projects:

Family Care Enhancement Program - comprehensive Child Find and Referral requirements for infants/toddlers with special health care needs, including those in underserved populations, in pediatric medical clinics in Nebraska via the utilization of Parent Resource Coordinators. The Parent Resource Coordinator helps families receive IDEA Part C early intervention services, family-centered care and identify wrap-around supports to enhance the development of the infant/toddler.
Project Amount: \$439,044

Tracking Infant Progress Statewide - comprehensive Child Find and Referral requirements for medically fragile infants in Nebraska's Neo-natal intensive care units (NICU) through provision of specialized developmental follow-up for all babies who have had a NICU experience.
Project Amount: \$396,573

Learn the Signs Act Early – comprehensive Child Find and Referral requirements to support COVID-19 recovery and bolster the four steps of early identification of developmental delays and disabilities for infants and toddlers, specific activities related to developmental monitoring and autism screening to ensure the timely referral of infants and toddlers to early intervention.
Project Amount: \$263,639

Total awarded for UNMC - MMI projects: \$1,099,256

University of Nebraska-Lincoln – Board of Regents: Nebraska Child Find Referral and Resource; Comprehensive personnel development - federally-required central referral directory to refer infants/toddlers and their families who have developmental concerns to the state's IDEA Part C/early intervention program; comprehensive system of personnel development requirements for early intervention providers via the development/use of online training modules and assistance with the Nebraska Young Child Institute.

Total awarded for UNL – BOR: \$247,689

Nebraska Parent Training and Information Center: assist in family recruitment, staff and parent trainings, as well as vetting and supplying parents with new informational materials and other resources ultimately fulfilling the federal Part C requirement of Parent Training and information resources.

Total awarded for Nebraska PTI: \$91,252

Nebraska Children and Families Foundation: comprehensive Child Find and Referral requirements to ensure referral of specific at-risk and underserved infants and toddlers to the state's IDEA Part C/early intervention program focusing on childcare centers serving low income and/or Spanish speaking families. To support and bolster the four steps of early identification of developmental delays and disabilities for infants and toddlers; to support infant/toddler's development.

Total awarded for Nebraska Children and Families Foundations: \$265,674.00

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$1,676,871.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Part C
- New or Renewal: NA
- If renewal, date of first approval: NA

FOR GRANT SUBAWARDS:

Describe the grantee selection process: Grantees will be selected based upon federal requirements and regulatory priorities of the US Department of Education, Office of Special Education Programs. Describe the grantee selection process: As the Office of Special Education must make federal application(s) each year under Part B (611 and 619) and Part C, the use of IDEA Federal Funding must align to meeting the IDEA federal regulations as they are set forth within the respective applications.

The NDE, Office of Special Education, annually, conducts opportunities to apply for discretionary grant funds to conduct activities for the improvement of services to infants, toddlers, students with disabilities and their families. Annual alignment in priorities established by the federal Office of Special Education Programs (OSEP), as well as a alignment of priorities within our NDE, Office of Special Education, allows for the selection of project to receive sub-recipient grants, contracts, and/or memorandums of understanding (MOU) for each funding period. Notice of funding opportunities are annually published and proposals are evaluated to ensure funds are awarded to projects that are able to meet the federal and state priorities.

Part C Grants that meet the Federal subgranting requirements contained within 2 CFR §200.331 to use the funds to carry out a portion of the public award and for a public purpose specified in the authorizing statute of IDEA Part C:

- Child Find (34 CFR 303.112)
- comprehensive personnel development (34 CFR 303.118)
- statewide public awareness program (34 CFR 303.116)

Through this sub-award, NDE ensures appropriate and quality learning opportunities should exist for all children. Each project as part of the OSE subaward process, will undergo an evaluation of sub-award/grant obligations, annually to ensure that the grantee selected is carrying out the responsibilities set forth within the state plan and sub-award/grant. The project(s) have successfully carried out similar duties on previous sub-awards/grants.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 16, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Equity Officer and Administrator for the Office of Coordinated Students Support Services

PROPOSED AGENDA ITEM: Authorize the Commissioner to contract for providing annual behavioral awareness training and developing, implementing, and administering an ongoing statewide teacher support system.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

What: Due to the enactment of LB705, (79-3601), the Nebraska Department of Education is mandated to allocate the funds provided by the legislation to ensure annual behavioral awareness training is available statewide and to develop, implement, and administer an ongoing statewide teacher support system.

Who: The Educational Service Unit Coordinating Council (ESUCC)

Why: Beginning in school year 2026-27, each school district must ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training. Each administrator, teacher, paraprofessional, school nurse, and counselor who has received such training must receive a behavioral awareness training review at least once every three years. Each school district may offer such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees must have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

How: ESUCC will develop behavioral awareness training that include, but not be limited to, evidence-based training on a continuum that includes:

- Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma;
- Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries; and
- Verbal intervention and de-escalation techniques.

When: Beginning in school year 2024-2025

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$1,800,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
 - Nebraska Capital Expansion Act, see section 72-1269.
 - Nebraska State Funds Investment Act, see section 72-1260.
- New or Renewal: New
- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- The Behavioral Training Cash Fund is created. The fund will be administered by the State Department of Education, consist of money transferred pursuant to section 79-3501 and any money transferred by the Legislature, and should be used for the purposes of coordinating training and administering the teacher support system in compliance with the Behavioral Intervention Training and Teacher Support Act.
- NDE contract processes will be followed to ensure that funds are received and obligated as per NDE regulations and Sections 79-3601 to 79-3604 known as the Behavioral Intervention Training and Teacher Support Act.

FOR GRANT SUBAWARDS:

- N/A

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 23, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Ph.D., Equity Officer and Administrator for the Office of Coordinated Students Support Services

PROPOSED AGENDA ITEM: Authorize the Commissioner to contract with partners to provide Cardiopulmonary Resuscitation (CPR) and AED training to public and nonpublic schools.

RATIONALE/BACKGROUND INFORMATION:

The Office of Coordinated Student Support Services School Mental Health to provide comprehensive CPR and AED training to schools, equipping staff with essential life-saving skills to effectively respond to emergencies. The objective of this training is to empower school personnel to confidently handle critical situations and safeguard the well-being of students and colleagues alike.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: Not to exceed \$90,000.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: ESSA Title IV
- New or Renewal: Renew
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 9, 2024

TO: Brian L. Maher
Commissioner of Education

FROM: Lane Carr, Administrator, Office of Policy and Strategic Initiatives

Brad Dirksen, Administrator, Office of Accreditation, Certification, and Approval

PROPOSED AGENDA ITEM: Accept the State Apprenticeship Expansion Formula (SAEF) Grant from the US Department of Labor and authorize the Commissioner to enter into contracts to carry out grant activities.

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

The Nebraska Legislature approved an initial and annual investment of \$1,000,000 to launch the Teacher Registered Apprenticeship Program (T-RAP) in Nebraska. Conscious of capacity constraints, NDE established a relationship with the Nation Center for Grow Your Own (NCGYO) in August 2023, and the US Department of Labor (US DOL) to establish the policies and procedures necessary to execute T-RAPs in our state.

In January 2024, the NDE launched three pilot T-RAPs in partnership with the University of Nebraska Lincoln and Lincoln Public Schools, Midland University and Omaha Westside, and Chadron State College and North Platte Community Schools. Concurrently, NDE began working with NCGYO on sustainability and expansion plans, including applying for US DOL's SAEF funding, in collaboration with Governor Pillen and the Nebraska Department of Labor. The SAEF grant application includes both Base Funding and Competitive Funding to expand T-RAPs in Nebraska.

NDE anticipates communication regarding the success of the grant applications in late June. The US DOL anticipates successful applicants to begin work July 1, 2024.

Base Funding, if awarded, would address *Nebraska Ready: PK-12 Policy Priority 6*, and would allow NDE to hire three FTEs to administer current apprenticeship initiatives under the Office of

Accreditation, Certification, and Approval. Base Funding requires an annual application to continue receiving funds for an additional three years (four years of funding in total). NDE anticipates adding 200 teachers through the pilot programs.

Competitive Funding, if awarded, would address *Nebraska Ready: PK-12 Policy Priority 6*, and would allow NDE to expand current apprenticeship initiatives under the Office of Accreditation, Certification, and Approval. Competitive Funding is available for three years. NDE anticipates adding 60 teachers per year by expanding educator apprenticeships.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2024

ESTIMATED COST:

- BASE/FORMULA FUNDING: \$488,000 per year, including staffing costs and up to \$30,000 contractual
- COMPETITIVE: \$1,200,000 per year in subgrants to EPPs and \$300,000 per year to administer Nebraska Registered Apprenticeship in Teaching Technical Assistance Center (NRATTAC)

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal Funds
- New or Renewal: New
- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Competitive grant process will be established if funding is awarded
- New or Renewal: New
- If renewal, date of first approval: N/A



PROPOSED AGENDA ITEM RATIONALE

DATE: May 24, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve grant to fund a Child Development Associate (CDA) Credential navigator

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

- The Child Development Associate (CDA) credential is an entry-level credential for the early childhood field. It is conferred by the national Council for Professional Recognition. CDAs are recognized in every state and multiple countries.
- Currently, Nebraska has multiple pathways for individuals to achieve a CDA.
- The NDE Office of Early Childhood Education partners with multiple state entities, including the university system, state and community colleges, Head Start/Early Head Start, schools, early education professionals and training organizations to build a CDA Roundtable to increase the availability of the CDA credential for early childhood education and care providers.
- A pilot project to create a statewide “CDA Navigator” was funded through time limited grant funds and the Navigator was jointly housed at the Buffett Early Childhood Institute and the Early Childhood Training Center.
- The CDA Navigator has been able to provide information to CDA candidates and link them to appropriate pathways to achieve their CDA.
- The Navigator has also brought states together that have individuals in like positions to share information and resources to build CDA capacity in their respective states.
- While the grant is ending funding is available to sustain the CDA Navigator through the federal CCDF quality set aside funds that the Nebraska Department of Health and Human Services makes available to the NDE through the annual CCDF agreement.
- The Office of Early Childhood Education will grant funds to ESU 3 to continue the CDA navigator position.
- The grant will begin August 1, 2024 and be renewed annually until July 31, 2027.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$130,000 annually

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal Child Care and Development Grant funds.
- New or Renewal: New
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Per NDE Procurement, Appendix C, the following is a situation for which an exemption to the requirements for competitive bidding or negotiation for state agencies is set out in 73-507 R.R.S. Agreement for services to be performed for a state agency by another state or local government agency for the direct provision of services to the public.

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 21, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Grant the Commissioner the authority to accept Preschool Development Funds from the Nebraska Children and Families Foundation and contract with Resultant LLC to provide a diagnostic examination of the Nebraska Early Childhood Professional Records System (NECPRS).

AGENDA ITEM TYPE: Contract

RATIONALE/BACKGROUND INFORMATION:

The following rationale was submitted as an information item for the March 2024 Board Meeting. Since then, the Office of Early Childhood released a Request for Proposal and utilized the Competitive Negotiation process to select Resultant LLC as the successful bidder.

- Since 2019 The Nebraska Department of Education has partnered with the Nebraska Department of Health and Human Services, the Nebraska Children and Families Foundation, the University of Nebraska System and others to do statewide needs assessments and an early childhood strategic plan through the federal Preschool Development Grant.
- The Nebraska Early Childhood Professional Records System has been identified as an integral support to the early childhood workforce.
- NECPRS has increased its functionality since its creation. NDE staff, NECPRS users and outside partners have identified additional functionality that would increase ease of use and reduce manual processes.
- Significant changes in technology have occurred since the original launch of NECPRS, while the NDE and our partners have worked to modernize, it is time to “take stock” and do additional planning for the future.
- The Nebraska Children and Families Foundation (NCFE) has served in a project management role for the Nebraska’s Preschool Development Grant (PDG).
- NCFE would like to enter into an agreement with the NDE. The NCFE will provide \$400,000 to the NDE. The NDE will lead the diagnostic study of NECPRS. This funding has already been allocated to the state.
- The NDE issued a Request for Proposals to complete the work of the NECPRS study. Resultant LLC was the selected vendor.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$171,250.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal via NCFE
- New or Renewal: New
- If renewal, date of first approval: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Competitive Negotiation
- Rationale for method of procurement: Competitive Negotiation was used as the method of procurement and the RFP was publicized by DAS Materiel Division on their website. This method was chosen because of the nature of the services required and the cost and duration expected. Multiple responses were desired in order to effectively compare the bidders' offerings and capabilities.
- Rationale for contractor selection: The evaluation committee reviewed and scored all responsive proposals. Resultant's proposal received the highest cumulative score and was within the allowable budget.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA

**Updated 08.15.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 20, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Grant the Commissioner the authority to approve a contract for up to four years for a statewide anchor for program quality assessments.

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

- Step Up to Quality and Results Matter rely on the accuracy of structured program quality observations to provide a basis for quality improvement. In the case of Step Up to Quality, also to earn points that, in part, determine the step rating of the program.
- The Office of Early Childhood Education contracts with a cadre of trained observers to accomplish the program quality scale ratings.
- The strength of the system is found in the training of observers. Part of that training includes achieving and maintaining a high level of reliability with “Anchors” (experts who have achieved reliability with the authors/publishers of the program quality tools).
- Traci Strazdas is the anchor for one set of program observation tools.
- This contract is for training and completing structured observations of early childhood classrooms in addition to duties as the state anchor.

PROPOSED BOARD MEETING: June 2024

ESTIMATED COST: \$76,100

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal CCDF and State Step Up to Quality and General funds. Program quality observations are part of Step Up to Quality and Results Matter. These systems are built into funding requests for state funds and responsive to the CCDF Quality QRIS funding source.
- New or Renewal: Renewal

- If renewal, date of first approval: 2019

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: This contract was let out for bid in 2019 and again in 2024.
- Rationale for method of procurement: State agency processes for contracts of this size were followed.
- Rationale for contractor selection: Ms. Strazdas responded to the bidding process and applied to be the Classroom Assessment Scoring System (CLASS) anchor. She meets all qualifications in all aspects of Environment Rating System (ERS)/CLASS Observer system, has extensive experience and knowledge of Nebraska early childhood programs and is able to travel to the assigned Nebraska programs. She has worked with NDE Office of Early Childhood Education as a trainer and observer who demonstrates a high reliability in all ERS scales and CLASS tools. She has the ability to provide quality assurance and technical assistance to other CLASS observers in the field based on her experience with Teachstone, the publishers of the CLASS, and has achieved a high level of reliability.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA

**Updated 08.15.2023*



STATE BOARD OF EDUCATION PLANNING AND EVALUATION COMMITTEE REPORT

Date: June 7, 2024

The Planning and Evaluation Committee reports on their committee meeting on May 2, 2024. The members present were vice-chair, Patti Gubbels and Patsy Koch Johns.

The committee reviewed the action item related to the conditional approval of new non-public schools, approval of Interim-Program Schools for the 2024-2025 school year, accreditation of current accredited public, nonpublic, and special purpose schools, and educational service units. The committee recommends the approval of these item.

The committee discussed the state board position statements, the standard setting process for mathematics and alternate mathematics, and validation of English Language Arts (ELA) 2023 assessment results, the development of a professional learning system for evidence-based reading instruction, the approval of early childhood education programs operated by school districts and educational service unites, and the approval of Rule 11 waiver requests from Fairbury Public Schools.

The committee received an annual progress update on the Isanti Elementary, Middle, and High School Priority School Progress Plans from Isanti Community Schools team members. The school team also presented to the full board during yesterday's work session, where they answered questions related to addressing chronic absenteeism in middle school, attracting certified teachers, and the relationship with the tribal council.

The committee received an update on the 2024 legislative session and potential implications for the Planning and Evaluation Committee, the Approval of Educator Preparation Programs, the statutory requirements, timelines, and proposed processed for awarding Innovative Learning Platform Grant, the Statewide Assessment System Procurement, the revised proposed model policy for the dress code and grooming for schools in accordance with section 79-2,159, and the Dyslexia Research Grant Program.

This concludes the Planning and Evaluation report.

Patti Gubbels, Vice-Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.
Updated 02.02.2023



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Decua Jean-Baptiste, Ed.D., Director of Accreditation
Brad Dirksen, Administrator

PROPOSED AGENDA ITEM: Approve the renewal of accreditation for public, nonpublic, and special purpose schools

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

Rule 10 (92NAC10) contains the regulations and procedures for the accreditation of schools. Schools that are accredited submit an assurance statement and reports that are evaluated by Department staff to determine compliance with regulatory requirements. Department staff provide reports of compliance to the State Accreditation Committee. Upon a favorable review by the State Accreditation Committee, the Commissioner will make a recommendation to the State Board of Education that accreditation status is renewed.

Upon favorable action by the Board, accreditation is granted for one school year from each July 1 through June 30. Renewal is granted based upon compliance with Rule 10 during the prior school year.

Regarding the attached list of schools, the outlined process above has been conducted and the Commissioner is making a recommendation to the Board to renew the accreditation for public, nonpublic, and special purpose schools.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*

Nebraska Accredited School Systems

In Accordance with Rule 10

“Regulations and Procedures for the Accreditation of Schools”

2024-2025 School Year

Class II through V School Districts (Total 245)

Adams Central Public Schools	Chase County Schools	Gothenburg Public Schools
Ainsworth Community Schools	Clarkson Public Schools	Grand Island Public Schools
Allen Consolidated Schools	Cody-Kilgore Public School	Gretna Public Schools
Alliance Public Schools	Columbus Public Schools	Hampton Public School
Alma Public Schools	Conestoga Public Schools	Hartington-Newcastle Public Schools
Amherst Public Schools	Cozad Community Schools	Harvard Public Schools
Anselmo-Merna Public Schools	Crawford Public Schools	Hastings Public Schools
Ansley Public Schools	Creek Valley Schools	Hay Springs Public Schools
Arapahoe Public Schools	Creighton Community Public Schools	Hayes Center Public Schools
Arcadia Public Schools	Crete Public Schools	Heartland Community Schools
Arlington Public Schools	Crofton Community Schools	Hemingford Public Schools
Arnold Public Schools	Cross County Community Schools	Hershey Public Schools
Arthur County Schools	David City Public Schools	High Plains Community Schools
Ashland Greenwood Schools	Deshler Public Schools	Hitchcock County School System
Auburn Public Schools	Diller-Odell Public Schools	Holdrege Public Schools
Aurora Public Schools	Doniphan-Trumbull Public Schools	Homer Community Schools
Axtell Community Schools	Dorchester Public Schools	Howells-Dodge Consolidated Schools
Bancroft-Rosalie Community Schools	Douglas County West	Humboldt Table Rock Steinauer
Banner County Public Schools	Dundy County-Stratton Public Schools	Humphrey Public Schools
Battle Creek Public Schools	East Butler Public Schools	Hyannis Area Schools
Bayard Public Schools	Elba Public Schools	Isanti Community School
Beatrice Public Schools	Elgin Public Schools	Johnson County Central Public Schools
Bellevue Public Schools	Elkhorn Public Schools	Johnson-Brock Public Schools
Bennington Public Schools	Elkhorn Valley Schools	Kearney Public Schools
Bertrand Public Schools	Elm Creek Public Schools	Kenesaw Public Schools
Blair Community Schools	Elmwood-Murdock Public Schools	Keya Paha County Schools
Bloomfield Community Schools	Elwood Public Schools	Kimball Public Schools
Blue Hill Community Schools	Emerson-Hubbard Public School	Lakeview Community Schools
Boone Central Schools	Eustis-Farnam Public Schools	Laurel-Concord-Coleridge Public Schools
Boyd County Schools	Exeter-Milligan Public Schools	Lawrence Nelson Public Schools
Brady Public Schools	Fairbury Public Schools	Leigh Community Schools
Bridgeport Public Schools	Falls City Public Schools	Lewiston Consolidated Schools
Broken Bow Public Schools	Fillmore Central Public Schools	Lexington Public Schools
Bruning-Davenport Unified	Fort Calhoun Community Schools	Leyton Public Schools
Burwell Public Schools	Franklin Public Schools	Lincoln Public Schools
Callaway Public Schools	Freeman Public Schools	Litchfield Public Schools
Cambridge Public Schools	Fremont Public Schools	Logan View Public Schools
Cedar Bluffs Public Schools	Friend Public Schools	Loomis Public Schools
Centennial Public Schools	Fullerton Public Schools	Louisville Public Schools
Central City Public Schools	Garden County Schools	Loup City Public Schools
Central Valley Public Schools	Gering Public Schools	Loup County Public Schools
Centura Public School	Gibbon Public Schools	Lyons-Decatur Northeast
Chadron Public Schools	Giltner Public Schools	Madison Public Schools
Chambers Public Schools	Gordon-Rushville Schools	Malcolm Public Schools

Maxwell Public Schools	Perkins County Schools	Stuart Public Schools
Maywood Public Schools	Pierce Public Schools	Summerland Public Schools
McCook Public Schools	Plainview Public Schools	Sumner-Eddyville-Miller Schools
McCool Junction Public Schools	Plattsmouth Community Schools	Superior Public Schools
McPherson County Schools	Pleasanton Public Schools	Sutherland Public Schools
Mead Public Schools	Ponca Public Schools	Sutton Public Schools
Medicine Valley Public Schools	Potter-Dix Public Schools	Syracuse-Dunbar-Avoca Public Schools
Meridian Public Schools	Ralston Public Schools	Tekamah-Herman Schools
Milford Public Schools	Randolph Public Schools	Thayer Central Community Schools
Millard Public Schools	Ravenna Public Schools	Theford Public Schools
Minatare Public Schools	Raymond Central School	Tri County Public Schools
Minden Public Schools	Red Cloud Community Schools	Twin Rivers Public Schools
Mitchell Public Schools	Riverside Public Schools	Umo Ho Nation Public School
Morrill Public Schools	Rock County Schools	Valentine Community Schools
Mullen Public Schools	Sandhills Public Schools	Verdigre Public School
Nebraska City Public Schools	Sandy Creek Public Schools	Wahoo Public Schools
Neligh-Oakdale Public Schools	Sargent Public Schools	Wakefield Public Schools
Newman Grove Public Schools	Schuyler Community Schools	Wallace Public School District 65R
Niobrara Public Schools	Scottsbluff Public Schools	Walthill Public Schools
Norfolk Public Schools	Scribner-Snyder Community Schools	Wauneta-Palisade Public Schools
Norris School District 160	Seward Public Schools	Wausa Public Schools
North Bend Central School District	Shelby-Rising City Public Schools	Waverly School District 145
North Platte Public Schools	Shelton Public Schools	Wayne Community Schools
Northwest Public Schools	Shickley Public Schools	Weeping Water Public Schools
Oakland Craig Public Schools	Sidney Public Schools	West Holt Public Schools
Ogallala Public Schools	Silver Lake Public Schools	West Point Public School
Omaha Public Schools	Sioux County Public Schools	Westside Community Schools
O'Neill Public Schools	South Platte Public School	Wheeler Central Schools
Ord Public Schools	South Sioux City Community Schools	Wilber-Clatonia Public Schools
Osceola Public Schools	Southern School District 1	Wilcox-Hildreth Public Schools
Osmond Community Schools	Southern Valley Schools	Winnebago Public Schools
Overton Public Schools	Southwest Public Schools	Winside Public Schools
Palmer Public Schools	Springfield Platteview Community Schools	Wisner-Pilger Public Schools
Palmyra District OR-1	St Edward Public Schools	Wood River Rural Schools
Papillion-LaVista Public Schools	St Paul Public School	Wynot Public Schools
Pawnee City Public Schools	Stanton Community Schools	York Public Schools
Paxton Consolidated Schools	Stapleton Public Schools	Yutan Public Schools
Pender Public Schools	Sterling Public Schools	

Accredited Nonpublic Schools (Total 79)

