

## **LEARNING COMMUNITY COORDINATING COUNCIL**

### **MINUTES**

#### **Meeting of January 8, 2009**

**Oath Taking/Swearing in of Coordinating Council Members.** All 21 members of the Learning Community Coordinating Council (LCCC) were present and took their oaths of office prior to the start of the meeting.

**Agenda Item 1. CALL TO ORDER.** The meeting was called to order by John A. Gale, Secretary of State and statutory Facilitator at 6:30 P.M. on January 8, 2009 at the Educational Service Unit #3, 6949 South 110<sup>th</sup> Street, Omaha, Nebraska.

**Agenda Item 2: ANNOUNCEMENT OF NEBRASKA OPEN MEETING ACT.** Secretary Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting, including the agenda, are located in the back of the meeting room. Also, a copy of the Nebraska Open Meetings Act is located in the back of the meeting room.

#### **Agenda Item 3: ROLL CALL OF COORDINATING COUNCIL VOTING MEMBERS FOR DETERMINATION OF QUORUM.**

The following Council members were present:

Nancy Jacobson, representing District 1  
Rick Werkheiser, representing District 1  
Penny Sophir, representing District 1  
Ernie Chambers, representing District 2  
Freddie Gray, representing District 2  
Justin T. Wayne, representing District 2  
Kathy Bradley, representing District 3  
Lorraine Chang, representing District 3  
Richard Takechi, representing District 3  
Brad Burwell, representing District 4  
Rick Kolowski, representing District 4  
Dwite Pedersen, representing District 4  
John Hansen, representing District 5  
Paul Hartnett, representing District 5  
John Synowiecki representing District 5  
Mike Avery, representing District 6  
Ann Long, representing District 6

Jim Thompson, representing District 6

**3a. ROLL CALL OF COORDINATING COUNCIL NONVOTING MEMBERS**

Tom Grimm, representing Douglas County West Community Schools  
Kathi Krzycki, representing South Sarpy School District #46  
Regina Meradith, representing Bennington Public Schools

Staff of statutory Facilitator in attendance:

John A. Gale, Secretary of State  
Ron Moravec, Chief Deputy Secretary of State, Legal Counsel  
Kacey Nelkin Pedersen, Recording Clerk

**Agenda Item 4. INTRODUCTION OF COORDINATING COUNCIL MEMBERS.** Secretary Gale asked to postpone the introduction of Board Members, until the next meeting on January 22, 2009, in order to save time. No Council Member voiced any objection to postponement.

**Agenda Item 5. COORDINATING COUNCIL DEADLINES AND TIMELINES FOR 2009.** John Spatz, Legal Counsel, Nebraska Association of School Boards, came forward to present a PowerPoint presentation titled *Learning Community 2009 Dates and Deadlines*.

**Agenda Item 6. BUDGETARY ISSUES.** Auditor Mike Foley and Deanne Haeffner, Assistant Deputy for the State Auditor's office, were present to speak to the Board about the details of the LCCC budget period from January 1, 2009 through August 31, 2009. The Nebraska State Legislature has appropriated \$500,000 for use by the LCCC. Ms. Haeffner explained that a budget will need