<u>City</u>	<u>School</u>	<u>Grades</u>	<u>City</u>	<u>School</u>	<u>Grades</u>
Albion	St Michael's Elementary School	(K-8)	Omaha	Brownell Talbot College Prep School	(K-12)
Atkinson	St Joseph's School	(K-8)	Omaha	Christ the King Catholic School	(K-8)
Bellevue	Daniel J Gross High School	(9-12)	Omaha	Creighton Preparatory School	(9-12)
Bellevue	St Mary Elementary School	(K-8)	Omaha	Duchesne Academy	(9-12)
Bellevue	St Matthew the Evangelist School	(K-8)	Omaha	Holy Cross Catholic School	(K-8)
Boys Town	Boys Town Schools	(K-12)	Omaha	Holy Name School	(K-8)
Central City	Nebraska Christian Schools	(K-12)	Omaha	Jesuit Academy	(4-8)
Clarkson	St John Neumann Elementary	(1-6)	Omaha	Madonna School	(K-8)
Columbus	Scotus Central Catholic	(7-12)	Omaha	Marian High School	(9-12)
Columbus	St Anthony School	(K-6)	Omaha	Mary Our Queen Elementary	(K-8)
Columbus	St Bonaventure School	(K-8)	Omaha	Mercy High School	(9-12)
Columbus	St Isidore Elementary School	(K-6)	Omaha	Nelson Mandela School	(K-6)
Creighton	St Ludger Elementary School	(K-6)	Omaha	Omaha Christian Academy	(K-12)
Crofton	St Rose of Lima Elementary School	(1-8)	Omaha	Our Lady of Lourdes Elementary	(K-8)
David City	Aquinas Catholic Schools	(K-12)	Omaha	Roncalli Catholic High School	(9-12)
Dodge	St Wenceslaus Elementary School	(K-6)	Omaha	Sacred Heart Elementary School	(K-8)
Elgin	Pope John XXIII Central Catholic	(K-12)	Omaha	Skutt Catholic High School	(9-12)
Elkhorn	Mt Michael Benedictine HS	(9-12)	Omaha	St Bernadette Catholic School	(K-8)
Elkhorn	St Patrick's Catholic School	(K-8)	Omaha	St Bernard Elementary School	(K-8)
Falls City	Sacred Heart Schools	(K-12)	Omaha	St Cecilia Cathedral School	(K-8)
Fremont	Archbishop Bergan School	(K-12)	Omaha	St James-Seton Elementary School	(K-8)
Grand Island	Central Catholic Schools	(6-12)	Omaha	St Margaret Mary Elementary	(K-8)
Hartington	Cedar Catholic High School	(7-12)	Omaha	St Philip Neri Elementary School	(K-8)
Hartington	East and West Catholic School	(K-8)	Omaha	St Pius X/St Leo Elementary	(K-8)
Hartington	Holy Trinity Elementary School	(K-6)	Omaha	St Robert Bellarmine Elementary	(K-8)
Hastings	Hastings Catholic Schools	(K-12)	Omaha	St Stephen the Martyr	(K-8)
Howells	Howells Community Catholic	(K-6)	Omaha	St Thomas More Elementary	(K-8)
Humphrey	Archangel Catholic High School	(7-12)	Omaha	St Vincent dePaul Elementary	(K-8)
Kearney	Kearney Catholic Schools	(6-12)	Omaha	St Wenceslaus School	(K-8)
Lincoln	Lincoln Christian Schools	(K-12)	Omaha	Sts Peter & Paul Elementary	(K-8)
Lincoln	Lincoln Lutheran MS/HS	(6-12)	O'Neill	St Mary's Schools	(K-12)
Lincoln	Parkview Christian	(K-12)	Osmond	St Mary Elementary School	(K-8)
Lincoln	Pius X High School	(9-12)	Papillion	St Columbkille Catholic School	(K-8)
Lindsay	Holy Family School	(1-6)	Ralston	St Gerald Elementary School	(K-8)
Madison	St Leonard's Elementary School	(K-6)	So. Sioux City	St Michael Elementary School	(K-8)
Nebraska City	Neb. City Lourdes Central Catholic	(K-12)	Wahoo	Bishop Neumann High School	(7-12)
Norfolk	Lutheran High Northeast	(9-12)	Wayne	St Mary Elementary School	(K-6)
Norfolk	Norfolk Catholic Schools	(K-12)	West Point	Guardian Angels Central Catholic	(K-12)
North Platte	North Platte Catholic Schools	(K-12)	Winnebago	St Augustine Elementary School	(K-8)
Omaha	All Saints Catholic Schools	(K-8)			

Special Purpose Schools (Total 5)

<u>City</u>	<u>School</u>
Chadron	Pine Ridge Job Corps
Hastings	West Hastings Schools
Kearney	West Kearney High School
Lincoln	University of Nebraska High School
Omaha	Nebraska Correctional Youth Facility



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Administrator
Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Approve the renewal of accreditation for Educational Service Units

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

On an annual basis the State Board of Education accredits Educational Service Units (ESU) in accordance with Rule 84 (92 NAC 84). Accreditation is granted based on the ESU's performance during the immediate preceding period of accreditation.

The accreditation section annually monitors compliance with Rule 84 regulations by reviewing Annual Accreditation Compliance Reports, a review of staff qualifications, and other relevant documents. If no violations are found, the Commissioner will make a recommendation to the State Board of Education that accreditation status is renewed.

Upon favorable action by the Board, accreditation is granted for one school year from each July 1 through June 30. Renewal is granted based upon compliance with Rule 84 during the prior school year.

Regarding the attached list of ESUs, the outlined process above has been conducted and the Commissioner is making a recommendation to the Board to renew the accreditation for Educational Service Units.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0.00

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*

Interim-Program Schools

Operating Under Rule 18: *Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters*

School Year 2024-2025

Boys Town Interim Program Schools:

Boys Town Intervention & Assessment Home – Omaha
Boys Town Residential Treatment Center – Omaha
Boys Town Child and Adolescent Psychiatric Inpatient Center – Omaha

Lincoln:

Child Guidance School
Morton School
Nebraska Youth Academy
Pathfinder Education Program

Madison:

Northeast Nebraska Juvenile Services, Inc.

Omaha:

CHI Immanuel PRTF
Douglas County Youth Center
NOVA Alternative School
Omaha Home for Boys School
Radius Omaha
Uta Halee Academy

Papillion:

Patrick J. Thomas Juvenile Justice Center



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Administrator
Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Renew the approval of interim-program schools for the 2024-2025 school year

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

On an annual basis the State Board of Education approves the operation of interim-program schools in accordance with Rule 18 (92 NAC 18). Continued approval is granted for one school year from each July 1 through the following June 30. Renewal is granted based upon the school's compliance with this Chapter during the prior school year.

The accreditation section monitors compliance with Rule 18 regulations by reviewing annual assurance statements, conducting on-site visits, and evaluating data submitted on required reports.

Regarding the attached list of schools, the outlined process above has been conducted and the Commissioner is making a recommendation to the Board for the renewal of the approval of interim-program schools for the 2024-2025 school year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0.00

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*

Interim-Program Schools

Operating Under Rule 18: *Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters*

School Year 2024-2025

Boys Town Interim Program Schools:

Boys Town Intervention & Assessment Home – Omaha
Boys Town Residential Treatment Center – Omaha
Boys Town Child and Adolescent Psychiatric Inpatient Center – Omaha

Lincoln:

Child Guidance School
Morton School
Nebraska Youth Academy
Pathfinder Education Program

Madison:

Northeast Nebraska Juvenile Services, Inc.

Omaha:

CHI Immanuel PRTF
Douglas County Youth Center
NOVA Alternative School
Omaha Home for Boys School
Radius Omaha
Uta Halee Academy

Papillion:

Patrick J. Thomas Juvenile Justice Center



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Decua Jean-Baptiste, Ed.D., Director of Accreditation
Brad Dirksen, Administrator

PROPOSED AGENDA ITEM: Approval of new non-public schools

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

A governing body seeking approval of a new nonpublic school must submit their application to the Nebraska Department of Education by May 1 prior to the start of the school year. After an application is submitted, there is a review of the application and any supplemental materials. The accreditation section of the Department conducts a visitation to the school and a determination is made regarding the applicant school's ability to comply with approval regulations (92NAC14, Rule 14). If it is determined that the applicant school can comply with approval regulations, a recommendation by the Commissioner is made to the Board that the applicant school be granted conditional approval.

Regarding the attached list of schools, the outlined process above has been conducted and the Commissioner is making a recommendation to the Board that the applicant schools be granted conditional approval.

If the Board grants conditional approval to a school, the approval shall last one school year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*

New Nonpublic Schools seeking Rule 14 Conditional Approval for the 2024-25 School Year:

<u>City</u>	<u>School</u>	<u>Grade(s)</u>
Elkhorn	Alleluia! Kindergarten	(K)
Broken Bow	Custer Christian School	(K-6)
Lindsay	Lindsay Academy	(7-12)



PROPOSED AGENDA ITEM RATIONALE

DATE: May 9, 2024

TO: Brian L. Maher
Commissioner of Education

FROM: Lane Carr, Administrator, Office of Policy and Strategic Initiatives

PROPOSED AGENDA ITEM: Discuss State Board position statements and chart next steps.

AGENDA ITEM TYPE: Information

RATIONALE/BACKGROUND INFORMATION:

Board Operating Policy 1.01 notes:

Position Statements (PS) are advisory in nature to let the public and educators know where the Board stands on a topic, concern, or educational issue. Position Statements may be used to share the vision or beliefs of the Board, offer explanations or justifications, or make recommendations for a course of action to schools, educators, and/or Department staff. The Board may adopt or revise Position Statements at any time, on its own motion, or upon recommendation by the Commissioner. Position Statements shall expire four years after their adoption, revision, or reaffirmation, unless revised, reaffirmed, or rescinded by the Board prior to expiration. The Commissioner may direct legal counsel to review all Board position statements annually for compliance with state law.

Context:

State Board Bylaws dictate “All standing committees shall have the responsibility to initiate legislative proposals and position statements of the Board, related to the purpose of the respective committee, to be considered by the Board for approval.”

PS 3: Early Literacy was revised March 2024 and renamed *Foundational Literacy*. There are six expired position statements:

- PS 1: Nondiscrimination and Equitable Education (*Expired 09.06.2023*)
- PS 2: AQuESTT (*Expired 10.04.2023*)
- PS 5: Expanded Learning Opportunities (*Expired 10.06.2021*)
- PS 10: Coordinated School Health (*Expired 05.05.2021*)
- PS 11: Digital Education (*Expired 10.06.2021*)
- PS 12: Assessment of Learning (*Expired 09.08.2021*)

Policy Questions:

- Which of these position statements need to be revised and/or reaffirmed?
- Should any be allowed to sunset?

Proposed Timeline:

- June – Information Item with Planning and Evaluation Committee
- June/July – Staff input and editing/revising (if directed by Board)
- August – Discussion Item and State Board feedback
- September - Reaffirmation or adoption of revised version of Position Statements

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: N/A
- New or Renewal: N/A
- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A
- New or Renewal: New
- If renewal, date of first approval: N/A



Nebraska State Board of Education

Position Statements

Current, as of: March 2024

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PS 1: Nondiscrimination and Equitable Education	pg. 3
PS 2: AQuESTT.....	pg. 6
PS 3: Foundational Literacy	pg. 10
PS 5: ELO	pg. 13
PS 10: Coordinated School Health	pg. 15
PS 11: Digital Education.....	pg. 18
PS 12: Assessment of Learning	pg. 21

Link to return to Table of Contents can be found at the end of each position statement.

PS 1

Nondiscrimination and Equitable Educational Opportunities in Schools

The mission of the Nebraska Department of Education (NDE) is to lead and support the preparation of all Nebraskans for learning, earning, and living.

This commitment is reflected in the goals outlined in the State Board’s Strategic Vision and Direction:

- Ensure the education system, including the Nebraska Department of Education, is taking charge of its roles and responsibilities to provide leadership and enhance support systems in the state.
- Ensure all Nebraskans, across all backgrounds and circumstances, have equitable access and opportunities for success.
- Increase the number of Nebraskans who are ready for success in post-secondary education, career, and civic life.

Additionally, the NDE acknowledges a societal history of bias, bigotry, and racism resulting in societal disparities and inequities, and the effects of these disparities and inequities on Nebraskans today. The NDE commits to confronting this history and its negative impact by leading for educational equity. The goal of equity efforts is that all students are known, heard, and supported while having access to the opportunities and resources needed to be ready for success in their post-secondary learning experiences, careers, and civic lives.

The State Board believes that all children enrolled in public schools are entitled to equitable educational opportunity across all races, colors, sexes, and national origins. The same principle has been adopted by the Congress of the United States at 20 U.S.C. 1701. In addition, the Nebraska Legislature has declared, at Section 79-2,116 R.R.S., that it shall be an unfair or discriminatory practice for any educational institution (as defined in Section 79-2,115 R.R.S.) to discriminate on the basis of sex in any program or activity.

Nebraska Department of Education
Position Statements

Educational equity is defined by providing each student meaningful access to the educational resources they need at the right moment, at the right level, and with the right intensity. Educational equity means high expectations for learning and student achievement. Educational equity allows students to discover and explore their passions and make meaningful connections within the context of their post-secondary interests. Equity requires that these opportunities and outcomes exist for all Nebraskans, including but not limited to, and unrestricted by age, citizenship status, color, disability, economic status, ethnicity, family mobility, family structure, gender expression, gender identity, genetic information, marital status, national origin, political affiliation, pregnancy, race, religion, sex, sexual orientation, tribal membership, or veteran status. Further, the State Board supports policy that promotes a stable, reliable, and equitable system of funding that addresses both the equity of available funding for schools, as well as the equity of burden on taxpayers.

The State Board further believes that all resident children with disabilities are entitled to special education programs and transportation. The Nebraska Legislature, at Section 79-1127 R.R.S., requires the board of education of every school district to provide or contract for such programs.

Revision History

- Created: 12/10/1976
- Reviewed: 1984, 1995, 2008, 2012, 2015, 2018, 2019
- Approved: 09/06/2019
- Expiration Date: 09/06/2023

Board Action History

- 12/10/1976 – Prior JA
(Equal education opportunity for students statement mentoring: race, color, creed, place of residence, or physical or mental handicaps.)
- 12/07/1984 – Prior 0521GP
(Renumbered)
- 12/08/1995 – G1
(Revised to reference federal law section.)

Board Action History (cont'd)

- 09/05/2008 – G1
(Revised)
- 03/06/2012 – G1
(Reaffirmed 3/6/2012)
- 03/06/2015 – G1
(Reaffirmed 3/6/2015)
- 03/03/2017 – G1(S1)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B], and position statements [S]. G1 is now S1.)
- 09/06/2019 – S1
(Added language defining educational equity and the mission and commitment of the State Board to attain the goals outlined in their State Board Strategic Vision and Direction Plan.)
- 12/02/2022 – S1(PS 1)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S1 is now PS 1.)

Cross-References

- 20 U.S.C. 1701
- 79-2,116 R.R.S.
- 79-1127 R.R.S.
- Statement of Principle on Human Dignity, August 2018
- NDE State Board Resolution on Equity Education, August 3, 2018
- Nebraska State Board of Education 2019 Legislative and Regulatory Priorities, Adopted October 5, 2018
- NDE Mission Statement
- NDE Strategic Priorities, 2017-2026 Strategic Vision and Direction
- NDE Leading for Educational Equity Definition

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PS 2

Accountability for Quality Education System, Today and Tomorrow (AQuESTT)

The Nebraska Department of Education (NDE), comprised of the State Board of Education and Commissioner of Education, is constitutionally charged with the general supervision and administration of the school system in the State of Nebraska (Nebraska Constitution, Article VII, Sec. 2). The State Board of Education is also to serve as the policy-forming, planning, and evaluative body for the state school program (Neb. Rev. Stat. §79-301-(2)). The State Board strives to sets forth policy, planning, and evaluation systems to allow Nebraska’s school program to meet the diverse needs of its learners.

Beyond this authority, the State Board seeks to ensure the education system, including the Nebraska Department of Education, is taking charge of its roles and responsibilities to provide leadership and enhance support systems in the state. The clear cohesion of education systems is imperative for the good of Nebraska students and for the state to have a vibrant and economically successful future. It is upon this foundation that the framework of Accountability for a Quality Education System, Today and Tomorrow (AQuESTT) is implemented.

As part of its evaluative processes and duties, the State Board of Education leverages three separate, but interrelated systems to ensure equal operation of schools and equitable outcomes for all students: Approval, Accreditation, and Accountability.

- Approval denotes a school is meeting regulations and procedures outlined in rules promulgated by the State Board of Education and statutes outlining the legal operation, regulations, and procedures necessary to establish safe environments and access to educational opportunity for all students in public and nonpublic elementary and secondary schools (Neb. Rev. Stat. §79-703).
- Accreditation emphasizes quality of programming and a focus on continuous improvement. All public schools must be approved and accredited. (Neb. Rev. Stat. 79-703).
- Accountability uses student related outcomes (ex. Graduation rate, student growth and proficiency on assessments) to measure the performance of individual public schools and school districts. (Neb. Rev. Stat. 79-760.06).

The State Board intends for the AQuESTT to serve as a framework for approval, accreditation, and accountability. The tenets of AQuESTT fall within three broad domains: Leadership; Success, Access, and Support; and Teaching, Learning, and Serving. AQuESTT includes tenets designed to address:

LEADERSHIP

Strong leaders, committed to achieving educational equity, are critical to the processes of approval, accreditation, accountability, and continuous improvement. Leaders, from school boards to superintendents, principals to teacher leaders, set a vision for achieving educational equity, which means students have meaningful access to the educational resources they need at the right moment, at the right level, and with the right intensity to not only reach high expectations for learning, but also to discover and explore their passions and make meaningful connections within the context of their postsecondary interests, careers, and civic lives. Leaders must possess the knowledge, skills, and mindset to systematize equity.

SUCCESS, ACCESS, AND SUPPORT DOMAIN

- Positive Partnerships, Relationships, and Student Success: Schools and districts implement best practices in student, family, and community engagement to enhance experiences and opportunities that are culturally inclusive and relevant for each student. Student success and engagement relies on positive partnerships and relationships to fundamentally improve the outcomes for each student, school, district, and community.
- Educational Opportunities and Access: Each student has access to effective, comprehensive, and continuous learning opportunities that prepare ongoing school success, postsecondary education, and career goals.
- Transitions: Quality educational opportunities focus on effective supports and high quality collaborations for each student transitioning within, into, and between grade levels, programs, schools, districts, postsecondary education, and careers.

TEACHING, LEARNING, AND SERVING DOMAIN

- Student Achievement and Growth: A balanced assessment system that includes results from multiple sources is used to measure student growth and achievement of Nebraska’s college and career ready standards. A balanced assessment system is a necessary part of the instructional process to improve achievement and growth for each student.
- Effective Educators: Each student is engaged by effective educators throughout their learning experiences, such that schools and districts develop effective teachers and school leaders who establish a culture of success.
- Postsecondary, Career, and Civic Readiness: Each student, upon high school graduation, is prepared for success in postsecondary education, career, and life pursuits.

The State Board believes in the integration of the components of approval, accreditation, and accountability into a system of continuous improvement and more intensive school improvement. This cohesive, streamlined system is critical for the benefit of Nebraska students and for the state to have a vibrant and economically successful future. In the operationalization of this differentiated accountability and support system, the NDE can better deliver upon the commitment for educational equity.

The AQuESTT accountability system will annually recognize and classify schools and districts (Neb. Rev. Stat. §79-760.06) as Excellent, Great, Good, and Needs Support for Improvement based on identified statutory criteria, and other evidence of activities of schools and districts to improve student achievement. The accountability system should be fair, transparent, sensitive to change, and be able to support improvement in schools, districts, and the Nebraska Department of Education to increase achievement for all Nebraska Students.

Revision History

- Created: 2015
- Reviewed: 2015, 2019
- Approved: 10/04/2019
- Expiration Date: 10/04/2023
- Implementation Date: 01/01/2020

Board Action History

- 10/02/2015 – Prior G2
(State Board adopts policy, formerly known as *Health Ed Framework*, expired 10/06/2012)
- 03/03/2017 – G2(S2)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G2 is now S2.)
- 10/04/2019 – S2
(Update to reflect State Board’s Strategic Vision and Direction, the federal Every Student Succeeds Act and the development of Nebraska’s college and career ready standards.)
- 12/02/2022 – S2(PS 2)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S2 is now PS 2.)

Cross-References

- 92 NAC 10 (Rule 10)

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PS3

Foundational Literacy

The Nebraska State Board of Education supports and encourages systemic efforts to improve foundational literacy, working to ensure that all students become successful readers and writers. The Nebraska State Board of Education believes that all schools should establish policies that promote high-quality early literacy instruction that is grounded in evidence-based practices and that highlights the importance of grade-level reading. Foundational literacy instruction is essential to ensure all children become successful readers and writers. All students, including students with disabilities, English learners, and high-ability learners should have access to high-quality instructional materials and instruction.

All schools should:

- Understand that literacy development begins at birth and partner with families and communities to encourage strong early literacy connections.
- Promote the practice of adults reading aloud to students daily to foster their enjoyment of reading and expose them to rich spoken language.
- Provide tools and resources to students' caregivers and families that support early literacy development.
- Ensure all classrooms are "print-rich" environments, and that students have opportunities to engage with a wide range of high-quality literary and informational texts.
- Select and implement standards-aligned, high-quality instructional materials for English Language Arts.
- Develop and implement a curriculum scope and sequence of foundational writing instruction.
- Guarantee systematic and ongoing professional learning for all educators in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension within standards-based, core instruction.
- Ensure all students receive a strong sequence of explicit and systematic instruction in phonological awareness, phonics, fluency, vocabulary, and comprehension.
- Use the Nebraska Multi-tiered System of Support (NeMTSS) to identify students in need of intervention that consists of targeted, supplemental instruction and progress monitoring.

Nebraska Department of Education
Position Statements

- Consider factors including vision, hearing, dyslexia, and other learning issues that may affect a student's literacy development.

Revision History

- Created: 2002
- Reviewed: 2011, 2015, 2019, 2024
- Approved: 10/04/2019, 03/08/2024
- Expires: 10/04/2023, 03/08/2028

Board Action History:

- 06/07/2002 – G4
(NEW. Based on policy statement adopted 10/11/1997.)
- 10/06/2011 – G4
(Revised.)
- 04/03/2015 – G4
(Revised.)
- 03/03/2017 – G4(S3)
- (Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G4 is now S3.)
- 10/04/2019 – S3
(Update to reflect the significant changes that have occurred with the Nebraska Reading Improvement Act.)
- 12/02/2022 – S3(PS 3)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S3 is now PS 3.)
- 03/08/2024

(Title amended from Early Literacy to Foundational Literacy. Content amended to expand scope to be more comprehensive across PK-12 learners).

Cross-References

- 92 NAC 10 (Rule 10)
- 92 NAC 11 (Rule 11)
- 92 NAC 14 (Rule 14)
- 92 NAC 24 (Rule 24)
- 92 NAC 51 (Rule 51)
- 92 NAC 52 (Rule 52)
- Nebraska Reading Improvement Act, Sections 79-2601 through 2607 R.R.S.

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PS 5

Expanded Learning Opportunities

The Nebraska State Board of Education believes that in order to help prepare future generations of Nebraska youth for success in life, Nebraska's schools, families and communities must work together to provide multiple opportunities for healthy growth, development and academic success.

The Nebraska State Board of Education recognizes that the traditional school calendar does not fit all students' needs. The typical school day may not provide adequate time for students needing additional educational and enrichment opportunities in order to experience academic success; particularly students who are limited English proficient, live in poverty, or those who may start the school year learning below their grade level. Quality Expanded Learning Opportunities (ELO) programs build on, support, and enhance learning during times when students are not in school (before and after school, weekends, and summer) and are, therefore, a critical component of Nebraska's educational landscape and one that should be intentionally supported and developed in communities across our state.

Quality expanded learning principles include the following:

- Administration with sound management and well-developed systems
- College/career awareness and readiness
- Community-school partnerships and resource sharing
- Diverse, prepared staff including certificated educators
- Engaged learning
- Family engagement
- Intentional programming aligned with the school day program
- Ongoing assessment and improvement
- Participation, access and support during transitions

Nebraska Department of Education
Position Statements

- Safety, health, and wellness

The Board, therefore, encourages Nebraska school district partnerships with community stakeholders to adopt a vision for quality expanded learning opportunities.

Revision History

- Created: 2013
- Reviewed: 2017
- Approved: 10/06/2017
- Expires: 10/06/2021

Board Action History

- 09/06/2013 – G7
(NEW.)
- 03/03/2017 – G7(S5)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G7 is now S5.)
- 10/06/2017 – S5
(Since last revision in 2013, AQuESTT has been adopted and incorporated into the program and the new language reflects same.)
- 12/02/2022 – S5(PS 5)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S5 is now PS 5.)

Cross-References

- Elements adapted from Afterschool Alliance www.afterschoolalliance.org
- Neb. Rev. Stat. 79-2501 through 79-2510
- 20 U.S.C. §7171 through 7176

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PS 10

Coordinated School Health

The Nebraska State Board of Education believes that education and health are intertwined. Healthy children learn better; children must be healthy mentally, physically, and socially. To achieve maximum success schools, families and communities must work together. A coordinated school health approach within the Whole School, Whole Community, Whole Child Model is designed to coordinate services, emphasize partnerships, and promote the physical, social, and cognitive development of children leading to improved student learning.

Preventable health risk behaviors formed in childhood persist into adulthood and are frequently interrelated. The Nebraska State Board of Education believes that the education system, in partnership with families and communities, should work together to address these health risk behaviors which, if left unattended, can lead to serious health problems and disabilities that are costly on families and the entire state of Nebraska.

The Board believes coordinated school health positively impacts student academic achievement and empowers students with knowledge, skills, and judgment essential to help them make healthy and responsible choices in life. The Board, therefore, encourages each Nebraska school district/building to adopt its own vision for student health and to plan, adopt, implement, evaluate, and periodically re-examine the effectiveness of coordinated school health within their district/school.

The Board encourages the following:

- I. Each school district/school develop, adopt, and implement a comprehensive plan for coordinated school health based on the “Whole School, Whole Community, Whole Child Model” developed by the Association for Supervision and Curriculum Development (ASCD) and the U.S. Centers for Disease Control (CDC). Components of coordinated school health should include, but not be limited to, health education; physical education and physical activity; nutrition services and environment; health services; physical environment; school counseling, psychological, and

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social services; social and emotional climate, employee wellness; and family and community engagement.

- II. Each school district establish a School Health Council and each school building establish a School Healthy Team that meets four times a year. In the alternative, a district may assign these activities to existing councils, committees or teams.
- III. Each district/school designate a School Health Coordinator to assist with implementing and evaluating coordinated school health.

Revision History

- Created: 2010
- Reviewed: 2013, 2017, 2020
- Approved: 05/05/2017
- Expires: 05/05/2021

Board Action History

- 03/02/2010 – G21
(NEW.)
- 04/09/2013 – G21
(Reaffirmed.)
- 03/03/2017 – G21(S10)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G21 is now S10.)
- 05/05/2017 – S10
(Revised to include reference to ASCD and CDC “Whole School, Whole Community, Whole Child Model”.)
- 12/02/2022 – S10(PS 10)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S10 is now PS 10.)

Cross-References

- 92 NAC 10 (Rule 10)
- 79-712 R.R.S.

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PS 11

Digital Education

The Nebraska State Board of Education set forth a strategic vision and direction to ensure all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success and to increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life.

The Guiding Principles used in developing the Digital Education Position Statement include:

- Ensure a student-centered approach that incorporates personalized learning to foster deeper learning competencies and greater skill development
- Support a dynamic vision that drives change through proactive leadership to support learning
- Build connections amongst stakeholders to take action in support of success for all learners
- Provide all Nebraskans significant opportunity to receive fair, equitable, and high quality education and services to close achievement gaps
- Allow all learners to achieve their fullest potential in transitioning through phases of school and into civic life
- Ensure all educators are effectively using instructional strategies and monitoring student progress using multiple measures of proficiency
- Prepare all learners to be college, career, and civic ready

Using these guiding principles, the State Board of Education believes that digital education and related supports must provide quality-learning opportunities for all Nebraska students and that Nebraska schools are Ready for the Future (Future Ready).

The State Board defines “digital education” as the teaching and learning through tools, resources, or approaches that are realized or carried out chiefly using or supported by technology. The approaches

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provide access to learners regardless of location and are broadly available through synchronous (real time), asynchronous (on demand), or blended (a combination) delivery models. The digital learning facilitated by technology gives students some element of control over time, place, path, and/or pace in pursuit of increased student engagement personalized learning.

The State Board of Education supports the development and implementation of statewide systems supporting quality digital education. These systems should promote effective instructional and assessment practices; enhance student learning; ensure equity of access, regardless of background and circumstances; promote effective evidence based practices for learning; and ensure quality professional digital learning experiences for educators.

The State Board of Education also believes that the pursuit of quality digital education must be supported through a solid infrastructure, including consistent broadband access, uses industry based technology and data standards, and must ensure the privacy and security of student information.

Finally, the State Board of Education supports the Department's creation and implementation of a statewide digital learning and educational technology plan that achieves the priorities of the NSBOE strategic plan and direction including a digital course and content repository, integration of resources for implementation, and addresses the following key areas:

- Budget and Resources
- Community Partnerships
- Curriculum, Instruction and Assessments
- Data and Privacy
- Personalized Professional Learning
- Robust Infrastructure
- Use of Space and Time

Revision History

- Created: 11/09/2012
- Reviewed: 2016, 2017
- Approved: 10/06/2017
- Expires: 10/06/2021

Board Action History

- 11/09/2012 – G6
(NEW.)
- 03/03/2017 – G6(S11)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G6 is now S11.)
- 10/06/2017 – S11
(Completely restructured to be a position statement regarding Digital Education. Defines Digital Education, supports development and implementation of statewide systems for quality digital education and achieves the priorities of the State board’s strategic plan and direction.)
- 12/02/2022 – S11(PS 11)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S11 is now PS 11.)

Cross-References/Supporting References

- 79-1302, 79-1303, and 79-1304, R.R.S.
- Future Ready Schools Framework
- Nebraska Instructional Improvement Study Synthesis and Road Map
- ISTE 2016 Standards
- National Educational Technology Plan 2016
- North Carolina Digital Education Study
- LR 264 Study

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PS 12

Assessment of Student Learning

Nebraska Revised Statute 79-760.03 requires the State Board of Education to “implement a statewide system for the assessment of student learning and for reporting the performance of school districts and learning communities...” The assessment and reporting system shall measure student knowledge of the required academic content standards for reading, writing, mathematics, and science. The results of the statewide assessment are publicly reported, provide information to the public and policy makers, and provide a comparison among Nebraska public schools.

The State Board of Education recognizes the importance of assessment within quality teaching and learning systems. In addition to the requirements of law, the State Board of Education believes schools and districts should utilize a balanced assessment system that includes formative, interim, and summative assessments to inform instruction and program development, monitor progress, and evaluate student learning for all content areas and grade levels. Rule 10 highlights the important role assessment plays within the instructional process:

“Assessment procedures and results assist teachers in planning and providing appropriate instruction for all students. Assessment results also provide information for monitoring program success, and for reporting to parents, policymakers, and the community. Schools periodically review procedures to improve assessment quality and improve student learning. The information assists schools in establishing and achieving improvement goals.”

As outlined in the State Board of Education and Nebraska Department of Education Strategic Vision and Direction, assessments are used to measure and help improve student achievement by informing instruction. This outcome statement should be considered when developing, adopting, and maintaining balanced assessment systems. In addition, the following principles guide the continuous improvement of balanced assessment systems utilized by districts and supported by NDE.

Nebraska Department of Education
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Assessment should be:

- Focused on improved student learning: Measures growth to inform and guide instruction
- Purposeful: Utilizes a design that accomplishes articulated purpose(s)
- High quality: Aligns to state-approved content area standards and measures higher order thinking skills
- Time limited: Efficient while maximizing instructional time
- Fair: Free from bias and provides equitable access for all students including English Language Learners and students with disabilities
- Transparent to stakeholders: Provides information that is timely, understandable, and easily accessible to students, teachers, parents, and policy-makers

All NDE work undertaken in the efforts to develop, adopt, or maintain a statewide assessment system or support districts in balanced assessment efforts should be informed by these guidelines. The NDE will engage with Nebraska educators to achieve balanced assessment systems for the benefit of all Nebraska students.

Revision History

- Created: 2017
- Reviewed: 2017, 2020
- Approved: 09/08/2017
- Expiration Date: 09/08/2021

Board Action History

- 09/08/2017 – S12
(NEW.)
- 12/02/2022 – S12(PS 12)
(Reorganized Board statements and policies with new designated letters for categories of position statements [PS], model policies [MP], and resolutions [RS]. S12 is now PS 12.)

Cross-References

- [Neb. Rev. Stat. 79-760.03](#)

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PROPOSED AGENDA ITEM RATIONALE

DATE: May 21, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Trudy K Clark, Director of Statewide Assessment

PROPOSED AGENDA ITEM: Discussion of standard setting processes for mathematics and alternate mathematics, and validation of English language arts (ELA) 2023 results

AGENDA ITEM TYPE: Other

RATIONALE/BACKGROUND INFORMATION:

- Standard setting is the process by which achievement levels are established. Nebraska educators work with a qualified outside agency to set cut scores. The Technical Advisory Committee (TAC) supported the process as described by the agency at the February TAC meeting.
- Standard setting establishes the cut scores that are used to measure and evaluate student performance based on achievement levels (i.e., developing, proficient, advanced).
- Students and Nebraska educators are served by this process.
- After training, Nebraska educators will work together to establish cut scores. After taking the test, the educators identify how a barely proficient student and a barely advanced student would perform on each item. Following two rounds of conversation among the educators to arrive at consensus regarding performance, the agency shares the impact these cut scores will have on student scores. Following discussion regarding the impact data, final determinations will be shared with a policy review committee composed of members of the Assessment and Accountability Advisory Committee and Nebraska Association for Curriculum, Instruction, and Assessment. One or more members of the Technical Advisory Committee will also be present either during the process or participating in the policy review.
- To establish cut scores for the extended indicators based on Nebraska grade level standards, the educators will be trained in and use the Yes/No Angoff method. Instead of using the student as the focus of the decision, the knowledge and skills needed to answer each question correctly is used.
- Standard setting will take place from July 9-12. The cut scores will be presented to the board at the August 2 meeting for approval.

PROPOSED BOARD MEETING (MONTH/YEAR): Discussion June, Action August

**Updated 08.15.2023*

Standard Setting

State Board of Education
June 7, 2024



Standard Setting

Process of describing levels of performance and identifying ranges of test scores associated with those levels. The State Board of Education established three performance levels in 2017. Presently we have:

- Developing
 - On Track
 - Advanced
-] Proficient



ELA and Mathematics Performance Level Descriptions

- **Developing:** Developing learners do not yet demonstrate proficiency in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards. These results provide evidence that the student may need additional support for academic success at the next grade level.
- **On Track:** On Track learners **demonstrate proficiency** in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards. These results provide evidence that the student will likely be ready for academic success at the next grade level.
- **Advanced:** Advanced learners **demonstrate high levels of proficiency** in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards. These results provide evidence that the student will likely be ready for academic success at the next grade level.



Standard Setting

When?

- The first year of a new assessment
- A test changes significantly
- Policy makers want to adjust expectations



Standard Setting

Precipitating Event

Mathematics

- A new test measured the revised Mathematics College and Career Ready State Standards (2022) in the Spring of 2024



Mathematics Standard Setting Process

NWEA hired ACS Ventures to conduct the standard setting process for the general assessment. ACS Ventures will facilitate the work of approximately 65 content area specialists over 3 days (July 10-12).

- Panelists engage with Achievement/Performance Level Descriptors and test content to recommend cut scores
- Panelists engage in multiple rounds and discussions
- Panelists have access to impact data
- Panelists will look at consistency across grades (vertical alignment)



Mathematics Cut Score Recommendations

- NSCAS Growth Math 3-8
- 2 cuts for each grade level
- Answers questions “What does a student who is barely on track need to know and be able to demonstrate?” and “What does a student who is barely advanced need to know and be able to demonstrate?”



Mathematics Cut Score Recommendations

As a final step prior to presenting the cut scores to the board for adoption, the chair of the TAC will facilitate a policy review with a sub-committee of the Assessment & Accountability Committee to determine if the cut scores are reasonable.



English Language Arts Validation

- ACS Ventures reviews the performance level descriptors with educators
- Provide training on the method used to set cut scores in 2023
- Educators make operational judgements - 2 rounds
- Vertical articulation
- Are adjustments needed or are the cut scores previously established reasonable?



Standard Setting Process for Alternate Mathematics

- DRC will facilitate the work of 24 content area specialists over 4 days (July 23-26).
- DRC will use the Yes/No Angoff method
 - Participants study the Achievement Level Descriptors and consider the skills held by students at the threshold of each achievement level (i.e, barely proficient, barely advanced)
 - For each threshold, participants consider whether the student should be able to answer each item correctly, *yes or no*.
- Three rounds of review/judgments
- Impact Data is shared



Standard Setting Process for Alternate Mathematics

As a final step prior to presenting the alternate assessment cut scores to the State Board for adoption, the lead psychometrician at DRC will facilitate a policy review with members of the AAAC and Special Education Directors/Educators.





Questions?



PROPOSED AGENDA ITEM RATIONALE

DATE: May 28, 2024

TO: Brian L. Maher.
Commissioner of Education

FROM: Allyson DenBeste, Academic Officer

PROPOSED AGENDA ITEM: Information on the Professional Learning System for Evidence-Based Reading Instruction

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION:

Background:

Supplements to Nebraska's Reading Improvement Act from LB1284 require the NDE to develop and implement a professional learning system to help provide sustained professional learning and training regarding evidence-based reading instruction for teachers who teach children from four years of age through third grade at an approved or accredited school and teachers employed by an early childhood education program approved by the State Board of Education. The legislation requires the NDE to work with ESUs to provide regional coaches to approved or accredited elementary schools to provide assistance and job-embedded training relating to evidence-based reading instruction to teachers who teach students in kindergarten through third grade.

The professional learning system will be designed to support public and non-public teachers of students from four years of age through third grade, leaders, and ESU staff.

The NDE proposes to develop a plan for statewide literacy by identifying essential tenets and will provide options for districts to meet the statute. The funding period run from Fiscal Year 2024-2025 through Fiscal Year 2026-2027.

PROPOSED BOARD MEETING (MONTH/YEAR):

June 2024, August 2024

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: N/A
- New or Renewal: N/A
- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 07.06.2023*



PROPOSED AGENDA ITEM RATIONALE

DATE: May 21, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Discuss approval of early childhood education programs operated by public school districts and educational service units

AGENDA ITEM TYPE : Discussion -program approval

RATIONALE/BACKGROUND INFORMATION:

- Public school districts and educational service units that have established early childhood education programs must have those programs approved by the Nebraska State Board of Education in accordance with the provisions of Rule 11: (92 NAC11), Regulations for the approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants.
- Approval is granted annually based on the program compliance in the previous school year.
- The public-school districts and Educational Service Units (ESUs) included for approval submitted the required reports and Statement of Assurance indicating compliance with Rule 11 for the school year 2022-2023.
- The Nebraska Department of Education Office of Early Childhood Education staff verified compliance based on a review of information and follow-up with programs, as needed.

PROPOSED BOARD MEETING (MONTH/YEAR): Discussion – June 2024, Action- August 2024

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

FOR GRANT SUBAWARDS: N/A



Rule 11 System of Support



Purpose

- Improve supports NDE provides to Rule 11 PK programs.
- Determine what additional supports are needed.
- Align with school-age system of supports.
- Provide supports and assistance to all Rule 11 programs equitably across the state.



PreK Support Plans



STANDARD SUPPORTS

- ✓ Online Publications & Resources
- ✓ NDE Sponsored PD
- ✓ Community Partnerships
- ✓ MTSS Connections



FOCUSED SUPPORTS

- ✓ All Standard Supports
- ✓ Two Technical Assistance Visits from Education Specialist
- ✓ Choice between ERS or CLASS Observation
- ✓ NAESP Administrator Network



ADVANCED SUPPORTS

- ✓ All Standard + Focused Supports
- ✓ Encouraged Participation in Step Up to Quality + Coaching
- ✓ Quarterly Technical Assistance visits from Education Specialists
- ✓ Early Childhood Educator Network





Standard Supports



Online Publications
and Resources



Technical
Assistance/Professional
Development webinars



NDE Sponsored
Professional
Development

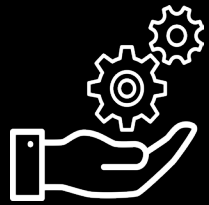


Encouraging
Community
Partnerships



MTSS Connections





Focused Supports



Two technical assistance visits from education specialists

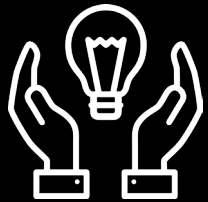


NAESP Administrator Network



Targeted Professional Development recommendations





Advanced Supports



Four technical assistance visits from education specialists



Step Up To Quality participation & coaching



Targeted Professional Development recommendations with reduced costs




Nebraska's Early Childhood Educator Network

How are Support Plans determined?


- Review Data
 - NSSRS
 - ADVISER
 - Rule 11 Prekindergarten Report
 - GOLD
 - Dates of last ERS/CLASS observations
- Assign points
- High score/high level of supports



2023-2024 Rubric



Rule 11 PreK District Support Plan Rubric



About the District Support Plan Rubric
 Education Specialists will utilize data from the previous school year that has been submitted to assign points based on compliance with Rule 11. The more points that are assigned to a district, the more support the Education Specialists will be able to provide. The supports that the Education Specialist will provide are based on the needs and goals of the district.

NSSRS Data

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Teacher Certification		All teachers meet	50% or less certificated teachers lacking proper endorsement	51% or more of certificated teachers lacking proper endorsement		
Teacher Waiver					For each teacher who has a waiver	
NAESP PreK-3 Leadership Academy	EC Coordinator and/or Administrator completion within the past 5 years					

Data from NSSRS and information submitted to the State Board of Education for teacher waivers. Offsetting points for administrative participation in Nebraska's NAESP PreK-3 Leadership Academy.

ADVISER

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Kindergarten Eligibility		Children all age eligible				Children above without an IEP at end of year
Preschool Educational Environment (Indicator B6)		Meets targets for each age group	Per age group target is not met			

Data from ADVISER.

Rule 11

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Compliance		Meets all regulations	Per noncompliance infraction listed in the letter			

Data from the Prekindergarten Report in the NDE portal.

Deadlines

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
		Met all deadlines	1-2 missed deadlines	3+ missed deadlines		

Deadlines include: ADVISER, PreK Report, Grants Management System, Initial Application, End of Year Report/Reimbursement Submission, CDC

Observations

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Timeframe of Last Observation within the District		4 years or less since last observation		5-6 years since last observation		7 or more years since last observation
Percentage of Classrooms Observed	100% of classrooms observed within last 6 years	60% or more classrooms observed within last 6 years	30-60% of classrooms within last 6 years	Less than 30% of classrooms within last 6 years		
Average of Last School Year Observation Scores	Program Score above 5.0 (average of all observations)	District was not observed or did not meet the score of 5.0				
ERS Learning Activities or CLASS Instructional Subscales	Subscale above 5.0 (average of all observations)	District was not observed or did not meet the score of 5.0				
Teacher showed improvement in Average Observation Scores from Fall to Spring	Per teacher					

Results Matter observation data from the last six years excluding Sixpence observation data.

GOLD Assessment Status Report

	-1 Points	0 Points	1 Point	2 Points	3 Points	5 Points
Fall Status Report					Less than 80% finalized	
Spring Status Report					Less than 80% finalized	

Report showing checkpoint completion rates for fall and spring checkpoint excluding Part C.

Step Up to Quality

	-1 Point	0 points	1 Point	2 Points	3 Points	5 Points
Rated at a Step 4 or 5	X					

Offsetting points for participation.

2023-24 Point Spreads

- Standard Support Plan: 6 or fewer points
- Focused Support Plan: 7-10 points
- Advanced Support Plan: 11+ points & programs in their first year of operation

Learn more about Rule 11 District Support Plans at bit.ly/Rule11Supports

August 2023



Observations

- Selected Standard Plan Programs
 - Spring Observation
 - Choice between ERS & CLASS
- Focused Plan Programs
 - Fall Observation
 - Choice between ERS & CLASS
- Advanced Plan
 - Fall & Spring Observation
 - ERS



Changes made from last year

- Rubric points
- Focused Support
 - Observation will be moved to the fall (instead of spring) to allow school districts time to utilize the observation results to seek continual program growth.
 - The district can choose between the ERS or CLASS observation.
- Standard Support
 - Observation moved to the spring.
 - Optional feedback from an Education Specialist will be provided after the observation.
- All districts receiving observations can complete a self-preassessment.





Thank You

Office of Early Childhood

Director of Programs and Partnerships:

Kristine Luebbe – Kristine.Luebbe@nebraska.gov

Education Specialists:

Carol Burk – carol.burk@nebraska.gov

Emly Daberkow – emly.daberkow@nebraska.gov

Kelly Jones –





Rule 11 PreK District Support Plan Rubric



About the District Support Plan Rubric

Education Specialists will utilize data from the previous school year that has been submitted to assign points based on compliance with Rule 11. The more points that are assigned to a district, the more support the Education Specialists will be able to provide. The supports that the Education Specialist will provide are based on the needs and goals of the district.

NSSRS Data

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Teacher Certification		All teachers meet	50% or less certificated teachers lacking proper endorsement	51% or more of certificated teachers lacking proper endorsement		
Teacher Waiver					For each teacher who has a waiver	
NAESP PreK-3 Leadership Academy	EC Coordinator and/or Administrator completion within the past 5 years					

Data from NSSRS and information submitted to the State Board of Education for teacher waivers. Offsetting points for administrative participation in Nebraska's NAESP PreK-3 Leadership Academy.

ADVISER

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Kindergarten Eligibility		Children all age eligible				Children above without an IEP at end of year
Preschool Educational Environment (Indicator B6)		Meets targets for each age group	Per age group target is not met			

Data from ADVISER.

Rule 11

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Compliance		Meets all regulations	Per noncompliance infraction listed in the letter			

Data from the Prekindergarten Report in the NDE portal.

Deadlines

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
		Met all deadlines	1-2 missed deadlines	3+ missed deadlines		

Deadlines include: ADVISER, PreK Report, Grants Management System, Initial Application, End of Year Report/Reimbursement Submission, CDC

Observations

	-1 Point	0 Points	1 Point	2 Points	3 Points	5 Points
Timeframe of Last Observation within the District		4 years or less since last observation		5-6 years since last observation		7 or more years since last observation
Percentage of Classrooms Observed	100% of classrooms observed within last 6 years	60% or more classrooms observed within last 6 years	30-60% of classrooms within last 6 years	Less than 30% of classrooms within last 6 years		
Average of Last School Year Observation Scores	Program Score above 5.0 (average of all observations)	District was not observed or did not meet the score of 5.0				
ERS Learning Activities or CLASS Instructional Subscales	Subscale above 5.0 (average of all observations)	District was not observed or did not meet the score of 5.0				
Teacher showed improvement in Average Observation Scores from Fall to Spring	Per teacher					

Results Matter observation data from the last six years excluding Sixpence observation data.

GOLD Assessment Status Report

	-1 Points	0 Points	1 Point	2 Points	3 Points	5 Points
Fall Status Report					Less than 80% finalized	
Spring Status Report					Less than 80% finalized	

Report showing checkpoint completion rates for fall and spring checkpoint excluding Part C.

Step Up to Quality

	-1 Point	0 points	1 Point	2 Points	3 Points	5 Points
Rated at a Step 4 or 5	X					

Offsetting points for participation.

2023-24 Point Spreads

- **Standard Support Plan:** 6 or fewer points
- **Focused Support Plan:** 7-10 points
- **Advanced Support Plan:** 11+ points & programs in their first year of operation

Learn more about Rule 11 District Support Plans at bit.ly/Rule11Supports



PROPOSED AGENDA ITEM RATIONALE

DATE: May 21, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve a Rule 11 teacher waiver request from Fairbury Public Schools

AGENDA ITEM TYPE : Information

RATIONALE/BACKGROUND INFORMATION:

- **AGENDA ITE** Operation of school district and Educational Service Unit (ESU) early childhood programs are governed by the Nebraska Department of Education Rule 11: Regulations for the Approval of Prekindergarten Programs Established by School Boards and Educational Service Units and for the Issuance of Early Childhood Education Grants (Title 92, Nebraska Administrative Code, Chapter 11)
- The Nebraska State Board of Education is charged with approving Prekindergarten (Early childhood education and care programs for children birth to kindergarten entrance age) programs operated by school districts and Educational service Units annually.
- Teachers in early school district and ESU Prekindergarten classrooms are required to hold a valid Nebraska Teaching Certificate with an early childhood endorsement.
- School Districts that hire individuals with a valid teaching certificate but no early childhood endorsement must ensure that the teacher must work toward earning an early childhood endorsement.
- School Districts who can not hire one or more teacher(s) who hold a valid teaching certificate of any kind must apply or a Rule 11 waiver for the teacher(s).
- Nebraska State Board has the authority/responsibility to either approve or deny the Rule 11 waiver.
- This is a new waiver request, the school has not needed a Rule 11 teacher waiver previously.
- Administration from Fairbury Public Schools have submitted the appropriate materials to support their request for the Rule 11 teacher waiver.

PROPOSED BOARD MEETING: Information-June, Discussion – August, Action- September 2024

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

**Updated 08.15.2023*



STATE BOARD OF EDUCATION RULES AND REGULATIONS COMMITTEE REPORT

Date: June 6, 2024

The Rules and Regulations Committee reports on the June 6, 2024, meeting of the committee.

Members present were chair Lisa Fricke, Elizabeth Tegtmeier, and Kirk Penner.

Committee members reviewed the rules report.

The public hearing was held on June 3, 2024, for revisions to Rules 4 and 28 and the repeal of Rule 29. NDE Staff shared the hearing summary and testimony. The committee, having no concerns, recommends approval for all three rule actions.

NDE staff recommended the content tests and passing scores for endorsements. The specification of passing scores was removed from the recently signed Rule 24 to allow scores to be updated in a timelier manner. The committee recommends approval of the content tests and passing scores for endorsements.

NDE staff provided information from the 2024 legislative session and the implications for the Rules and Regulations committee.

NDE staff provided information on proposed revisions to Rule 11, which streamline waiver requests and respond to recent legislation.

NDE staff provided information on proposed revisions to Rule 51 to address shortages of Qualified Educational Sign Language Interpreters and allow candidates more flexibility. The committee recommended proceeding with a hearing before the August 2024 meeting.

NDE staff provided information on the proposed repeal of Rule 22, in response to legislation which repealed statutes for the Mater Teacher Program. The committee recommended proceeding with a hearing before the August 2024 meeting.

NDE staff provided information on the repeal of Rule 26, in response to repealed legislation. The committee recommended proceeding with a hearing before the August 2024 meeting. If the rule is repealed, the Board will need to adopt guidance for local mentoring programs.

NDE staff provided an update on Rule 21. NDE staff is preparing a public input draft, incorporating revisions discussed at the March 2024 Rules and Regulations Committee meeting. NDE staff will work on drafting a redline draft to share with the committee on or before the August 2024 meeting.

This concludes the Rules and Regulations Committee report.

Lisa Fricke, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.



To: Dr. Brian L. Maher, Commissioner of Education
From: Tammy Barry, Legal Counsel III
Date: May 30, 2024
Subject: Report on Rules

Recently Signed by the Governor

Title 92, Nebraska Administrative Code, Chapter 10, *Regulations and Procedures for the Accreditation of Schools*

Public Hearing Held:	January 31, 2023
Approved by that State Board of Education:	March 3, 2023
Approved by the Attorney General:	January 24, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Title 92, Nebraska Administrative Code, Chapter 14, *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*

Public Hearing Held:	January 31, 2023
Approved by the State Board of Education:	March 3, 2023
Approved by the Attorney General:	January 18, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Title 92, Nebraska Administrative Code, Chapter 20, *Regulations for the Approval of Educator Preparation Programs (formerly Regulations for Approval of Teacher Education Programs)*

Public Hearing Held:	May 30, 2023
Approved by the State Board of Education:	June 2, 2023
Approved by the Attorney General:	February 8, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Title 92, Nebraska Administrative Code, Chapter 24, *Regulations for Certificate Endorsements*

Public Hearing Held:	May 30, 2023
Approved by the State Board of Education:	June 2, 2023
Approved by the Attorney General:	February 13, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Title 92, Nebraska Administrative Code, Chapter 59, *Regulations for School Health and Safety*

Public Hearing Held:	January 3, 2024
Approved by the State Board of Education:	January 5, 2024
Approved by the Attorney General:	May 15, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Title 93, Nebraska Administrative Code, Chapters 1-16, *Personnel Rules*

Public Hearing Held:	May 30, 2023
Approved by the State Board of Education:	June 2, 2023
Approved by the Attorney General:	February 2, 2024
Approved by the Governor:	May 24, 2024
Filed with the Secretary of State:	May 28, 2024
Effective:	June 2, 2024

Hearings on June 3, 2024 – Potential Adoption by the Board on June 7, 2024

Title 92, Nebraska Administrative Code, Chapter 4, *Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska*

Information Item for Rules & Regulations Committee:	April 24 & May 2, 2024
Public Hearing Scheduled:	June 3, 2024
Discussion by the Rules & Regulation Committee Scheduled:	June 6, 2024
Potential Adoption by the State Board of Education:	June 7, 2024

Title 92, Nebraska Administrative Code, Chapter 28, *Regulations and Standards for Investigations, ~~and~~ Nonpublic Professional Practices Hearings, and Determinations by the State Board*

Information Item for Rules & Regulations Committee:	April 24 & May 2, 2024
Public Hearing Scheduled:	June 3, 2024
Discussion by the Rules & Regulation Committee Scheduled:	June 6, 2024
Potential Adoption by the State Board of Education:	June 7, 2024

Title 92, Nebraska Administrative Code, Chapter 29, *Regulations and Standards for Professional Practices Case Determinations by the State Board*

Information Item for Rules & Regulations Committee:	April 24 & May 2, 2024
Public Hearing Scheduled:	June 3, 2024
Discussion by the Rules & Regulation Committee Scheduled:	June 6, 2024
Potential Adoption by the State Board of Education:	June 7, 2024

Rules and Regulations Committee Discussion at the June Meeting

Title 92, Nebraska Administrative Code, Chapter 11, *Regulations for the Approval of Prekindergarten Programs Established By School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*

- Response to legislation (LB 71 – Kindergarten Start Date)

Title 92, Nebraska Administrative Code, Chapter 21, *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*

- Revisions being discussed to accomplish goals of the Rules and Regulations Committee
- Revisions also needed in response to legislation (LB 1329 – Reciprocity)

Title 92, Nebraska Administrative Code, Chapter 22, *Regulations Governing the Master Teacher Program*

- Repeal
- Authorizing statutes have been repealed

Title 92, Nebraska Administrative Code, Chapter 24, *Regulations for Certificate Endorsements*

- Revisions being considered to accomplish goals of the Rules and Regulations Committee
- Revisions also needed in response to legislation (LB 1329 – Content Tests)

Title 92, Nebraska Administrative Code, Chapter 26, *Regulations and Procedures for Mentor Teacher Programs*

- Repeal
- Funding ceased early this century when the Legislature repealed the use of lottery funds
- State Board of Education required to develop guidelines, not a Rule

Title 92, Nebraska Administrative Code, Chapter 51, *Regulations and Standards for Special Education Programs*

- Limited revision to address emergency shortage of Qualified Educational Sign Language Interpreters

Other Review, Adoption, Revision, or Repeal Process Has Been Initiated

Title 92, Nebraska Administrative Code, Chapter 3, *Regulations Governing High Ability Learners*

- Response to legislation

Title 92, Nebraska Administrative Code, Chapter 8, *Regulations for School Finance and Budgeting / State Funding of Educational Service Units and Learning Communities*

- Response to legislation

Title 92, Nebraska Administrative Code, Chapter 10, *Regulations and Procedures for the Accreditation of Schools*

- Response to legislation (LB 71 – Parental Involvement Policy)
- Cannot officially begin revision process until prior revision is approved or terminated

Title 92, Nebraska Administrative Code, Chapter 11, *Regulations for the Approval of Prekindergarten Programs Established By School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*

- Response to legislation (LB 71 – Kindergarten Start Date)

Title 92, Nebraska Administrative Code, Chapter 13, *Regulations and Procedures for Exempting Schools for which Parents Elect Not to Meet Legal Requirements for School Approval and Accreditation*

- Response to legislation (LB 1027)

Title 92, Nebraska Administrative Code, Chapter 17, *Regulations Governing the Approval of Alternative Schools, Classes, or Programs for Expelled Students*

- Review is overdue

Title 92, Nebraska Administrative Code, Chapter 19, *Regulations Regarding School Enrollment*

- Response to legislation (LB 1029 Compulsory Attendance & LB 1329 Attendance Policies)
- May add attendance measures from Rule 2 (Accounting)

Title 92, Nebraska Administrative Code, Chapter 47, *Regulations for Career Academy Programs Established By School Districts*

- Review is overdue and has been requested by staff

Title 92, Nebraska Administrative Code, Chapter 86, *Regulations and Procedures for Public School Breakfast Program Reimbursement*

- Review is overdue and has been requested by staff

Reading Improvement Act



PROPOSED AGENDA ITEM RATIONALE

DATE: May 10, 2024

TO: Brian L. Maher.
Commissioner of Education

FROM: Bryce Wilson, Finance Officer

PROPOSED AGENDA ITEM: Adopt the proposed revised Rule 4 (Textbook Loans to Children Enrolled in Private Schools in Nebraska)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Rule

RATIONALE/BACKGROUND INFORMATION: The revision to Rule 4 is a result of LB 705 passed during the 2023 Legislative session. The proposed rule changes include a complete revision to the textbook loan process that requires the NDE or a third-party vendor hired by NDE to administer the textbook loan program instead of public school districts. The revisions include language that requires the Commissioner on September 1 of every calendar year to notify all approved or accredited nonpublic administrators about the program and sets forth October 15 for any nonpublic school administrator to respond in order for the nonpublic school to participate in the program for the following school year. The revisions include the data with the formula the Commissioner will use that has a cost per child allocation of funds appropriated by the Legislature. The Commissioner then notifies that participating nonpublic schools of their allocation. Finally, the revisions set for the procedures for participating nonpublic schools to request textbooks, and manage the textbooks provided. The revisions includes language that allows the Commissioner to contract with a third party vendor to carry out the duties of the Commissioner under the Rule. Additionally, the definition of textbook in the revisions is linked directly to the definition in section 79-734(3).

See attached hearing draft for specific changes proposed.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST:

The fiscal impact for the Nebraska Department of Education is approximately \$1,000 for filing of a public notice, a hearing, and printing copies of the rule once adopted.

NDE will incur additional costs to administer the program or hire a third-party vendor but the amount cannot be determined at this time. LB 705 provides for up to five percent of the appropriated amount to be obtained by NDE for administrative expenses.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 07.06.2023*

TITLE 92 - DEPARTMENT OF EDUCATION

CHAPTER 4 - TEXTBOOK LOANS TO CHILDREN ENROLLED IN PRIVATE SCHOOLS IN NEBRASKA

001 General Provisions

001.01 Statutory authority. This chapter is adopted pursuant to Neb. Rev. Stat. § 79-734.

001.02 Scope and application. This chapter covers the loan of textbooks to private school children. For school years through the 2024-25 school year, boards ~~Boards~~ of education have the power and duty to purchase and loan textbooks to private school children; provided, however, that boards of education are only obligated to purchase and loan textbooks to the extent that the Legislature of the State of Nebraska appropriates funds to be distributed by the State Department of Education for the purpose of purchasing and loaning textbooks to private school children as provided in Neb. Rev. Stat. § 79-734(2)(a) and sections 003 and 004 of this chapter. For the 2025-26 school year and each school year thereafter, the department has responsibility for the purchase and loan of textbooks to private school children to the extent that the Legislature appropriates funds for such purpose as provided in Neb. Rev. Stat. § 79-734(2)(b) and sections 005 and 006 of this chapter.

002 Definition of Terms

As used in this chapter:

002.01 Authorized parent representative means a person or persons authorized by the parents or legal guardians of private school children to represent them in the proceedings applicable to this chapter through the 2024-25 school year.

~~002.01 Private school student shall mean a child who is enrolled in any of grades kindergarten through grade 12 of a private school that is approved for continued legal operation under Title 92, Nebraska Administrative Code (NAC), Chapter 14, or accredited under Title 92, NAC, Chapter 10.~~

002.02 Board of education ~~means shall mean~~ the governing ~~body~~ bodies, including school boards, of any class of school district in the state of Nebraska which ~~is~~ are required to purchase, pursuant to Neb. Rev. Stat. § 79-734(1), all textbooks, equipment and supplies necessary for ~~the~~ schools of such school district.

002.03 Commissioner means the individual appointed by the State Board of Education under section 79-318(1). To the extent the Commissioner contracts with a third-party vendor under the provision of this chapter, the third-party vendor assumes the authority to carry out the responsibilities of the Commissioner under this chapter.

002.04 Designated agent means an administrator employed by a private school, who has notified the Commissioner that such administrator will act on behalf of children enrolled in such school with regard to the provisions of this chapter based on authorizations received from parents and guardians pursuant to section 005.01 of this chapter and compliance with section 005.03 of this chapter.

002.05 Loan means the provision of a textbook for use by a private school child pursuant to this chapter. The ownership of such textbook remains with the department regardless of where the textbook is located.

002.06 Private school means a private, denominational, or parochial school accredited or approved under the provisions of Title 92, Nebraska Administrative Code, Chapters 10 or 14 (92 NAC 10 or 14).

002.07 Private school child means a child enrolled in a private school.

002.08 Pro rata reduction means a reduction in the total amount requested by each board of education based on the total funds appropriated by the Legislature divided by the total amount of funds requested by all boards of education under section 003 of this chapter prior to July 1, 2024.

002.09 School district means the territory under the jurisdiction of a board of education.

002.10 ~~002.03 Textbook~~ has the same meaning as in Neb. Rev. Stat. § 79-734(3). shall mean any instructional material that is designated for use by individual students in classroom instruction as the principal source of study material, in any of grades kindergarten through grade 12 in the public school(s) of each school district. The following, if designated for use by individual students as the principal source of study material, are likewise to be considered textbooks for purposes of this chapter: multiple texts; electronic and digital subscriptions; and hard-copy; write-in work texts if accessible by students pursuant to a multi-year subscription entered into by the school district. Instructional material that is in a non-tangible, electronic or digital format, e.g. web-based (on-line) material; accessible by students through a subscription or license agreement entered into by the school district, is a textbook if the individual student's access ceases within the timeframe described in Section 003.01 of this chapter. The following are not to be considered textbooks: library books, teacher's editions, hard-copy supplemental workbooks and any book or material designated for classroom, and not individual use (e.g. "Big Books" and the like).

002.11 ~~Third-party vendor~~ means an entity that carries out the provisions of this chapter pursuant to a contract with the Commissioner.

~~002.04 Prorata reduction~~ shall mean a reduction in the total amount requested by each board of education based on the total funds appropriated by the Legislature divided by the total amount of funds requested by all boards of education.

~~002.05 School district~~ shall mean the territory under the jurisdiction of a single board of education.

~~002.06 Authorized Parent Representative~~ shall mean a person or persons authorized by the parents or legal guardians of private-school students to represent them in the proceedings applicable to this chapter. An official or employee of a private school may not be a parent representative.

~~002.07 Loan~~ shall mean the provision of instructional material in such a manner that title (i.e. ownership) to the instructional material remains with the school district providing such instructional material.

003 Application Procedures for Textbook Loans for School Years through the 2024-25 School Year Applications

Applications by a parent, legal guardian, or authorized parent representative for the loan of textbooks **must** shall be made to the school district in which the child resides or the school district in which the private school the child attends is located no later than January 15, for the following school year, and **must** shall be made on behalf of each individual child on designated Form NDE #22-001, a copy of which is attached to this chapter as Appendix A. Parents authorizing a parent representative to apply for pickup and return of textbooks, must fill out and give to the parent representative an Authorized Parent Representative Form (Appendix D, NDE Form #22-004) for presentation to local school officials. Textbooks designated, by title, for use in the public schools of the school district in which the child resides or of the school district in which the private school attended by the child is located may be requested for loan. The copyright edition of such textbook titles to be loaned, including the most recent copyright edition offered by the publisher, **will** shall be at the discretion of the parent(s) or legal guardians(s), if multiple versions are available.

003.01 Return of textbooks. ~~Except as provided in section 004.10 of this chapter, the~~ A parent, legal guardian, or authorized parent representative of a private school **child must** ~~student~~ shall return textbooks that can be returned to an inventory site and loaned anew to another private-school student to the designated inventory site as provided in Section 004.07 within 15 days after the close of the public school year classes.

003.02 Lost or damaged textbooks. If a parent, legal guardian, or authorized parent representative fails to return a textbook as required in Section 003.01 or returns a textbook damaged beyond ordinary wear and tear, he/she **will** shall be responsible for reimbursing the school district for the loss of the non-returned textbooks or the damage. School districts may refuse to loan textbooks to parents, legal guardians, or authorized parent representatives who have failed to reimburse the school district for lost or damaged textbooks. See Section 004.08 regarding use of reimbursed funds.

003.03 Limitations. The school district **must** shall limit the loan each year to ten textbooks per **child** student for

children students in grades K-6 and to eight textbooks per child student for children students in grades 7-12.

004 Requirements for Boards of Education Through the 2024-25 School Year

004.01 Local procedures. Each school district **must shall** have local rules and regulations for the distribution of textbooks and the management of funds under this chapter, which **must shall** include, but not be limited to:

004.01A Making available, no later than November 15, a list of textbooks designated for use in the public schools of the district during the current school year, a list of any new textbooks that the school district has determined by November 15 **must shall** be used during the next school year, and a list showing, by title (including edition and copyright), the numbers of all textbooks previously purchased for the textbook loan program and still available for loan. As applicable, the lists **must shall** indicate if a textbook is multiple texts, a non-tangible electronic or digital format, e.g. web-based (on-line) material, accessible by **private school children students** through a subscription or license agreement; or a hard-copy, write-in work text accessible by **private school children students** pursuant to a multi-year subscription (see Section 002.03).

004.01B The availability of a copy of the list for inspection at the central administrative offices of the district, as well as reproduction at a reasonable cost upon request.

004.01C Procedures and dates for distribution of textbooks, for return of textbooks that can be returned to an inventory site and loaned anew to another private-school **child student** and for the provision and cessation of access to instructional material provided through a license or subscription agreement if applicable (see Section 002.03).

004.01D Procedures for the receipt and disbursement of funds pursuant to this chapter.

004.01E Procedures for establishing and maintaining a separate inventory of textbooks for loan to private school children.

004.01F Procedures for disposing of unused textbooks. Only textbooks which have not been requested for three consecutive years may be classified as unused and, therefore, disposed of by sale or otherwise. All funds received from any sale of unused textbooks that were originally purchased pursuant to this chapter **must shall** be retained in a separate account, treated in the same manner as carryover funds and used to offset the amount otherwise to be requested (~~Appendix C~~) in one or more future years for distribution under this chapter.

004.02 Notification. Boards of **education must Education shall**, at least ten days prior to the beginning of public school classes, notify in writing the parent, legal guardian, or authorized parent representative of each private school **child student** at the address specified in the application, where and when textbooks will be made available.

004.03 Receipt. Boards of education **must shall** require a parent, legal guardian, or authorized parent representative of each private school **child student** to sign a receipt at the time the textbooks that can be returned to an inventory site and loaned anew to another **private school child private-school student** are picked up on designated Form NDE #22-002, ~~a copy of which is attached as Appendix B.~~

004.04 Distribution of funds. Boards of education **must shall** make application for funds from the Department of Education by filing an application with the Department of Education on designated Form NDE #22-003, ~~a copy of which is attached as Appendix C,~~ no later than February 15 preceding the start of classes for the school year for which the application has been made. The board of education **must shall** specify in the application:

004.04A The total number of applications (~~Appendix A~~) received;

004.04B The total number of textbooks requested and the total number of textbooks needed to be purchased to fulfill the requests;

004.04C The dollar amount to purchase the number of textbooks needed to be purchased in order to fulfill the

requests. A district may claim up to 5% of that cost in order to defray administrative expense;

004.04D The titles of all textbooks, the number requested of each textbook, the price per textbook, and, if applicable, the amount of shipping and handling charges added to the invoice or billing by the seller/vendor; and

004.04E If applicable, the amount of carryover funds remaining from the previous year if the total amount received was not expended (and an explanation of the reasons for the carryover), the amount of funds on hand from any sale of unused textbooks (per Section 004.01F), and the amount of funds on hand from reimbursements received for damaged textbooks (per Section 004.08).

004.05 Time of distribution. The Department of Education **must shall** distribute available funds no later than March 15.

004.06 Purchase of textbooks. If, after the distribution of funds, boards of education are unable to provide all of the textbooks for which applications have been made due to a **pro rata prorata** funding reduction by the Department of Education, then boards of education may seek input from the authorized parent representatives, and thereupon **must shall** use their best judgment in selecting the textbooks which **will shall** be purchased. If, after exercising such judgment, there are not enough textbooks of a particular subject and grade level to fulfill all of the individual requests, then such textbooks **must shall** be distributed on the basis of a random drawing.

004.07 Availability of textbook inventory.

004.07A Tangible textbooks purchased with funds appropriated for purposes of this chapter **must shall** be maintained in a separate inventory and **must shall** be made available to private school children so long as the textbook titles remain on the list required in Section 004.01A, and the textbooks are not lost, stolen, destroyed, or damaged beyond repair. Such inventory may be maintained at a facility of the school district which purchased the textbooks or at an alternative site or sites agreed upon by the school district and the authorized parent representative(s) responsible for such textbooks. If an alternative inventory site is designated, the authorized parent representative(s) **will shall** be deemed to have custody of such textbooks, be personally liable for the safekeeping of such textbooks, and **must shall** maintain a documented inventory-control system as agreed upon with the school district.

004.07B Any unexpired subscriptions and license agreements that constitute textbooks purchased with funds appropriated for purposes of this chapter **must shall** be maintained separately in the form of documentation.

004.08 Recovery of damages. Amounts reimbursed by **children students**, parents, guardians or authorized parent representative(s) for damaged textbooks or textbooks not returned pursuant to Section 003.01 **must shall** be retained in a separate account and used to offset the amount otherwise needed to be requested in future years for distribution under this chapter.

004.09 Textbook list. Each school district must provide a detailed list, as prescribed by the Commissioner, of the textbooks maintained in the inventory required pursuant to section 004.07 of this chapter for the 2024-25 school year, including textbooks loaned to private school children for such school year.

004.10 Retention of textbooks. Any designated agent who meets the requirements of section 005.03 of this chapter for the 2025-26 school year on or before October 15, 2024, may retain any textbooks loaned to children in the designated agent s school under the provisions of section 003 of this chapter that are in the possession of such agent or school at the end of the 2024-25 school year.

004.11 Textbooks not retained. The Commissioner must notify school districts of the procedures to be followed for any textbooks which are not retained by a designated agent at the end of the 2024-25 school year.

005 Procedures for the 2025-26 School Year and Each School Year Thereafter

005.01 Authorization. A parent or legal guardian of a private school child may authorize such child to borrow textbooks pursuant to this chapter through a designated agent by signing a document at the time of enrollment that states:

By enrolling my child in [name of private school], I hereby authorize the administrator of the school to act as my designated agent for purposes of requesting and borrowing textbooks, pooling per child allocations when requesting textbooks, and representing me in all other matters under 92 NAC 4 (Rule 4).

005.02 Annual notice to private schools. On or before September 1 of each year, the Commissioner must send a written notice to the administrator of each private school indicating that the deadline for participation in the provisions of this chapter for the following school year is October 15.

005.03 Annual participation. By October 15 of each year, each designated agent must notify the Commissioner, in a manner prescribed by the Commissioner, that such designated agent, or the designated agent's predecessor, has complied with all requirements of this chapter and that the designated agent will participate in the provisions of this chapter on behalf of the parents and children of such school for the following school year.

005.04 Estimated child allotment of funds.

005.04A The Commissioner will divide (a) the total amount of funds appropriated by the Legislature, less up to five (5) percent for administrative costs, by (b) the total membership reported on October 1 for all private schools with a designated agent for such school year to establish the per child allotment.

005.04B The Commissioner will multiply the per child allotment by the membership as of October 1 for each private school with a designated agent for such school year to determine the estimated allotment of funds.

005.04C On or before November 30 of each year, the Commissioner will provide the estimated allotment of funds for the following school year to each designated agent.

005.05 Textbook request procedures. The designated agent must, by a date and with such information as prescribed by the Commissioner, submit a request for nonsectarian textbooks to the Commissioner. Confirmation of the nonsectarian textbook order with projected cost, along with projected delivery date if known, must be communicated to the designated agent by the Commissioner. Requested nonsectarian textbooks may be delivered directly to the school of the designated agent.

005.06 Identification as property of state. All physical textbooks loaned under this chapter must be marked or otherwise identified as property of the State of Nebraska by the designated agent when delivered.

005.07 Electronic and digital textbooks. Any license or subscription to use electronic or digital textbooks must be held by the Commissioner but may be managed by the designated agent.

005.08 Textbook list. Each designated agent must maintain a detailed list, as prescribed by the Commissioner, of textbooks received under this chapter and must provide such list to the Commissioner upon request.

005.09 Return of textbooks. On or before June 30 following each school year, the designated agent must provide to the Commissioner a detailed list, as prescribed by the Commissioner, of all textbooks in the school or agent's possession which are no longer in use. Within thirty days of receipt of such detailed list, the Commissioner must notify the designated agent which textbooks must be returned and the location where such textbooks must be returned. Any textbooks that are not required to be returned must be disposed of according to procedures prescribed by the Commissioner. Textbooks received under the provision of this chapter may not be sold by the school.

APPLICATION FOR LOAN OF TEXTBOOKS
 (your application form per student)

TO: _____
 (Board of education or school board of the school district in which the student requesting the loan resides or to which the private school the child attends is located.)
 Application is hereby made, pursuant to Neb. Rev. Stat. 79-734(2) and the rules and regulations promulgated thereunder, that you be the lender or lender of the following textbooks which are designated for use in your school district:

No child or child is a student of _____ which is a private school approved for continued legal operation under Title 91, Nebraska Administrative Code (NAC), Chapter 14, or accredited under Title 91, NAC, Chapter 10.
 No child or child is in _____ grade beginning in the fall of the next school year, and neither is _____.

DATE _____ FIRST NAME OF PARENT OR GUARDIAN (SEPARATE WHOLE)

 SIGNATURE OF PARENT OR GUARDIAN

 ADDRESS OF PARENT OR GUARDIAN

 PHONE NUMBER OF PARENT OR GUARDIAN

NOTE: For forms 91.01, the school district will loan the text books to the students per school for students in grades 1-12 and credit textbooks for students in grades 1-12.
 (This application must be received by the public school district no later than February 15.)

RECEIPT

The undersigned parent or guardian hereby acknowledges the receipt of textbooks specified on the list attached hereto, and agrees that they are in good condition and will be returned in the same condition, normal wear excepted, within 15 days after the last day of public school classes. The undersigned parent or guardian agrees to pay the reasonable cost of repair or replacement, but, shall be not responsible, if the child or child will pay the school district the reasonable cost of repair or replacement.

DATE _____ SIGNATURE OF PARENT OR GUARDIAN

 ADDRESS OF PARENT OR GUARDIAN

 PHONE NUMBER OF PARENT OR GUARDIAN

APPLICATION FOR DISTRIBUTION OF FUNDS

TO: Nebraska Department of Education
 The undersigned hereby makes application, pursuant to Neb. Rev. Stat. 79-734(2) and Title 91, Nebraska Administrative Code (NAC), Chapter 14, for distribution of funds approved by the legislature for the purchase and loan of textbooks to private school districts.
 1. Total Number of Applications for Loan of Textbooks (Appendix A) Received _____
 2. Total Number of Textbooks Requested _____
 3. Total Number of Textbooks to be Purchased _____
 4. Cost of Textbooks to be Purchased _____
 5. Shipping (Printing - except Adult to State) Number of Applications _____
 6. Total Cost of Textbooks (Line 4 plus Line 5) _____
 7. Administrative Expense (not to exceed 2% of amount listed on Line 6) _____
 8. Total Amount of Request (Line 6 plus Line 7) _____
 9. Amount of Funds on Hand from Borrowments Received by Unaccredited Textbooks per Section 91.01, NAC _____
 10. Amount of Funds on Hand from any other source of Unaccredited Textbooks per Section 91.01, NAC, if Applicable _____
 11. Amount of Funds on Hand from Borrowments Received by Accredited Textbooks per Section 91.01, NAC, if Applicable _____
 12. Total Amount of Funds on Hand (Total of Line 9, Line 10, and Line 11) _____
 13. Adjusted Total Request (Line 8 minus Line 12) _____

Attached to this application is a listing of the titles of each textbook requested including the publisher and the International Standard Book Number (ISBN), if applicable, the number of copies of each textbook requested, the price per textbook, and if applicable, the amount of shipping and handling.

DATE _____ SCHOOL DISTRICT NAME

 FIRST NAME OF SUPERINTENDENT OR DESIGNEE

 SIGNATURE OF SUPERINTENDENT OR DESIGNEE

(This application must be received by the Department of Education no later than February 15.)

AUTHORIZED PARENT REPRESENTATIVE FORM

TO: _____
 (Board of education or school board of the school district in which the student requesting the loan resides or to which the private school the child attends is located.)
 I, _____ being a parent of a child _____ residing in a private school which is approved for continued legal operation under Title 91, Nebraska Administrative Code (NAC), Chapter 14, or accredited under Title 91, NAC, Chapter 10, designate: _____ to be _____
 my Authorized Parent Representative to represent me in all the proceedings applicable to the Textbook Loan Program under Title 91, NAC, Chapter 14.

DATE _____ PRINT NAME

 SIGN NAME
 PARENT GUARDIAN

I understand that as an Authorized Parent Representative, I will represent the parent in all the proceedings applicable to Chapter 14, Textbook Loan Program. I am not an official or employee of a private school.

DATE _____ PRINT NAME

 SIGN NAME
 AUTHORIZED PARENT REPRESENTATIVE



From: Troy L. Hawk, Legal Counsel

Date: June 3, 2024

Re: Summary of Rulemaking Hearing on the Proposed Revisions of 92 NAC 4

On June 3, 2024, a hearing on the proposed revision of Title 92, Nebraska Administrative Code, Chapter 4 (Rule 4), *Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska*, was held virtually over Zoom in conjunction with hearings on revisions to Title 92, Nebraska Administrative Code, Chapter 28, *Regulations and Standards for Investigations and Nonpublic Professional Practices*, and the repeal of Title 92, Nebraska Administrative Code, Chapter 29, *Regulations and Standards for Professional Practices Case Determinations by the State Board*. Legal Counsel Troy Hawk served as the hearing officer. A recording of the hearing is available at: <https://www.education.ne.gov/legal/rule-hearings/>.

Summary of Oral Testimony on the Proposed Revision of 92 NAC 4

Troy Hawk called the hearing to order, introduced himself, introduced the subject of the hearing, read into the record information about the legal notice of the hearing, outlined the procedures for the hearing and for receiving written testimony, and received testimony on the adoption of Rule 4 before receiving testimony on the proposed revision to Rule 28 and proposed repeal of Rule 29.

Bryce Wilson, Finance Officer and Office Administrator, presented a summary of the proposed changes to Rule 4.

- The purpose of the proposed rule is to provide a complete revision to the textbook loan program that requires the NDE or a third party vendor hired by NDE to administer the textbook loan program, instead of public school districts
- The revision includes language that requires the Commissioner, by September 1 of every calendar year, to notify all approved or accredited nonpublic administrators about the program
- Sets forth as October 15 of every calendar year for any nonpublic school administrator to respond in order to participate in the program for the following school year
- Includes data with the formula the Commissioner will use that has a cost-per-child allocation of funds appropriated by the Legislature.

- Sets forth the procedures for participating nonpublic schools to request textbooks and manage the textbooks provided
- The revisions includes language that allows the Commissioner to contract with a third party vendor to carry out the duties of the Commissioner under this Rule.

Testimony

Tom Venzor, Executive Director of the Nebraska Catholic Conference, said they were supportive of the rule and appreciated the time and effort spent developing the new rule. However, they had one reservation regarding Section 005.05. Specifically, the section specifies that designated agent can only make a request for *nonsectarian* textbooks. Mr. Venzor stated that this language is not in statute, and also cited US Supreme Court case law (*Carson v. Makin*) where the court said the use of nonsectarian language violates the First Amendment. Mr. Venzor asked for this language to be removed, but otherwise was grateful and thankful for the changes in the Rule.

Bryce Wilson concluded by testimony with no further comment.

Troy Hawk closed the hearing on Rule 4, and then opened the hearing on Rule 28.

Rule 4

The rule hearing today is a result LB 705 passed during the 2023 Legislative session. The proposed rule changes include a complete revision to the textbook loan process that requires the NDE or a third-party vendor hired by NDE to administer the textbook loan program instead of public school districts. The revisions include language that requires the Commissioner on September 1 of every calendar year to notify all approved or accredited nonpublic administrators about the program and sets forth October 15 for any nonpublic school administrator to respond in order for the nonpublic school to participate in the program for the following school year. The revisions include the data with the formula the Commissioner will use that has a cost per child allocation of funds appropriated by the Legislature. The Commissioner then notifies that participating nonpublic schools of their allocation. Finally, the revisions set for the procedures for participating nonpublic schools to request textbooks, and manage the textbooks provided. The revisions includes language that allows the Commissioner to contract with a third party vendor to carry out the duties of the Commissioner under the Rule.

Additionally, the definition of textbook in the revisions is linked directly to the definition in section 79-734(3).

FISCAL IMPACT
STATEMENT

Agency: Nebraska Department of Education
 Prepared by: Brian Halstead, Deputy Commissioner of Education
 Date Prepared: 4/29/2024
 Phone: (402) 471-0732
 Title: 92
 Chapter: 4
 Name: *Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska*
 Statement Status: Hearing Draft

Type of Fiscal Impact:

	State Agency	Political Subdivision	Regulated Public
No Fiscal Impact	x	x	N/A
Increase Costs			
Decrease Costs			
Increased Revenue			
Decreased Revenue			
Indeterminable			

Description of Impact:

State Agency: It will cost approximately \$650 to hold the hearing and print copies for distribution upon approval of the revised rule. The Legislature already provides funds to the Nebraska Department of Education for this program.

Political Subdivision: None.

Regulated Public: None.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Tammy Barry, Legal Counsel III, Commissioner's Office

PROPOSED AGENDA ITEM: Adopt the proposed revision of Rule 28, *Professional Practices Investigations, Hearings, and Determinations by the State Board* (formerly *Regulations and Standards for Investigations and Nonpublic Professional Practices Hearings*), and repeal of Rule 29, *Regulations and Standards for Professional Practices Case Determinations by the State Board*

AGENDA ITEM TYPE: Rule

RATIONALE/BACKGROUND INFORMATION:

- Rule 28 currently provides procedures for professional practices determinations by the State Board of Education regarding educators holding nonpublic school certificates. Rule 29 currently does the same for educators holding public school certificates, except that the provisions of Rule 29 only govern the process upon the receipt of a recommendation from the Professional Practices Commission (PPC).
- LB 1306 (2024) was passed and signed by the Governor. The measure eliminates the PPC.
- The proposed revisions and repeal eliminate the PPC from the process, eliminate the distinction between public and nonpublic school certificates, and rely on existing procedures for contested cases in Rule 61 for future determinations.
- The revisions and repeal were reviewed by counsel representing the NSEA and the Attorney General's Office prior to the scheduling of the public hearing.
- The hearing on the proposed changes will be on Monday, June 3, 2024, at 9:00 a.m. (CT).

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$650 for publication of the revised rule.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: N/A
- New or Renewal: N/A

- If renewal, date of first approval: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 08.15.2023*

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION

CHAPTER 28 - PROFESSIONAL PRACTICES INVESTIGATIONS, AND NONPUBLIC CERTIFICATE HEARINGS, AND DETERMINATIONS BY THE STATE BOARD

001 General Information

001.01 Statutory Authority. ~~Neb. Rev. Stat. §§ 79-859 to 79-870 Sections 79-1282 and 79-328(5)(j) of the Revised Statutes of Nebraska (R.R.S.)~~ provide the basis for the State Board of Education (**Board**) to revoke or suspend any teacher, administrator, or special services counseling certificate for just cause. ~~Section 79-1283 R.R.S. authorizes the State Board of Education (Board) to request the Professional Practices Commission (Commission) to conduct hearings and make recommendations concerning violations of standards of professional ethics and practices by holders of public school certificates. Section 79-1283 R.R.S. also authorizes the Board to employ hearing officers to conduct hearings and make recommendations regarding violations of a similar nature by holders of nonpublic school certificates.~~

001.02 Scope and Application of this Chapter. This chapter governs investigations and hearings involving complaints against holders of teaching, administrative, or special services counseling certificates issued pursuant to Title 92, Nebraska Administrative Code (NAC), Chapter 21, for alleged violations of standards of professional ethics and practices applicable to such certificated individuals as contained in 92 NAC 27. This chapter also governs the reinstatement of a certificate after a specified period of revocation. This chapter is not applicable to noncertificated individuals monitoring instruction in exempt schools under 92 NAC 13.

001.03 Related Regulations. ~~Standards of professional practices and ethics for holders of both public and nonpublic certificates are contained in 92 NAC 27. Procedures for review of hearing recommendations under this chapter (for nonpublic school certificate holders) and under 95 NAC 1 (for public school certificate holders), are contained in 92 NAC 29. Regulations for the issuance of public school and nonpublic school certificates are contained in 92 NAC 21. Procedures for the reinstatement of a public school certificate are contained in 95 NAC 2. Procedures for the reinstatement of a nonpublic school certificate are contained in 92 NAC 29.~~

002 Definitions. As used in this chapter:

002.01 Administrator means shall mean any holder of a public or nonpublic certificate for administration or supervision issued pursuant to 92 NAC 21.

002.02 Admonishment means shall mean a private sanction to a certificate holder that further violations of 92 NAC 27 unprofessional or unethical conduct may result in more serious action, including the suspension or revocation of a certificate. This sanction may be imposed by the Commissioner, ~~Commission~~, or the Board.

002.03 Board means shall mean the State Board of Education.

002.04 Certificate means a certificate or permit issued pursuant to 92 NAC 21.

002.05 Certificate holder means ~~002.04 Certificated person~~ shall mean any holder of a certificate issued pursuant to 92 NAC 21.

002.05 Commission shall mean the Nebraska Professional Practices Commission.

002.06 Commissioner means shall mean the Nebraska State Commissioner of Education.

002.07 Complainant means shall mean any individual(s) or organization(s) filing a complaint with the Commissioner.

002.08 Department means shall mean the Nebraska State Department of Education, which is comprised of the Board and the Commissioner.

002.09 Permanent Revocation means a public sanction canceling a certificate holder s certificate for the life of the

certificate holder.

~~002.09~~ Petitioner shall mean the Commissioner.

~~002.10~~ Reinstatement means the approval by the Board to apply for a certificate issued pursuant to 92 NAC 21 after a specified period of revocation.

~~002.11~~ ~~002.10~~ Reprimand means shall mean a public sanction criticizing or rebuking a certificate holder for violations of 92 NAC 27 unprofessional or unethical conduct. This sanction may be imposed by the Commissioner; Commissioner; or the Board.

~~002.12~~ ~~002.11~~ Respondent means shall mean any individual(s) who is shall be charged in a complaint or petition with allegedly violating standards of professional ethics or practices as contained in 92 NAC 27.

~~002.13~~ ~~002.12~~ Revocation means shall mean a public sanction withdrawing or canceling a certificate holder's certificate for a specified certain period of time. At the expiration of the revocation period, the former certificate holder may apply for reinstatement in accordance with this chapter 92 NAC 29. This sanction may be imposed by the Board.

~~002.14~~ ~~002.13~~ Special services counselor or certificate holder means shall mean any person holding a public or nonpublic special services counseling certificate issued pursuant to 92 NAC 21.

~~002.15~~ ~~002.14~~ Suspension means shall mean a public sanction withdrawing the authority of or canceling a certificate holder's certificate for a specified certain period of time. The certificate is automatically reinstated at the expiration of the suspension period if it has not expired during the period of suspension. This sanction may be imposed by the Board.

~~002.16~~ ~~002.15~~ Teacher means shall mean any holder of a public or nonpublic certificate for teaching issued pursuant to 92 NAC 21.

003 Complaints and Investigations for Holders of Public or Nonpublic School Certificates

~~003.01~~ Complaint Procedures. Anyone having an interest in, or information about, an alleged violation of the standards of professional practices standards relating to public or nonpublic certificate holders, as contained in 92 NAC 27, may file a signed, written complaint with the Commissioner. The complainant must shall use the form prescribed by the Board; a sample of which is included as Appendix A.

~~003.02~~ Contents of Complaint. The complaint must shall contain the following information:

~~003.02A~~ The full name and; address, and telephone number of the complainant;

~~003.02B~~ The full name and; address, and telephone number, if known, of the respondent;

~~003.02C~~ A concise statement of the facts which the complainant believes constitute a violation of professional ethics and practices; and

~~003.02D~~ The full names and; addresses, and telephone numbers of any witnesses able to testify as to the facts alleged.

~~003.03~~ Distribution of Complaint. Within fifteen (15) days of the filing of a complaint, the Commissioner must shall serve a copy of the complaint on the certificate holder certificated person by certified mail, return receipt requested, to the last known address of the person. If service cannot be completed in this manner, it may be accomplished in accordance with state law regarding service of summons.

~~003.04~~ Response to Complaint. The certificate holder certificated person may, within fifteen (15) days of receipt of the complaint, request in writing the opportunity to informally present a position or defense with respect to

respecting the allegations in the complaint. This position or defense may be submitted in writing, ~~or~~ but a personal conference with an investigator assigned by the Commissioner may be ~~held~~ had as a matter of right if the written request is made within fifteen (15) days of the receipt of the complaint.

003.05 Evaluation and Investigation. Upon receipt of a complaint, the Commissioner or his or her designee ~~must~~ ~~shall~~ evaluate the complaint to determine if the facts alleged are sufficient to constitute a violation of 92 NAC 27. At his or her discretion, the Commissioner may assign an investigator to evaluate the complaint and may cause an investigation to be made into the circumstances surrounding the complaint.

003.05A ~~It is~~ ~~shall be~~ the obligation and responsibility of the investigator to prepare a report for the consideration of the Commissioner, which report ~~must~~ ~~shall~~ contain ~~the~~ a position or defense of the respondent, if any; ~~identify the basis for~~ discuss jurisdiction; and set forth any legal arguments and authorities that appear applicable to the case. The report ~~must~~ ~~shall~~ include a recommendation as to whether there exists legally sufficient grounds for further proceedings and a recommendation of one of the following: ~~Dismissal~~ dismissal, further inquiry, admonishment, ~~or~~ reprimand, or the filing of a petition.

~~003.05B~~ If the complaint alleges violations of the standards of competent professional performance, then professional reviewers appointed by the Commissioner may review the professional performance of the respondent and form opinions of the quality of professional service rendered. If a petition is later filed with the Commission or the Board, such reviewers may relate such opinions by sworn testimony in any hearing where professional competency is in issue, provided that such reviewers shall qualify as expert witnesses before the hearing officer or Commission. Such testimony shall be based on the standards of competent professional performance as set forth in 92 NAC 27.

003.05B ~~003.05C~~ Exceptions to Report. The respondent ~~must~~ ~~shall~~ be mailed, ~~or sent by electronic mail,~~ a copy of the investigator's report and ~~must~~ ~~shall~~ be given twelve (12) days from the date of the mailing of the report to file exceptions with the investigator. ~~After~~ At the expiration of said ~~this~~ time limit, the investigator ~~must~~ ~~shall~~ file with the Commissioner a report in accordance with the provisions of section 003.05A of this chapter along with the respondent's exceptions, if any.

003.06 Action by the Commissioner. Following the evaluation and investigation, if any, of the complaint, the Commissioner ~~must~~ ~~shall~~ take one of the following actions:

003.06A Dismiss the Complaint Such dismissal may be accompanied by an admonishment or reprimand to the certificate holder, or other action the Commissioner deems appropriate, without a hearing, if the Commissioner determines that:

003.06A1 The alleged violation is not serious enough to warrant suspension or revocation;

003.06A2 No public interest would be served by a formal hearing; and

003.06A3 The certificate holder gives written acceptance of or agreement to the admonishment, reprimand, or other action.

003.06B File a petition pursuant to section 004 ~~of this chapter and 92 NAC 61.~~

~~003.07 Informal Disposition.~~ The Commissioner may enter into a stipulation, settlement agreement, or other agreement to resolve any complaint or petition. All agreements to revoke or suspend a Nebraska school certificate shall be approved by the Board. Any modification of the sanction to be imposed by any approval authority shall void the agreement:

003.07A In public school certificate holder cases, all agreements imposing any revocation or suspension sanction shall be reviewed by the Commission and a recommendation made to the Board, if a petition has been filed with the Commission.

~~003.07B~~ In nonpublic school certificate cases, the Commissioner may enter any agreement imposing sanctions, other than revocation and suspension, without further approval at any time.

~~003.07~~ ~~003.08~~ Voluntary Surrender of Certificate(s). A Nebraska school certificate holder may voluntarily surrender his or her certificate(s) if, in writing, the certificate holder either admits or does not contest the truth of any allegation and waives all proceedings against him or her in connection with holding a certificate. Any such voluntary surrender shall be treated as a permanent an indefinite revocation for purposes of publicity and reinstatement. The voluntary surrender of a person's certificate at any time after a report or complaint has been made shall not prohibit the filing of such complaint or a petition unless:

~~003.08A~~ The certificate holder knowingly admits in writing the truth of such complaint or petition and waives all proceedings against him or her in connection therewith, and

~~003.08B~~ Agrees to stipulated reprimand or other action deemed appropriate.

~~003.08~~ ~~003.09~~ Dismissal. Any dismissal of a complaint in accordance with section 003.06A of this chapter shall be deemed to be a final resolution of the matter and is not subject to appeal to either the Professional Practices Commission or the Board.

~~003.10~~ Notification: The Commissioner shall notify the respondent of the Commissioner's decision.

004 Petitions

~~004.01~~ Petitions by Commissioner: A petition may be filed by the Commissioner if he or she determines, as a result of a complaint, investigation, or as a result of information that he or she receives independent of a complaint or investigation, that:

~~004.01A~~ The Board has jurisdiction over the parties and subject matter; and

~~004.01B~~ Either:

~~004.01B1~~ The alleged violation is serious enough to warrant suspension or revocation of respondent's certificate; or

~~004.01B2~~ ~~004.01C~~ The public interest would be served by a formal hearing; or

~~004.01B3~~ ~~004.01D~~ Respondent does not accept an admonishment or reprimand.

~~004.02~~ Filing of the Petition. Each petition must be filed in accordance with 92 NAC 61, except as otherwise provided in this chapter, and shall be based upon the applicable standards of professional practices as contained in 92 NAC 27 conduct applicable to the type of certificate (public or nonpublic) held at the time of the alleged violation of such standards by the certificate holder. unethical or unprofessional conduct regardless of the type of certificate held at the time of the filing of the petition. The petition shall be filed either with the State Board or Professional Practices Commission, as detailed in 004.03 and 004.04, depending upon the type of certificate held at the time of the filing of the petition. The change of a certificate from public to nonpublic or vice versa, at any time after the filing of a petition, shall not affect the jurisdiction of that proceeding.

~~004.03~~ Petitions Against Holders of Public School Certificates: The Commissioner may file a petition against a holder of a Nebraska public school certificate with the Commission.

~~0045.03A~~ The form of the petition shall be in accordance with 95 NAC 1.

~~0045.03B~~ Upon the filing of a petition with the Commission, the procedures, rules, and regulations of 95 NAC 4 shall be followed in all contested cases.

~~004.04~~ Petitions Against Holders of Nonpublic School Certificates: The Commissioner may file a petition against a

holder of a Nebraska nonpublic school certificate with the Board. The form of such petition shall be in writing and shall contain the following information:

~~004.04A~~ The venue shown as: "BEFORE THE STATE BOARD OF EDUCATION";

~~004.04B~~ A heading captioned "(Name), COMMISSIONER OF EDUCATION, Petitioner";

~~004.04C~~ The full name and, address, telephone number, and social security number, if known, of the respondent;

~~004.04D~~ The type, rank, level, endorsements, and expiration dates of certificate(s) held by respondent;

~~004.04E~~ The name of the school or school district, if any, currently employing the respondent;

~~004.04F~~ A concise statement of facts which the Commissioner believes constitute a violation of professional ethics and practices;

~~004.04G~~ The provision(s) of statute or rule which are alleged to have been violated.

~~004.03~~ ~~004.05~~ **Notice to File Answer.** Upon the filing of a petition, the Commissioner ~~must~~ shall send the respondent by certified mail, return receipt requested, a copy of the petition and a notice that the respondent ~~must~~ file has the right to submit an answer within ~~twenty (20)~~ twenty-one (21) days after the receipt of ~~such~~ the notice. Mailing by certified mail of any notice required under this chapter ~~must~~ shall be to respondent's last known address. In the event the respondent fails to respond to the petition by delivering or posting by certified mail an answer within ~~twenty-one (21) days~~, respondent's failure shall be considered as a waiver of his or her right to a hearing and shall be cause for holding respondent in default and a default order may therefore be rendered and a recommendation made to the State Board of Education for determination upon the record without any further notice to respondent.

~~004.04~~ ~~004.06~~ **Answer.** The respondent ~~must~~ may file an answer to the petition that conforms with 92 NAC 61. A sample answer is included in Appendix C to this chapter. It shall show the venue as "Before the State Board of Education, State of Nebraska" and shall be captioned "Answer." The answer shall contain the following information:

~~004.06A~~ The name and address of the respondent.

~~004.06B~~ Specific statements regarding any and all allegations in the petition, which shall be in the form of admissions, denials, explanatory remarks, or statements of mitigating circumstances; and any additional facts or information the respondent deems relevant and which may be of assistance in the ultimate determination of the case:

~~004.05~~ **Default.** If no answer is filed pursuant to the requirements of this chapter within ~~twenty (20) days~~, the respondent will be in default and will have waived any right to a hearing.

~~004.05A~~ Upon a default, the Commissioner must file supporting information in the form of affidavits, court records or other documentation regarding the allegations in the petition. Based upon the petition, pleadings, and filed supporting information, the Board must render a final decision without any hearing or further notice to the respondent.

~~004.06~~ **Petitions for Reinstatement.** Upon the expiration of the specified period of a revocation order, a person may petition the Board for reinstatement of his or her certificate under the applicable provisions of this chapter and 92 NAC 61.

~~004.07~~ **Format for Filings.** All answers, motions, or other pleadings filed in cases arising under this chapter shall be typewritten on 8-1/2 x 11-inch white three-hole-punched paper and shall be accompanied by an original plus two copies. All documents shall contain the title of the proceeding, the case number, the name, address, telephone number, and signature of the person filing the document, and the name of the party on whose behalf the document

is filed:

004.08 Filing Location and Service. All filings with the Board or the Commissioner shall be made with the Office of the Commissioner of Education, Nebraska State Department of Education, 301 Centennial Mall South, 6th Floor, P. O. Box 94933, Lincoln, Nebraska 68509. Whenever any party files a document, they shall simultaneously serve copies on the other party(ies). Any documents filed shall contain a certificate attesting to its service by mail, personal delivery, or otherwise. Service by mail shall be deemed completed upon mailing, except as otherwise provided in this chapter.

004.09 Filing Deadlines. When the filing of a pleading or any act required to be done on or before a given date falls on a Saturday, Sunday, or legal holiday on which the Office of the Commissioner is closed, the pleading or act need not be filed or done until the next succeeding working day that the Office of the Commissioner is open for the transaction of business. All time limits referred to in this chapter shall mean calendar days.

005 Hearings

005.01 Hearing Officer. Upon the filing of an answer by the respondent, a hearing officer will be appointed by the Board President. The hearing officer must conduct a hearing on the petition pursuant to 92 NAC 61.

005.02 Recommendations to the Board . The hearing officer must file recommendations with the Board that include recommended findings of fact, recommended conclusions of law, and a recommended decision. Such recommendations must also include a verbatim transcript of the hearing and a copy of all pleadings and exhibits.

005.03 Rules of Evidence. Notwithstanding any provisions in 92 NAC 61, the hearing will be conducted pursuant to the rules of evidence applicable to the district courts of Nebraska, unless mutually waived by the parties.

006 Board Review and Decision

006.01 Scheduling of Review Hearing. The Board must schedule a hearing for the purpose of reviewing the recommendations received from the hearing officer and notify the parties at least ten (10) days prior to such scheduled hearing.

006.02 Conduct of Review Hearing. The review hearing will be conducted as follows:

006.02A The Board President or any other member designated by the Board to preside will open and close the proceedings, enter the recommendations of the hearing officer into the record, and will rule on all matters, although such rulings may be altered or reversed at the time of such rulings by majority vote of the Board members present for the review hearing.

006.02B The petitioner and respondent will each be given an opportunity to present oral arguments regarding the recommendations. The Board may set time limits for such arguments.

006.02C The Board may not receive additional evidence and will limit case summaries and oral arguments to matters reflected in the record before it.

006.03 Decision and Order. The Board must enter a decision and order as provided in 92 NAC 61.

Outlined in 95 NAC 1-004 are the procedures for hearings before the Commission in cases involving holders of public school certificates. Procedures for hearings on petitions involving nonpublic school certificate holders are as follows:—

005.01 Appointment of Hearing Officer. If the petition meets the procedural requirements of this chapter, the Board shall appoint an independent hearing officer, who shall not be a regular employee of the Department, to conduct the hearing and to submit findings of fact, conclusions of law, and a recommended decision to the Board.—

005.02 Setting of Hearings. The hearing officer shall set the time and place for any hearing, which shall be at least seven days after the deadline for the filing of answers, unless agreement to set an earlier time is stipulated by petitioner and respondent.—

~~005.03 Consolidation.~~ The hearing officer may order two or more petitions that are legally or factually related to be heard together on a consolidated record, unless any party makes a showing, sufficient to satisfy the hearing officer, that it would be prejudiced thereby.

~~005.04 Prehearing Conference.~~ If the respondent in his or her answer requests a prehearing conference, the hearing officer shall hold a prehearing conference with the parties. The prehearing conference may be held in person or by telephone. A telephonic prehearing conference may be used at the discretion of the hearing officer. The conference shall be for the purpose of, but not limited to, the following: simplifying the issues, amending the petition or answer, stipulating to the facts, stipulating to a proposed settlement, submission of witness and exhibit lists, identification of exhibits, application for subpoenas, and requests for discovery orders. The hearing officer may hold a prehearing conference upon request of the petitioner or upon his or her own motion if in his or her discretion he or she determines that a prehearing conference is needed.

~~005.05 Location.~~ The hearing shall be held in Lincoln, Lancaster County, Nebraska, unless, upon joint application and showing by the parties that another location would be more convenient to the parties and witnesses, or upon such independent determination by the hearing officer, the hearing officer may set the hearing outside Lincoln.

~~005.06 Closed Hearing.~~ Upon specific request of the respondent or petitioner to hold a closed hearing, the hearing officer may hold a closed hearing to prevent the needless injury to any individual.

~~005.07 Conduct of Hearings.~~ At the time of hearing:

~~005.07A~~ The hearing officer designated by the Board to preside at a hearing shall open and close the proceedings, and take appearances. The hearing officer shall rule on motions, objections, and matters of evidence.

~~005.07B~~ Reasonable opportunity shall be afforded all parties to present evidence and argument. The hearing officer may set reasonable time limits on presentations and arguments.

~~005.07C~~ Failure of the petitioner or his or her representative, to appear at the time and place set for hearing, unless otherwise allowed by the hearing officer for good cause shown, shall be deemed sufficient grounds for the hearing officer to recommend dismissal of the petition.

~~005.07D~~ Informal procedures governing the conduct of hearings shall be subject to the discretion and the direction of the hearing officer at the time of such hearings, unless otherwise specified in this chapter.

~~005.08 Appearances.~~ Any individual may appear on his or her own behalf before the hearing officer; however, an individual may appear on behalf of another in any proceeding before the hearing officer only if:

~~005.08A~~ He or she is admitted to practice law before the Nebraska Supreme Court, or

~~005.08B~~ He or she is admitted to practice law before the Supreme Court of any state and is accompanied by a person admitted to practice law before the Nebraska Supreme Court.

~~005.09 Briefs.~~ Submission of briefs may be required by the hearing officer. If required, the time in which briefs shall be filed will be fixed by the hearing officer at the close of the hearing.

~~005.10 Record of Proceedings.~~ The hearing officer will ensure that an electronic recording of the hearing shall be made or may have the hearing transcribed by a court reporting service. The cost of obtaining verbatim transcripts from a court reporting service shall be paid directly to such service by the parties requesting the transcripts.

006 Evidence

~~006.01 General Provisions.~~ As provided in Section 84-914 R.R.S., the hearing officer may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men and women in the conduct of their affairs. He or she shall give effect to the rules of privilege recognized by law. He or she may

exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. The hearing shall be conducted pursuant to the rules of evidence applicable to the district courts, unless mutually waived by the parties.

~~006.02 Subpoenas, Discovery, and Witnesses.~~ As provided in Section 84-914 R.R.S., the hearing officer may administer oaths, issue subpoenas, compel the attendance of witnesses, and the production of any papers, books, accounts, documents, and testimony, and cause the depositions of witnesses residing either within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

~~006.02A Subpoenas.~~ The use of subpoenas in proceedings before the hearing officer is governed by statutory procedures for issuance of subpoenas by district courts in Nebraska except as hereinafter provided.

~~006.02A1~~ A subpoena requiring the attendance of a witness may be issued by the hearing officer, upon written application of any party.

~~006.02A2~~ Subpoenas for the production of accounts, books, documents, or papers, will be issued by the hearing officer only upon written application by a party stating specifically which accounts, books, documents, or papers are required and the facts expected to be proved thereby. All parties directed to produce accounts, books, documents, or papers shall furnish and deliver the same at the time and place specified in the subpoena.

~~006.02A3~~ A subpoena issued pursuant to this rule may be served in any manner permitted by law, which shall include service by registered or certified mail, return receipt requested, sent not less than six days prior to hearing.

~~006.02A4~~ In the case of disobedience to a subpoena, the hearing officer may invoke the aid of any court of this state in requiring the attendance and testimony of witnesses and the production of accounts, books, documents, or papers.

~~006.02A5~~ Charges for serving a subpoena by mail are to be paid prior to the issuance of the subpoena by the party at whose instance the subpoena is issued. Arrangements for personal service, if desired by a party, are to be made by the party requesting such service and they shall be responsible for paying any costs for such service prior to the hearing date.

~~006.02B Witness Fee.~~ Any witness who is summoned and who responds thereto is entitled to the same fee as is paid for like service in the district courts of Nebraska. Applications made pursuant to this chapter for the attendance of a witness shall be accompanied by a certified check, payable to the order of the witness, and equal in amount to the witness's statutory traveling fee and a fee for one day's attendance at the hearing. Said certified check shall be tendered to the witness when the subpoena is served upon him or her. Additional fees due the witness, if any, shall be paid at the close of the hearing by the party at whose instance the witness is summoned. In addition, Section 25-1228 R.R.S. shall govern subpoenas issued at the request of any agency of state government.

~~006.02C Discovery.~~ The use of discovery in cases arising under this chapter is governed by the rules promulgated by the Nebraska Supreme Court for discovery in the district courts of Nebraska.

~~006.03 Offer of Evidence.~~ All evidence shall be offered and made a part of the record in the case. No other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference.

~~006.04 Cross-Examination.~~ Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence. The hearing officer may limit cross-examination by multiple parties having similar interests.

~~006.05 Official Notice.~~ The hearing officer may take notice of judicially cognizable fact and in addition may take notice of general, technical, or scientific facts within his or her specialized knowledge. Parties shall be notified either

before or during the hearing, or by reference in preliminary reports or otherwise, of the materials so noticed. They shall be afforded an opportunity to contest the facts so noticed. The hearing officer may utilize his or her experience, technical competence, and specialized knowledge in the evaluation of the evidence presented.

~~006.06 Copies of Evidence.~~ All documentary evidence to be offered at a hearing shall be accompanied by sufficient copies for all parties, unless waived by the hearing officer.

~~006.07 Stipulations.~~ Parties to any proceeding may agree upon any facts, either by written stipulation entered into the record as an exhibit, or by oral agreement stated on the record; provided, that the hearing officer shall not be irrevocably bound by such stipulation.

~~006.08 Filing and Serving Exhibits Prior to Hearing.~~ In any proceeding where detailed or complicated exhibits are to be used, the hearing officer may require any party to file and serve copies of such exhibits or other necessary information within a specified time in advance of the hearing in order to enable the other party and the hearing officer to study same and prepare cross-examination with references thereto.

007 Disposition of Cases

~~007.01 Recommendation to the Board.~~ In the absence of an informal disposition, the hearing officer shall prepare an official record for submission to the Board, which shall include the pleadings, testimony transcript, and exhibits from the hearing. The hearing officer shall also submit his or her recommendation as to the disposition of the case and a recommended set of findings of fact and conclusions of law and provide a copy of the recommendations to the parties.

~~007.02 Final Action by the Board.~~ Procedures for the final review of the case by the Board are contained in 92 NAC 29.

APPENDIX A: Sample Form for Complaint

APPENDIX B: Sample Form for Petition

APPENDIX C: Sample Answer Form



From: Troy L. Hawk, Legal Counsel

Date: June 3, 2024

Re: Summary of Rulemaking Hearing on the Proposed Revisions of 92 NAC 28

On June 3, 2024, a hearing on the proposed revision of Title 92, Nebraska Administrative Code, Chapter 28 (Rule 28), *Regulations and Standards for Investigations and Nonpublic Professional Practices*, was held virtually over Zoom in conjunction with hearings on revisions to Title 92, Nebraska Administrative Code, Chapter 4, *Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska*, and the repeal of Title 92, Nebraska Administrative Code, Chapter 29, *Regulations and Standards for Professional Practices Case Determinations by the State Board*. Legal Counsel Troy Hawk served as the hearing officer. A recording of the hearing is available at: <https://www.education.ne.gov/legal/rule-hearings/>.

Summary of Oral Testimony on the Proposed Revision of 92 NAC 28

Troy Hawk called the hearing to order, introduced himself, introduced the subject of the hearing, read into the record information about the legal notice of the hearing, outlined the procedures for the hearing and for receiving written testimony, and received testimony on the adoption of Rule 28 before receiving testimony on the proposed repeal of Rule 29.

Tamra Walz, Legal Counsel, presented a summary of the proposed changes to Rule 28.

- The purpose of the proposed rule is to incorporate changes and develop new guidelines as a result of LB 1306 dissolving the Professional Practices Commission (PPC), effective July 19
- Rule 28 relies heavily on the hearing provisions contained in Rule 61, which is modeled after the standard procedure governing contested cases filed with the Nebraska Department of Education under the adjudication portion of the Administrative Procedures Act
- Modifications to Rule 28 include, among others, processes and procedures designed to streamline the hearing process for petitions the Commissioner files regarding ethics complaints, making them more efficient and effective.
- A number of definitions were changed to mirror the provisions of LB 1306
- Directs that, instead of ethics complaints against educators and administrators being held before the PPC, such hearings will instead be conducted by a hearing officer, who will

then submit findings of fact, conclusion of law, and a recommended order to the State Board of Education

- Many deadlines and time limits are changed from 21 days to 20 days.
- Finally, a new provision addresses the mechanics of the State board of Education's review and final decision on the recommended order submitted by the hearing officer

Testimony

Nick Welding, of Norby Welding Hunzeker, and the Nebraska State Education Association, testified that he supports the adoption of the new Rule. He also thanked the Department for the opportunity to provide input as the Rule was drafted. He believes that the new Rule will help to maintain effective practices, as well as provide a fair opportunity to educators and administrators.

Tamra Walz concluded with no further comment.

Troy Hawk closed the hearing on Rule 28, and then opened the hearing on Rule 29.

RULE 28 REVISIONS:

Good morning.

My name is Tamra Walz, and I am an attorney in the Legal Division at the Nebraska Department of Education.

After the passage of LB 1306, which in essence dissolved the Nebraska Professional Practices Commission (“PPC”) effective July 19th, 2024, many necessary revisions were made to Rule 28 to comply with the new law.

Some of those changes incorporated portions of Rule 29.

The new process to hear and decide ethics complaints as mandated by LB 1306 is encompassed in the revisions to Rule 28.

New Rule 28 relies heavily on the hearing provisions contained in Rule 61, which is modeled after the standard procedure governing contested cases filed with the Nebraska Department of Education under the adjudication portion of the Administrative Procedures Act.

Modifications to Rule 28 include, among others, processes and procedures designed to streamline the hearing process for petitions the Commissioner files regarding ethics complaints, making them more efficient and effective.

First, a number of definitions in Rule 28 were amended to mirror the provisions of LB 1306, without citing to extraneous items, such as those already included in statutes.

Second, the basic process for hearing ethics complaint against educators and administrators is retained in the revisions to Rule 28, but instead of the PPC hearing the cases and recommending final action to the state board of education, such hearings will be conducted by hearing officers, on an as-needed basis as provided in a new section of Rule 28.

Third, hearing officers will be required to submit findings of fact, conclusions of law, and a recommended order to the state board of education, after the hearing officers hold an administrative hearing at which evidence will be received and witnesses will testify.

Fourth, another substantive change is that instead of the use of 21 days for many deadlines in the current Rule 28, those time limits are changed to 20 days, per Rule 61.

Finally, a new provision in Rule 28 addressed the mechanics of the state board of education's review and final decision on the recommended order submitted by the hearing officer.

These revisions are in conformance with LB 1306, which will become law on July 19th, 2024.

For those reasons, we support the proposed revisions to Rule 28.

Thank you.

FISCAL IMPACT
STATEMENT

Agency: Nebraska Department of Education
 Prepared by: Brian Halstead, Deputy Commissioner of Education
 Date Prepared: 4/29/2024
 Phone: (402) 471-0732
 Title: 92
 Chapter: 28
 Name: *Regulations and Standards for Investigations and Nonpublic Professional Practices
 Investigations, Hearings, and Determinations by the State Board*
 Statement Status: Hearing Draft

Type of Fiscal Impact:

	State Agency	Political Subdivision	Regulated Public
No Fiscal Impact	x	x	x
Increase Costs			
Decrease Costs			
Increased Revenue			
Decreased Revenue			
Indeterminable			

Description of Impact:

State Agency: It will cost approximately \$650 to hold the hearing and print copies for distribution upon approval of the revised rule. Application fees from applicants for a certificate to teach, administer, and provide special services in schools pays for the provisions in the revised regulations.

Political Subdivision: None

Regulated Public: None.

~~TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION~~

~~CHAPTER 29 - PROFESSIONAL PRACTICES CASE DETERMINATIONS BY THE STATE BOARD~~

~~001 General Information~~

~~001.01 Statutory Authority.~~ Sections 79-1284 and 79-328(5)(j) R.R.S. authorize the Board to adopt regulations for carrying out its responsibilities, which include developing standards for revocation and suspension of certificates issued by the Board. Section 79-1283 R.R.S. provides for the Nebraska Professional Practices Commission to make recommendations to the Board in certain cases where there is a public school certificate holder and also provides for a hearing officer to make recommendations to the Board in certain cases where there is a nonpublic school certificate holder.

~~001.02 Scope and Application of this Chapter.~~ This chapter governs procedures before the Board when a recommendation has been made to the Board by the Professional Practices Commission pursuant to 95 Nebraska Administrative Code (NAC), Chapter 1, or 95 NAC 2, in public school certificate cases, or by a Board-appointed hearing officer pursuant to 92 NAC 28 in nonpublic school certificate cases.

~~001.03 Related Regulations.~~ Standards of professional practices and ethics for holders of both public and nonpublic school certificates are contained in 92 NAC 27. Procedures for hearings in public school certificate cases are contained in 92 NAC 28 and 95 NAC 1. Procedures for investigation in all cases and hearings in nonpublic school certificate cases are contained in 92 NAC 28. Regulations for the issuance of public school and nonpublic school certificates are contained in 92 NAC 21. Procedures for the reinstatement of a public school certificate are contained in 95 NAC 2.

~~002 Definitions.~~ As used in this chapter:

~~002.01 Administrator~~ shall mean any holder of a public or nonpublic certificate for administration or supervision issued pursuant to 92 NAC 21.

~~002.02 Admonishment~~ shall mean a private sanction to a certificate holder that further unprofessional or unethical conduct may result in more serious action, including the suspension or revocation of a certificate. This sanction may be imposed by the Commissioner, Commission, or Board.

~~002.03 Board~~ shall mean the State Board of Education.

~~002.04 Certificated person~~ shall mean any holder of a certificate issued pursuant to 92 NAC 21.

~~002.05 Commission~~ shall mean the Professional Practices Commission.

~~002.06 Commissioner~~ shall mean the State Commissioner of Education.

~~002.07 Department~~ shall mean the Nebraska State Department of Education, which is comprised of the Board and the Commissioner.

~~002.08 Parties~~ shall mean petitioner and respondent.

~~002.09 Petitioner~~ shall mean the Commissioner pursuant to 95 NAC 1 or 92 NAC 28.

~~002.10 Reprimand~~ shall mean a public sanction criticizing or rebuking a certificate holder for unprofessional or unethical conduct. This sanction may be imposed by the Commissioner, Commission, or Board.

~~002.11 Respondent~~ shall mean any educator who shall be charged in a petition under 92 NAC 28 or 95 NAC 1 with allegedly violating standards of professional ethics or practices as contained in 92 NAC 27.

~~002.12 Revocation~~ shall mean a public sanction withdrawing or canceling a certificate holder's certificate for a certain period of time. At the expiration of the revocation period, the former certificate holder may apply for

reinstatement in accordance with 92 NAC 29. This sanction may be imposed by the Board.—

~~002.13 Special services counselor~~ shall mean any person holding a special services counseling certificate issued pursuant to 92 NAC 21.—

~~002.14 Suspension~~ shall mean a public sanction withdrawing or canceling a certificate holder's certificate for a certain period of time. The certificate is automatically reinstated at the expiration of the suspension period if it has not expired during the period of suspension. This sanction may be imposed by the Board.—

~~002.15 Teacher~~ shall mean any holder of a Nebraska public or nonpublic certificate for teaching issued pursuant to 92 NAC 21.—

003 Recommendation to the Board

~~003.01 Filing Recommendations with the Board.~~ Recommendations of the Commission pursuant to 95 NAC 1, or of a hearing officer appointed under 92 NAC 28, which are filed with the Board shall include recommended findings of fact, recommended conclusions of law, and a recommended decision. Such recommendations shall also include a verbatim transcript of the hearing and a copy of all pleadings and exhibits.—

~~003.02 Format.~~ All filings shall be typed on 8 1/2 x 11 inch white paper. Exhibits shall be reduced, if possible, to 8 1/2 x 11 inch white paper.—

~~003.03 Copies to Parties.~~ At the time of filing of recommendations, the Commission or the hearing officer shall send a copy of the findings, conclusions, and recommended decision to the respondent certified mail, return receipt requested and to the petitioner by mail or hand delivery.—

004 Review of Recommendations

~~004.01 Scheduling Review Hearing.~~ The Board shall schedule a hearing for the purpose of reviewing the recommendations received from the Commission or hearing officer, and shall notify the parties and Commission or hearing officer of the time and location by mailing or delivering a notice at least 21 days prior to such scheduled hearing.—

~~004.02 Conduct of Review Hearing.~~ The review hearing shall be conducted as follows:—

~~004.02A~~ The Board President or any other member designated by the Board to preside shall open and close the proceedings, enter the recommendations of the Commission or hearing officer into the record, and shall rule on all matters, although such rulings may be altered or reversed at the time of such rulings by majority vote of the Board members present for the review hearing.—

~~004.02B~~ A representative of the Commission or the hearing officer whose recommendations are being considered shall be given an opportunity to summarize the recommendations and address questions from the Board.—

~~004.02C~~ The petitioner and respondent shall each be given an opportunity to present oral arguments regarding the recommendations. The Board may set time limits for such arguments.—

~~004.02D~~ The Board shall receive no additional evidence and shall limit summarizations and oral arguments to matters reflected in the record before it.—

005 Disposition of Cases

~~005.01 Order of Board.~~ Following the review hearing, the Board shall enter an order setting forth findings of fact, conclusions of law, and decision. A copy of such an order shall be mailed to each party.—

~~005.02 Suspension or Revocation Order.~~ An order of suspension or revocation terminates the employment of such

person. The Board shall immediately notify the school or school district where such person is employed of such revocation or suspension. The revocation or suspension of a person's certificate by the Board automatically shall revoke or suspend any and all Department certificates held by the person.

~~005.03 Admonishments or Reprimands.~~ The Board may issue admonishments or reprimands. Release of information about such orders shall be governed by section 007.

~~005.04 Filing of Order.~~ A copy of the order directing suspension or revocation shall be filed with the Teacher Certification unit of the Department.

006 Reinstatement

~~006.01 Former Public School Certificate Holders.~~ The application, filing, and hearing procedures for reinstatement of public school certificates are governed by 95 NAC 2.

~~006.02 Former Nonpublic School Certificate Holders.~~ Upon expiration of the time period fixed in the revocation order of the Board, a person whose nonpublic school certificate has been revoked may petition the Board for reinstatement of his or her certificate.

~~006.03 Reinstatement Petition.~~ Petitions to the Board shall be in writing and shall contain the following information:

~~006.03A~~ The venue shown as "BEFORE THE STATE BOARD OF EDUCATION";

~~006.03B~~ A heading captioned "IN THE MATTER OF THE REINSTATEMENT OF:";

~~006.03C~~ The name and address of the applicant;

~~006.03D~~ The case number and the caption "PETITION FOR REINSTATEMENT" under the case number.

~~006.03E~~ A statement that "The undersigned applicant for reinstatement of a revoked Nebraska nonpublic teaching, nonpublic administrative, or nonpublic special services counseling certificate alleges:";

~~006.03E1~~ Applicant shall set forth the type, rank, level, endorsements, and expiration dates of the certificate(s) revoked, and his or her social security number.

~~006.03E2~~ Applicant shall set forth the Final Decision of the Board revoking the certificate(s).

~~006.03E3~~ Applicant shall set forth the name(s), address(es), and telephone number(s) of all witnesses, including applicant, that will testify on behalf of petitioner at the hearing.

~~006.03E4~~ Applicant shall set forth the name(s), address(es), telephone number(s), and date(s) of employment for all employers of applicant during the period of certificate revocation. If unemployed for over three months during any time period, the applicant shall set forth his or her activities during that time period.

~~006.03F~~ A statement indicating the applicant has fully complied with the Order of Revocation that he or she will not, in the future, engage in any practice which is listed in the statutes as grounds for revocation or suspension of a certificate, and that he or she is familiar with the criteria of professional practices adopted as 92 NAC 27.

~~006.03G~~ The applicant's signed, dated, and notarized affirmation that the statements in the petition are true, correct, and complete to the best of his or her knowledge and belief.

~~006.04 Filing of Petition.~~ The petition shall be filed with the Board and a copy of the petition shall be served upon the Commissioner.

~~006.04A~~ Upon receipt of the Petition for Reinstatement, the Commissioner or his or her designee may investigate the applicant in order to determine the propriety of contesting the petition.

~~006.04B~~ If the Commissioner contests the petition, he or she shall file an Answer to the petition with the Board within thirty (30) days from the date the petition was filed, setting forth the grounds for objection.

~~006.04C~~ Upon the filing of an Answer by the Commissioner, the Board shall appoint a hearing officer under the terms and conditions provided in 92 NAC 28-005.

~~006.04D~~ If the Commissioner does not contest the Reinstatement Petition, he or she shall forward either a written recommendation in support of petition or a written document with no recommendation to the Board.

~~006.05 Reinstatement Hearing.~~ The hearing shall be conducted in accordance with the procedures established in 92 NAC 28, as modified below.

~~006.05A~~ The burden shall be upon the applicant to prove to the hearing officer by a preponderance of the evidence that applicant meets all certification requirements in force at the time of the application.

~~006.06 Board Review.~~ The recommendations of the Commission or of a hearing officer shall include findings of fact, conclusions of law, and a recommendation of reinstatement or a recommendation of denial of reinstatement. Such recommendations shall be in writing and shall also include a summary of the testimony of the hearing in addition to a copy of all pleadings and exhibits.

~~006.06A~~ The format and filing requirements for a board review shall be in accordance with the provisions of section 003.02 and section 003.03 of this chapter.

~~006.06B~~ The board review and disposition shall be conducted in accordance with the procedures established in section 004 and section 005 of this chapter.

007 Publicity

~~007.01 Confidential Matters.~~ The Department may withhold the following records from the public as confidential documents, except as provided in 007.04:

~~007.01A~~ Personal information regarding a student, prospective student, or former student other than routine directory information;

~~007.01B~~ Medical records in any form concerning any person;

~~007.01C~~ Records or documents which represent the work product of an attorney or public body;

~~007.01D~~ Investigative records or documents developed or received by the Department relating to possible unprofessional or unethical conduct on the part of a school certificate holder; and

~~007.01E~~ Any other record or document, the release of which may cause needless injury to the reputation of a witness, complainant, or other person.

~~007.02 Loss of Confidential Status.~~ The records or documents outlined in 007.01 remain confidential unless:

~~007.02A~~ Publicly disclosed in an open court, open administrative proceeding, or open meeting, or disclosed by a public entity pursuant to its duties;

~~007.02B~~ The Department agrees to the release and the certificate holder waives confidentiality, either in writing or by public disclosure of information, regarding the matter; or

~~007.02C~~ The certificate holder voluntarily surrenders his or her certificate(s), in which case the voluntary surrender becomes public record, and information regarding any investigation may be provided to any other state or federal agency.

~~007.03 Limited Disclosure.~~ A limited disclosure of information is permitted in the following situations:

~~007.03A~~ The sanction imposed with a dismissal, settlement agreement or other disposition of a complaint or petition shall be reported to the complainant; and

~~007.03B~~ An investigator may release information necessary to identify the matter under investigation to potential witnesses in the course of an investigation.

~~007.04 Specific Documents.~~ The following provisions regarding confidentiality of various documents shall apply:

~~007.04A~~ A complaint shall not be made public;

~~007.04B~~ An investigator's report shall not be made public;

~~007.04C~~ A petition shall be a public record upon filing;

~~007.04D~~ An answer shall be a public record upon filing;

~~007.04E~~ A settlement agreement shall not be made public, except as provided in 007.03A;

~~007.04F~~ A final order shall be a public record upon filing; and

~~007.04G~~ A reinstatement application shall be a public record upon filing.

~~007.05 Deletion of Information.~~ Any record or document to be made public which contains information that may cause needless injury to a complainant, witness, or other person, or information that may lead to the personal identification of a student, shall be deleted from every record before being made public.

~~007.06 Purpose.~~ This section is intended to protect the public interest and to prevent needless injury to the reputation of a certificate holder, witness, complainant, or other person. This section is not intended to prohibit the exchange of confidential information with other agencies authorized by the Board to receive such information.



From: Troy L. Hawk, Legal Counsel

Date: June 3, 2024

Re: Summary of rulemaking hearing on the proposed revisions of 92 NAC 29

On June 3, 2024, a hearing on the proposed repeal of Title 92, Nebraska Administrative Code, Chapter 29 (Rule 29), Regulations and Standards for Professional Practices Case Determinations by the State Board was held virtually over Zoom in conjunction with hearings on revisions to Title 92, Nebraska Administrative Code, Chapter 4 (Rule 4), Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska, and Title 92, Nebraska Administrative Code, Chapter 28, Regulations and Standards for Investigations and Nonpublic Professional Practices. Legal Counsel Troy Hawk served as the hearing officer. A recording of the hearing is available at: <https://www.education.ne.gov/legal/rule-hearings/>.

Summary of Oral Testimony on the Proposed Revision of 92 NAC 29

Troy Hawk called the hearing to order, introduced himself, introduced the subject of the hearing, read into the record information about the legal notice of the hearing, outlined the procedures for the hearing and for receiving written testimony, and received testimony on the repeal of Rule 29.

Tamra Walz, Legal Counsel, presented a summary of the proposed repeal of Rule 29.

- The purpose of the proposed rule repeal is because LB 1306 dissolved the Nebraska Professional Practices Commission (PPC), effective July 19, 2024. Therefore, this Rule was no longer needed.
- Some of the changes resulting from LB 1306 incorporated portions of the old Rule 29 into the new Rule 28.
- Because of LB 1306 and the modifications to Rule 28, Rule 29 is no longer necessary and would be duplicative of a number of sections of Rule 28.

Testimony

Nick Welding, of Norby Welding Hunzeker, and the Nebraska State Education Association, testified that he supports the adoption of the new Rule. He stated that many of the comments he made at the Rule 28 hearing held immediately before this hearing applied to this Rule as well.

Tamra Walz waived any further comment.

Troy Hawk closed the hearing on Rule 29.

RULE 29 REVISIONS/REPEAL:

Good morning.

My name is Tamra Walz, and I am an attorney in the Legal Division at the Nebraska Department of Education.

After the passage of LB 1306, which in essence dissolved the Nebraska Professional Practices Commission effective July 19th, 2024, many necessary revisions were made to Rule 28.

Some of those changes incorporated portions of Rule 29.

Other parts of Rule 29 were no longer needed.

The new process to hear and decide ethics complaints encompassed by the revisions to Rule 28 obviated the need for Rule 29.

New Rule 28 relies heavily on the hearing provisions contained in Rule 61, which is modeled after the standard procedure governing contested cases filed with the Nebraska Department of Education under the adjudication portion of the Administrative Procedure Act.

Because of LB 1306 and the modifications to Rule 28, Rule 29 is no longer necessary and would be duplicative of a number of sections of Rule 28.

For those reasons, Rule 29 should be repealed.

Thank you.

FISCAL IMPACT
STATEMENT

Agency: Nebraska Department of Education
Prepared by: Brian Halstead, Deputy Commissioner of Education
Date Prepared: 4/29/2024
Phone: (402) 471-0732
Title: 92
Chapter: 29
Name: *Regulations and Standards for Professional Practices Case Determinations By the State Board*
Statement Status: Hearing Draft

Type of Fiscal Impact:

	State Agency	Political Subdivision	Regulated Public
No Fiscal Impact	x	x	x
Increase Costs			
Decrease Costs			
Increased Revenue			
Decreased Revenue			
Indeterminable			

Description of Impact:

State Agency: It will cost approximately \$650 to hold the hearing to repeal the Rule.

Political Subdivision: None

Regulated Public: None.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 28, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Office of Accreditation, Certification, & Approval Administrator

PROPOSED AGENDA ITEM: Approve the content tests and passing scores for endorsements

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

The State Board of Education approved revisions to 92 NAC 24 (Rule 24), Regulations for Certificate Endorsement at the June 2023 State Board meeting. The revision continues the requirement of content tests and passing scores for some endorsement areas as set by the State Board of Education. The revision to Rule 24 eliminates the naming of specific content tests and scores from the Rule. Therefore, the State Board of Education must adopt content tests and passing scores to ensure the revised rule is operational, if the Governor signs off on the revisions to Rule 24 that the Board approved.

The attached document includes the list of recommended content tests and passing scores. The list is identical to the list currently in Appendix C of Rule 24, except for the tests in the following content areas:

- Principal
- Special Education Supervisor
- Superintendent
- Biology
- Chemistry
- Earth and Space Science
- Family and Consumer Sciences Occupational
- Mathematics
- Middle School: Mathematics
- Middle School: Science
- Physics
- Reading Specialist
- School Counselor
- School Librarian
- School Psychologist

- Science
- Social Studies
- Special Education Generalist

The above endorsement area content tests in Appendix C of Rule 24 are no longer offered by ETS and the replacement test numbers and passing scores are included in the attached document.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*



Nebraska Rule 24 Endorsements, Content Tests, and Passing Scores

NDE Rule 24 Endorsement (as of November 9, 2020)	Required <i>Praxis</i> Subject Assessment (from Educational Testing Service/ETS, Princeton, NJ)	Passing Score
ADMINISTRATIVE ENDORSEMENTS:		
Principal	5412 Educational Leadership Administration and Supervision (ELAS)	146
Special Education Supervisor	5412 Educational Leadership Administration and Supervision (ELAS)	146
Superintendent	6991 School Superintendent Assessment (SSA)	162
TEACHING ENDORSEMENTS:		
Agricultural Education	5701 Agriculture	147
Art	5134 Art: Content Knowledge	158
Biology	5236 Biology	154
Business, Marketing, Information Technology (BMIT); also Basic Business	5101 Business Education: Content Knowledge	154
Chemistry	5246 Chemistry	146
Early Childhood Inclusive	5024 Education of Young Children	160
Earth and Space Science	5572 Earth and Space Science	154
Economics	5911 Economics	150
Elementary Education	5017 EECIA Elementary Education: Curriculum and Instruction Assessment	153
English Language Arts	5039 English Language Arts: Content and Analysis	168
Family and Consumer Sciences Occupational	5123 Family and Consumer Sciences 5122 (accepted through 8/2025)	153
Geography	5921 Geography	157
Health Education	5551 Health Education	155
Health and Physical Education	5857 Health and Physical Education: Content Knowledge	160
History	5941 World and US History: Content Knowledge	147
Mathematics	5165 Mathematics	159

Middle Level Education:		
Middle Level English Language Arts	5047 Middle Grades: English Language Arts	164
Middle Level Mathematics	5164 Middle School: Mathematics	157
Middle Level Science	5442 Middle School: Science	152
Middle Level Social Science	5089 Middle School: Social Studies	155
Music	5114 Music: Content and Instruction	152
Physical Education	5091 Physical Education: Content Knowledge	146
Physics	5266 Physics	145
Political Science	5931 Government/Political Science	149
Psychology	5391 Psychology	154
Reading Specialist	5302 Reading Specialist	165
School Counselor	5422 School Counselor	159
School Librarian	5312 School Librarian	154
School Psychologist	5403 School Psychologist	155
Science	5436 General Science	141
Secondary English	5039 English Language Arts: Content and Analysis	168
Social Science	5581 Social Studies: Content Knowledge 5081 Social Studies: (accepted through 8/2025)	154
Sociology	5952 Sociology	154
Special Education Generalist	5355 Special Education: Core Knowledge/Applications 5354 (accepted through 8/2024)	151
Special Education: Deaf or Hard of Hearing	5272 Special Education: Education of Deaf and Hard of Hearing Students	160
Special Education: Early Childhood Special Education	5023 Interdisciplinary Early Childhood Education	166
Special Education: Visual Impairment	5282 Special Education: Teaching Students with Visual Impairments	163
Speech-Language Pathologist	5331 Speech Language Pathology	162
Vocal Music	5114 Music: Content and Instruction	152
World Language	5174 French: World Language	162
	5183 German: World Language	163
	5601 Latin	155
	5195 Spanish: World Language	156

Updated 05.23.2024

NDE CONTRACTS

DATE REC'D	CONTRACT #	AMENDMENT #	CONTRACT NAME	MAXIMUM CONTRACT AMOUNT	START DATE	ENDING DATE	FUNDING SOURCE	SCOPE OF SERVICES	CONTACT PERSON
1/1/2024	44247		Big Green Tomato	\$5,300	1/12/2024	1/11/2025	Federal	Serve as Procurement Coach	Zainab Rida
1/2/2024	43268	AM#3	Linda Clavel	\$29,000			Federal	Increase amount	Amy Rhone
1/2/2024	44253		Grace Timm	\$4,106.97	1/2/2024	5/3/2024	General	Transform highly technical research.	Lane Carr
1/2/2024	44256		Little Gerkins Child Care	\$2,000	1/1/2024	12/31/2024	General	Provide classrooms.	Melody Hobson
1/2/2024	44254		Samuel Kelly	\$4,106.97	1/2/2024	5/3/2024	General	Transform highly technical research.	Lane Carr
1/5/2024	44175	AM#1	Marna Stack	\$24,200			Federal	Increase amount	Zainab Rida
1/5/2024	44255		Scott Phillips	\$12,000	1/1/2024	2/1/2025	Federal	2024 NE Teacher of Year	David Jespersen
1/8/2024	44257		Easter Seals	\$6,068	1/1/2024	12/31/2024	Federal	Provide training.	Lindy Foley
								Develop Farm to ECE Garden materials & Heartland Farm School and ECE Institute content for Institute retreat and year-long program development program.	
1/8/2024	44261		Black Chick Farm	\$37,900	1/12/2024	1/11/2025	Federal		Zainab Rida
1/9/2024	44264		Beginnings Early Development Center	\$3,000	2/2/2024	2/1/2025	Federal/General	Provide classrooms	Melody Hobson
1/9/2024	44263		Reed Family Learning Academy	\$3,000	1/15/2024	1/14/2025	Federal/General	Provide classrooms	Melody Hobson
1/9/2024	44252		Slalom	\$136,240	12/4/2023	4/12/2024	Federal	Develop data system	Kristin Yates
1/11/2024	44262		Brain & Body Balancing	\$17,000	1/15/2024	1/14/2025	Federal/General	Coaching/trng svcs	Melody Hobson
1/12/2024	44057	AM#1	TNTP	\$393,794			General	Increase amount/scope	Amy Rhone
1/17/2024	44259		OCIO-Siva Saggurthi	\$104,413.85	1/1/2024	9/27/2024	Federal	Application Development	Kristin Yates
1/17/2024	44260		OCIO-Nidhi Upadhay	\$102,268.89	1/4/2024	9/27/2024	Federal	SPED support and programming	Kristin Yates
1/17/2024	43399	AM#1	Community Language Cooperative					Revise quote so not billed for multiple repeating words.	Melody Hobson
1/17/2024	44268		Vivacy	\$170,430	1/18/2024	9/30/2024	Federal	Build an e-Learning Management System.	Zainab Rida
1/18/2024	44240		Kitamba Mgmt LLC	\$213,000	1/1/2024	6/30/2024	Cash	Complete Nebraska Education Innovation Network Phase V: Data Visualization	Kristin Yates
1/18/2024	44258		Dick Meyer	\$15,000	1/2/2024	4/30/2024	General	Provide consultation to Commissioner on statewide assessment strategies.	Ryan Foor
1/18/2024	44266		Value-Up	\$30,000	1/15/2024	9/30/2024	Federal	Provide training.	Zainab Rida
1/19/2024	43326	AM#2	Ha'Hanna Consulting					Extend ending date	Amy Rhone
1/23/2024	44272		OCIO-Donna Roddam	\$98,238.84	1/19/2024	9/27/2024	Federal	GIS coordination, development and support	Kristin Yates
1/23/2024	44275		World Speaks	\$36,000	2/1/2024	1/31/2025	Federal/General	Provide oral interpretation and written translation for training materials.	Melody Hobson
1/24/2024	44276		OCIO-Martine Pola	\$72,738.09	1/30/2024	9/27/2024	Federal	Systems Development	Kristin Yates
1/25/2024	44274		Creative Press & Design	\$15,000	3/1/2024	2/28/2025	Federal	Sign production & shipping	Melody Hobson
1/26/2024	43301	AM#1	UNMC					Extend ending date	Amy Rhone
1/31/2024	43408	AM#2	Public Consulting Group					Extend ending date	Lindy Foley
1/31/2024	44277		Jack Michael Lionberger	\$45,000	2/12/2024	6/30/2024	Federal	Medical consultant svcs	Krysti Michl
1/31/2024	44271		Hayes & Associates	\$46,278	1/15/2024	9/30/2024	Federal	Child & Adult Care Food Program Audits	Zainab Rida
1/31/2024	44269		UNMC	\$70,859	2/7/2024	1/6/2025	Federal	Evaluate grants/PBIS trainings	Amy Rhone
2/1/2024	44270		UNL	\$12,100	1/25/2024	1/24/2025	Federal/General	CDA visits and training svcs	Melody Hobson
2/1/2024	44265		Children's Hospital & Medical Center	\$18,000	1/11/2024	1/9/2025	Federal	Provide tobacco prevention education.	Zainab Rida
2/1/2024	44279		Janus Software	\$245,485.35	2/1/2024	8/30/2024	Federal	Complete IT security assessment.	Kristin Yates
2/2/2024	44273		Lynette Breedlove	\$5,000	12/12/2023	1/31/2024	Federal	Prepare materials for 90 minute module.	Allyson DenBeste
2/2/2024	44101	AM#2	ESU #2					Change in date, location, schedule, budget and in planning members.	Lindy Foley
2/12/2024	44278		Colleen Svoboda	\$5,040	2/2/2024	2/1/2025	Federal	Provide facilitation.	Zainab Rida
2/12/2024	43141	AM#1	Brianna Gable					Extend ending date and increase amount.	Shirley Vargas
2/12/2024	43359	AM#1	OCIO-Tom Kapocius					Extend ending date and increase amount.	Kristin Yates
2/12/2024	43404	AM#1	OCIO-Mary Yeruva					Extend ending date and increase amount.	Kristin Yates
2/12/2024	44078	AM#1	The Foundry					Extend ending date and increase amount.	Zainab Rida
2/12/2024	44285		Therapeutic Play	\$9,000	4/1/2024	3/31/2025	Federal	Conduct breakout sessions.	Amy Rhone
								Assist schools in increasing awareness of MyPlate symbol, resources, school meal nutritional quality and nutrition equity among key audiences.	
2/13/2024	44251		UNL	\$26,700	2/10/2024	2/9/2025	Federal		Zainab Rida
2/13/2024	43428		Lexis Nexis	\$41,784	7/1/2023	6/30/2026	Federal	Legal research services.	Tamra Walz
2/16/2024	44286		Tasha Jedlicka	\$13,000	3/1/2024	2/28/2025	Federal/General	Conduct program quality ratings for Step Up to Quality.	Melody Hobson
								Children's school social work coordinator will serve as a Nebraska Department of Education representative to serve on the NDE School Mental Health team.	
2/20/2024	44284		Children's Nebraska	\$83,500	2/5/2024	9/29/2024	Federal		Zainab Rida
2/20/2024	44281		Lrene Smith	\$9,000	3/1/2024	2/28/2025	Federal/General	Coaching/trng svcs	Melody Hobson
2/20/2024	44205	AM#1	Diego Gamero				Federal	Increase amount/consideration.	Melody Hobson
2/20/2024	44290		Say Hey There	\$9,000	3/1/2024	8/31/2024	Federal	Build on current social media strategies.	Zainab Rida
2/21/2024	44289		Emily Aksamit	\$19,800	3/1/2024	2/28/2025	Federal/General	Provide ERS & CLASS observations for Step Up to Quality.	Melody Hobson
2/21/2024	43408	AM#3	Public Consulting Group				Federal	Increase amount/scope.	Lindy Foley
2/21/2024	44288		Heuristic Strategies	\$198,756	2/5/2024	4/29/2024	Federal	Strategic planing and data governance activities for ECIDS.	Kristin Yates
								Provide technical support for the development of the Request for Proposal for statewide assessment.	
2/21/2024	44293		Marzano Research	\$49,500	2/19/2024	9/30/2024	Federal		Allyson DenBeste
								Clayton Early Learning Center will send one staff member who has been trained as an FCCERS-3 anchor to "double-code" with the Nebraska FCCRS-3 anchor. This will assist the Nebraska Anchor to maintain her level of reliability with FCCERS-3 tool to continue in the anchor capacity for Nebraska Step Up to Quality.	
2/21/2024	44267		Clayton Early Learning	\$3,850	4/1/2024	4/30/2024	Federal		Melody Hobson

NDE CONTRACTS

DATE REC'D	CONTRACT #	AMENDMENT #	CONTRACT NAME	MAXIMUM CONTRACT AMOUNT	START DATE	ENDING DATE	FUNDING SOURCE	SCOPE OF SERVICES	CONTACT PERSON
2/22/2024	44283		Bellwether Education Partners	\$400,000	1/31/2024	12/31/2024	General	Complete requirements of LB705 mandate.	Kristin Yates
2/22/2024	44300		District Management Group	\$37,500	2/26/2024	6/30/2024	General	Implement Breakthrough Results Program.	Shirley Vargas
2/22/2024	44280		Chadron State College	\$206,000	1/8/2024	6/30/2025	General	Develop cohort system.	Lane Carr
2/23/2024	44295		UNL	\$6,270	2/1/2024	1/31/2025	Federal	Maintain Nebraska Transition website.	Amy Rhone
2/23/2024	45000		Data Recognition Corporation	\$1,675,864	7/1/2024	6/30/2025	Federal/General	Engage vendor in development, delivery and reporting NSCAS general assessments; provide benchmark assessment for Nebraska districts; support professional learning around assessments.	Allyson DenBeste
2/27/2024	43086	AM#3	PRISM Investigations					Increase services/decrease expenses.	Amy Rhone
2/27/2024	44314		Edwise	\$583,000	2/26/2024	9/30/2024	Federal	Assist in developing NDE web portal.	Kristin Yates
2/28/2024	44294		Janice Lee	\$4,500	3/1/2024	2/28/2025	General	Provide training.	Melody Hobson
2/28/2024	44302		Angel Guardians	\$48,321.99	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/28/2024	44306		Goodwill Industries Omaha	\$44,350.87	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/28/2024	44304		ESU 6	\$27,970.25	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/28/2024	44309		Easter Seals Nebraska	\$48,971.18	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/28/2024	44310		Grand Island Public	\$48,767.33	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/29/2024	44299		Suzanne Schneider	\$7,000	3/15/2024	3/14/2025	Federal/General	Coaching/trng svcs	Melody Hobson
2/29/2024	44307		ESU 4	\$24,158.07	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/29/2024	44308		ESU 5	\$22,722.58	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
2/29/2024	44297		Susan Borcher	\$4,500	3/1/2024	2/28/2025	General	Provide training.	Melody Hobson
2/29/2024	44292		WestEd	\$134,582	2/20/2024	8/20/2024	Federal	Conduct statewide middle school CTE leadscape analysis.	Katie Graham
2/29/2024	44296		Ha'Hanna Consulting	\$75,000	3/1/2024	9/30/2024	Federal	Lead Indigenous Pedagogies project.	Amy Rhone
2/29/2024	44298		Jennifer Snyder	\$4,500	3/1/2024	2/28/2025	General	Provide training.	Melody Hobson
2/29/2024	44279	AM#1	Janus Software					Revised payment schedule.	Kristin Yates
2/29/2024	44315		Jeannie Fielder	\$4,500	3/1/2024	2/28/2025	General	Provide training.	Melody Hobson
2/29/2024	44120	AM#1	ESU 17					Increase amount.	Zainab Rida
2/29/2024	44024	AM#1	Leah Merkwon					Increase amount.	Melody Hobson
2/29/2024	44301		OCIO-Praneeth Kakarla	\$89,440	2/26/2024	9/27/2024	Federal	ETL development and support.	Kristin Yates
3/1/2024	44118	AM#1	ESU 3					Increase amount.	Zainab Rida
3/4/2024	44305		ESU 13	\$13,590.67	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
3/4/2024	44282		Green School Farms	\$8,180	2/20/2024	2/19/2025	Federal/General	Participate in Nebraska Farms to School Network strategic planning.	Zainab Rida
3/4/2024	44312		Lincoln Public Schools	\$46,400.52	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
3/5/2024	44313		Whispering Acres Trails & Treasures	\$44,182.39	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
3/5/2024	45001		NWEA	\$8,962,295	7/1/2024	6/30/2025	Federal/General	Engage vendor in development, delivery and reporting NSCAS general assessments.	Allyson DenBeste
3/6/2024	44255	AM#1	Scott Phillips					Mileage reimbursement change.	David Jespersen
3/6/2024	44303		Beatrice YMCA	\$12,226.85	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
3/6/2024	44316		Office Innovations	\$20,000	3/1/2024	2/28/2025	Federal	Install furniture.	Joel Scherfling
3/7/2024	44158	AM#1	TCB Consulting dba CN Resource					Increase amount/scope.	Zainab Rida
3/12/2024	44311		Marcus Lincoln Hotel	\$11,198.78	4/1/2024	7/31/2024	Federal	Provide summer transition program for youth ages 14-21.	Lindy Foley
3/12/2024	44317		NE Commission for the Blind & Visually Impaired	\$24,999.99	3/10/2024	2/28/2025	Federal	Provide installation of equipment and individualized consumer training.	Lindy Foley
3/12/2024	44319		OCIO	\$621,032.28	3/14/2024	9/27/2024	Federal	Provide IT project managers, trainers and business analysts.	Kristin Yates
3/12/2024	44238		UNL	\$33,051	3/8/2024	3/7/2025	Federal	Assist with farm to school strategic planning, project evaluation and development of a statewide farm to school network.	Zainab Rida
3/13/2024	44320		Amara Munoz	\$15,000	3/15/2024	3/14/2025	General	Spanish translations of trainings and other documents.	Melody Hobson
3/18/2024	44227	AM#1	OCIO-Aeshwarya Jain					Increase amount.	Kristin Yates
3/19/2024	44287		Midland University	\$350,000	1/14/2024	6/30/2025	Cash	Nebraska Teacher Apprenticeship program education provider.	Lane Carr
3/19/2024	44323		OCIO-Sreekanth Pall	\$87,552	3/18/2024	9/27/2024	Federal	ETL development and support.	Kristin Yates
3/19/2024	43084	AM#2	ACERI Partners					Increase amount.	Amy Rhone
3/19/2024	43087	AM#2	Nicole Stewart					Increase amount.	Amy Rhone
3/19/2024	43085	AM#2	Data Driven Enterprises					Increase amount.	Amy Rhone
3/19/2024	44282	AM#1	Green School Farms					Increase amount.	Zainab Rida
3/20/2024	43401	AM#1	NAESP					Change ending date.	Melody Hobson
3/20/2024	43086	AM#4	PRISM Investigations					Increase amount.	Amy Rhone
3/21/2024	43411	AM#1	Kristi Albrecht					Increase expenses/decrease services.	Melody Hobson
3/22/2024	44327		Perfect Touch	\$11,749.80	4/1/2024	3/31/2025	Federal	Cleaning service for VR Kearney Office.	Lindy Foley
3/22/2024	44330		Avenue Scholars	\$49,000	5/15/2024	7/15/2024	Federal	Develop and facilitate summer industry bootcamps.	Katie Graham
3/22/2024	44291		ESUCC	\$500,000	2/9/2024	12/15/2024	Federal	Coordinating and providing cybersecurity training and consulting services.	Kristin Yates
3/22/2024	44321		UNL	\$49,530	4/1/2024	3/31/2025	Federal	Assist with meeting federal post-school outcome data reporting requirements.	Amy Rhone
3/25/2024	44318		Sparg Data Solutions	\$2,600	4/1/2024	3/31/2025	General	NDE to access and use the web-based electronic meeting service software.	Elizabeth Tegtmeyer/Ryan Foor
3/26/2024	43399	AM#2	Community Language Cooperative					Scope/consideration.	Melody Hobson
3/28/2024	44331		Emotionally Naked	\$8,000	4/30/2024	5/13/2024	Federal	Provide four webinars to assist and support school mental health professionals and partners across the state.	Zainab Rida
4/1/2024	44325		Meghan Gibbons	\$18,500	4/15/2024	4/14/2025	Federal/General	Coaching/training services/complete program quality assessments in Early Childhood Education and Care programs.	Melody Hobson

NDE CONTRACTS

DATE REC'D	CONTRACT #	AMENDMENT #	CONTRACT NAME	MAXIMUM CONTRACT AMOUNT	START DATE	ENDING DATE	FUNDING SOURCE	SCOPE OF SERVICES	CONTACT PERSON
4/3/2024	44329		Eric Knoll	\$5,000	4/1/2024	7/31/2024	Federal	Facilitate NE CTE's jump start summer professional development workshop.	Katie Graham
4/4/2024	44336		Shannon Hampson	\$2,400	4/1/2024	3/31/2025	General	Provide classrooms.	Melody Hobson
4/5/2024	44333		Linda Meyers	\$20,800	5/1/2024	4/30/2025	Federal/General	Training services and to conduct program quality assessments.	Melody Hobson
4/5/2024	44328		Strengths Connection	\$6,500	4/10/2024	1/31/2025	Federal/General	Facilitate Gallup strength finder assessment.	Zainab Rida
4/5/2024	44324		Nilofar Saidi	\$27,000	3/18/2024	7/30/2024	Federal	Serve as Coordinator for Afghan Refugee School Impact Grant to deliver workshop coordination for Afghan families.	Zainab Rida
4/8/2024	44334		UNL	\$440,000	1/2/2024	6/30/2025	Cash	Serve as related education provider for the Nebraska Teaching Apprenticeship Program.	Lane Carr
4/8/2024	44338		Larry McElravy	\$5,000	5/20/2024	8/31/2024	Federal	Develop and facilitate summer CTE Leadership Academy.	Katie Graham
4/9/2024	44142	AM#1	ESU 11				Federal	Increase amount.	Zainab Rida
4/9/2024	44274	AM#1	Creative Press & Design					Scope/consideration.	Melody Hobson
4/9/2024	44332		Michelle Rupiper	\$26,000	5/1/2024	4/30/2025	Federal	Coaching/training services.	Melody Hobson
4/9/2024	44346		TINTP	\$140,973	4/4/2024	6/30/2024	Cash	Provide online modules & inperson professional learning experience.	Shirley Vargas
4/9/2024	44086	AM#1	Emspace					Scope.	Melody Hobson
4/9/2024	44244	AM#1	Panhandle Public Health Dept.					Increase amount.	Zainab Rida
4/9/2024	44335		Central Community College	\$15,211	5/28/2024	6/20/2024	Federal	Develop and facilitate summer technical skill workshops.	Katie Graham
4/9/2024	44285	AM#1	Mark Hald dba Therapeutic Play					Increase amount.	Amy Rhone
4/11/2024	44319	AM#1	OCIO					Scope.	Kristin Yates
4/11/2024	44348		OCIO	\$432,000	4/15/2024	9/27/2024	Federal	IT Applications Developer Seniors.	Kristin Yates
4/11/2024	42127	AM#2	UNL					Extend date.	Zainab Rida
4/12/2024	44344		Taryn Brown	\$24,000	4/15/2024	3/31/2025	Federal	Serve as State Officer Coordinator.	Katie Graham
4/12/2024	44343		National Assoc of Elementary School Principals (NAESP)	\$170,000	4/30/2024	4/29/2025	Federal	Provide NAESP Pre-K-3 Leadership Academy.	Melody Hobson
4/12/2024	44337		Lindsay Hastings	\$5,000	5/20/2024	8/31/2024	Federal	Develop and facilitate summer CTE Leadership Academy.	Katie Graham
4/15/2024	44018	AM#1	Eagle Delivery Service					Scope.	Krysti Michl
4/15/2024	44339		Student1	\$49,500	4/30/2024	8/31/2024	Federal	Maintain Child Core Referral Network and training.	Melody Hobson
4/15/2024	44252	AM#1	Slalom					Extend date.	Kristin Yates
4/16/2024	44347		Southeast Comm College	\$18,368	6/10/2024	6/26/2024	Federal	Develop and facilitate summer technical skill workshops.	Katie Graham
4/17/2024	44350		Share Collaborative	\$10,619.04	5/1/2024	8/31/2024	Federal	Provide training.	Lindy Foley
4/17/2024	44352		B.E.T. Learning Academy Omaha	\$3,000	6/15/2024	6/14/2025	Federal/General	Provide classrooms used for CLASS observations.	Melody Hobson
4/17/2024	44341		Renee Proksel	\$2,569	4/8/2024	7/20/2024	Federal	Attend conference.	Lindy Foley
4/17/2024	45003		Eagle Delivery Service	\$16,941	7/1/2024	6/30/2025	Federal	Mail Services.	Krysti Michl
4/17/2024	43414	AM#1	Partners for Insightful Evaluation					Increase amount/extend date/scope.	Lindy Foley
4/18/2024	44342		Lori Chleborad	\$7,000	4/15/2024	4/14/2025	Federal/General	Coaching/training services.	Melody Hobson
4/19/2024	44345		Joan Callahan	\$19,350	4/15/2024	4/14/2025	Federal/General	Provide training and classroom observations.	Melody Hobson
4/22/2024	44351		NE Children & Families Foundation	\$450,000	4/10/2024	3/30/2025	Federal	Provide comprehensive support/facilitate workshops.	Lane Carr
4/22/2024	45006		Daniel Cronk	\$205,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45012		Joanell Wheeler	\$126,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45008		Helen Montoya	\$91,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45010		Jerry Tanner	\$205,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45015		Bradford Brabec	\$205,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45004		Kathleen Barrett	\$111,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	45016		Kevin Coughlin	\$205,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/22/2024	44354		Global Interpreting Network	\$6,616.25	4/10/2024	5/1/2024	General	Provide written language translations.	Allyson DenBeste
4/22/2024	45018		Patricia Newman	\$205,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/23/2024	45019		Surgical Care	\$156,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/23/2024	45017		Jack Lionberger	\$116,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/23/2024	45009		Alexandra Suslow-Geditz	\$176,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/23/2024	44246	AM#1	No More Empty Pots					Scope/consideration.	Zainab Rida
4/23/2024	45014		Kathryn Benes	\$126,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/24/2024	44121	AM#1	ESU 13					Increase amount.	Zainab Rida
4/24/2024	45021		Dianna Clyne	\$136,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/24/2024	44340		HHS	\$10,000	4/5/2024	4/4/2025	Federal	Facilitate/present at Early Development Network meetings.	Amy Rhone
4/24/2024	45005		Child & Family Services	\$176,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/29/2024	44355		Northeast Comm College	\$6,314	5/28/2024	6/20/2024	Federal	Develop and facilitate summer technical skill workshops.	Katie Graham
4/29/2024	44358		OCIO-Matt Marron	\$49,900	4/29/2024	9/30/2024	Federal	Webmaster.	David Jespersen
4/30/2024	44353		Courtney Thompson	\$2,547	4/22/2024	7/20/2024	Federal	Attend conference.	Lindy Foley
4/30/2024	45020		Kevin Wycoff	\$151,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/30/2024	42404	AM#3	Jared Stevens					Extend date/increase amount.	Kristin Yates
4/30/2024	44356		QPR Institute	\$18,360	4/8/2024	4/7/2025	Federal	Provide trainings.	Zainab Rida
4/30/2024	45002		Northern Signs Research	\$2,400	8/1/2024	9/30/2025	Federal	Provide workshops.	Amy Rhone
4/30/2024	45007		Thomas Martin	\$126,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
4/30/2024	45011		Terri Vontz	\$61,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
5/1/2024	45000	AM#1	Data Recognition Corporation					Change amount/scope.	Allyson DenBeste
5/2/2024	42405	AM#3	Benjamin Baumfalk					Extend date/increase amount.	Kristin Yates
5/3/2024	44153	AM#2	LINQ					Increase amount/scope.	Zainab Rida

NDE CONTRACTS

DATE REC'D	CONTRACT #	AMENDMENT #	CONTRACT NAME	MAXIMUM CONTRACT AMOUNT	START DATE	ENDING DATE	FUNDING SOURCE	SCOPE OF SERVICES	CONTACT PERSON
5/6/2024	45013		Lee Branham	\$61,000	7/1/2024	6/30/2025	Federal	Medical consultant svcs	Krysti Michl
5/6/2024	41228	AM#1	Department of Labor					Extend date/increase amount.	Lindy Foley
5/6/2024	44357		Ali Hearn Coaching & Consulting	\$48,500	5/29/2024	5/13/2025	Federal	Provide training and support.	Amy Rhone
5/7/2024	44348	AM#1	OCIO					Scope.	Kristin Yates
5/7/2024	44363		Brenda Saxe	\$19,000	5/15/2024	5/14/2025	Federal/General	Coaching/training services.	Melody Hobson
5/7/2024	44148	AM#1	NCSA					Scope/consideration.	Amy Rhone
5/7/2024	43315	AM#1	NACTE					Other.	Lane Carr
5/8/2024	44364		SPED Strategies	\$37,000	5/13/2024	5/12/2025	Federal	Assist with Federal mandates.	Amy Rhone
5/8/2024	44026	AM#1	Saffron Buettner					Increase amount.	Melody Hobson
5/9/2024	44360		NE Dept of Environment & Energy	\$12,000	6/1/2024	8/31/2024	Federal	Conduct health inspections.	Zainab Rida
5/10/2024	44157	AM#1	Westat					Increase amount.	Amy Rhone
5/10/2024	44238	AM#1	UNL					Extend date.	Zainab Rida
5/10/2024	44156	AM#1	University of Massachusetts-Boston					Increase amount.	Lindy Foley
5/10/2024	44362		Great Plains Top LLC	\$10,600	5/23/2024	9/30/2024	Federal	Provide facilitation training.	Allyson DenBeste
5/10/2024	44361		Megan Crawford	\$18,000	5/15/2024	5/14/2025	Federal	Lesson development.	Zainab Rida
5/13/2024	44024	AM#2	Leah Merkwon					Consideration.	Melody Hobson
5/13/2024	44117	AM#2	Partnership for a Healthy Nebraska					Increase amount.	Zainab Rida
5/15/2024	44170	AM#1	Brain Injury Alliance of NE					Increase amount.	Lindy Foley
5/15/2024	44332	AM#1	Michelle Rupiper					Consideration.	Melody Hobson
5/15/2024	44125	AM#1	ESU 7					Increase amount.	Zainab Rida
5/15/2024	44367		ESU 7	\$13,500	6/1/2024	5/31/2025	General	Provide training registrations.	Melody Hobson
5/15/2024	42249	AM#1	NE Children & Families Foundation					Extend date.	Zainab Rida
5/16/2024	44366		Community Language Cooperative	\$48,000	5/13/2024	5/12/2025	Federal/General	Format/translate documents.	Melody Hobson
5/20/2024	42405	AM#4	Benjamin Baumfalk					Increase amount.	Kristin Yates
5/20/2024	44370		ESU 7	\$49,500	5/15/2024	4/15/2025	Federal	Handle conference registrations.	Zainab Rida
5/20/2024	44156	AM#2	University of Massachusetts-Boston					Increase amount.	Lindy Foley
5/21/2024	44371		Cordes Keynotes & Seminars	\$3,764	5/17/2024	6/7/2024	General	Facilitate State Officer Leadership Academy.	Katie Graham
5/21/2024	45023		Teaching Strategies	\$43,092	7/1/2024	6/30/2025	Federal/General	Training services.	Melody Hobson
5/21/2024	44049	AM#1	Sandra Miller					Consideration.	Melody Hobson
5/21/2024	45001	AM#1	NWEA					Scope.	Allyson DenBeste



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Jim Kent, Director of Educator Preparation Program Approval
Brad Dirksen, Office of Accreditation, Certification, & Approval Administrator

PROPOSED AGENDA ITEM: Notice of vacancy and request for nominations for State Board appointed membership on the Nebraska Council on Teacher Education (NCTE)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:

The Nebraska Council on Teacher Education (NCTE) is an advisory body to the State Board of Education. The NCTE develops and makes recommendations to the State Board regarding approval of Nebraska teacher education programs, certificate endorsements, issuance of educator certificates, and other matters related to educator preparation and certification.

Member and alternate appointments are specified in the Organizational Policies of the Nebraska Council on Teacher Education, section 4.00 and 5.00. The Organizational Policies provide for three Board-appointed NCTE members (three regular members and one alternate) who serve 4-year terms.

It is requested that the Board nominate one individual to fill a regular member vacancy for the State Board appointed Teacher category and one individual to fill a regular member vacancy for the State Board appointed Administrative/Supervisory category.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 08.15.2023*

**APPLICATION FOR MEMBERSHIP
ON STATE BOARD OF EDUCATION COMMITTEES, COUNCILS, AND CONSORTIUMS**

The purpose of this form is to obtain general information for use in appointing members of committees, councils, and consortiums approved by the State Board of Education. If you have recently prepared a biography or resume, please attach it to this form.

COMMITTEE, COUNCIL, OR CONSORTIUM

APPOINTMENT DESIRED: Nebraska Council on Teacher Education (NCTE)

PERSONAL INFORMATION

NAME _____ (first) _____ (middle initial) _____ (last)

RESIDENCE _____ (street) _____ (city) _____ (zip) _____ (county)

BUSINESS/SCHOOL ADDRESS _____ (street) _____ (city) _____ (zip)

TELEPHONE _____ (residence) _____ (business/school)

Email Address: _____ Occupation: _____

Do you hold a current Nebraska teaching certificate? yes no

If the box at the left is checked, please provide the following information, check the category(ies) which you can represent, and complete pages 2 and 3 of this form. The legislation authorizing creation of this council or committee directs that the membership reflect the diversity of the population of the state with regard to race, ethnicity, gender, and disability characteristics. Information provided in this section will assist our staff and the State Board in making selections.

Gender: male female Racial/Ethnic background: _____

Disability: _____

Check category(ies) which you can represent:

Teachers:	<input type="checkbox"/> Elementary	<input type="checkbox"/> Parents/Patrons
	<input type="checkbox"/> Middle school/Junior high	<input type="checkbox"/> Organizations serving young children
	<input type="checkbox"/> Secondary	<input type="checkbox"/> Local boards of education
	<input type="checkbox"/> Postsecondary	<input type="checkbox"/> Community-based organizations
	<input type="checkbox"/> Private Schools	<input type="checkbox"/> Other(s) (describe): _____

Administrators: Superintendent Principal
 Other

OR

If the box at the left is checked, please complete the attached SUPPLEMENTAL QUALIFICATIONS FORM in addition to pages 2 and 3 of this form. The legislation authorizing creation of this council or committee directs that the membership meet certain qualifications relevant to the charge of the council.

ADDITIONAL INFORMATION

Please provide additional supportive information about yourself and your experiences. Include membership of organizations related to this position, membership of any board, commission, council, or committee you have served in the past; honors or awards received; other volunteer activities.

Please explain your interest in serving on this council/committee:

EMPLOYMENT

List employment history, beginning with current experience; include volunteer activities. A resume or additional information is optional. ***If you are a parent/patron applicant, completion of this section is optional.***

EDUCATION

List schools attended (including high school); include location, dates, major field of study or degree received. ***If you are a parent/patron applicant, completion of this section is optional.***

REFERENCES

List names, addresses, and telephone numbers of at least three persons who may be contacted for references. ***If you are a parent/patron applicant, completion of this section is optional.***

Signature of applicant

Date

Return completed form by _____ to:

Crystal Humm, NDE
Office of Accreditation, Certification, and Approval
500 So. 84th, 2nd Floor
Lincoln, NE 68510-2611
crystal.humm@nebraska.gov

Questions should be directed to Crystal Humm at 402-480-0036 or Jim Kent at 402-314-4432.

STATE STAFF USE ONLY

STATE BOARD OF EDUCATION REPRESENTATIVE AND DISTRICT

RECOMMENDING STAFF PERSON

Appointment *approved* at _____ State Board of Education meeting.

Appointment *not approved* at _____ State Board of Education meeting.



PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2024

TO: Brian L. Maher.
Commissioner of Education

FROM: Amy Rhone – Office of Special Education

PROPOSED AGENDA ITEM: Notification of Vacancies on the Special Education Advisory Council (SEAC).

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION: This federally required Council is composed of 30 members who serve four-year terms, (i.e., approximately one-fourth of the terms of members of SEAC expire in August of each year). Six members completed their four-year terms in the spring of 2024, two were completing their second 4-year term and four have chosen to renew their membership for second terms, these along with one additional unfilled seat on the council brings the total number of member vacancies to three. All SEAC members are approved by the State Board of Education. Securing Board approval in August of new and reappointed members will allow adequate time to provide background information and training to new members in preparation for the first meeting in August of 2024. The Office of Special Education continues to seek new SEAC members through an application process reflecting the categorical representation required by federal regulations, geographical balance based on State Board of Education districts, and the diverse population of Nebraska.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2024

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:



Due Date: June 30

APPLICATION FOR MEMBERSHIP FOR NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL

I. Complete the following:

Name: _____ E-mail: _____

Address: _____
(Street) (City) (Zip Code)

County: _____

Phone: _____
(Area Code/Home Phone) (Area Code/Business Phone) (Area Code/Fax Number)

II. A. Check (√) all that apply to you:

I am a parent of a child(ren) with a disability(ies)
Specify disability(ies): _____
 Birth to 3 years old 3 years to 5 years old 6 years to 21 years old

I am a person with a disability(ies)
Specify disability(ies): _____

I am an education service provider (Check [√] the appropriate title)
___ Superintendent
___ Principal
___ Teacher/special educator (teaching assignment) _____
___ Nonpublic school personnel
___ College/University Instructor
___ Special Education Director/Supervisor
___ Other (specify): _____

III. Complete the following:

A. Do you belong to an organization/serve on a committee which is involved in some aspect of special education?
 Yes No

➤ Name of Organization(s)/Committee: _____

➤ To what extent have you been involved in this organization(s)/committee? _____

➤ Would you be able to gather concerns from and report back to the organization(s) you listed?

Yes No

B. Meetings are usually held on Thursdays from 9:00 a.m. to 4:00 p.m. Would you be able to commit time to attend at least four such meetings during the school year (i.e., secure release time from work)?

Yes No

C. What history of association with or interest in special education programs do you have?

IV. Provide any other pertinent information:

Signature of Applicant	Date of Application
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Return to:
Nebraska Department of Education
Office of Special Education
PO Box 94987
Lincoln, NE 68509-4987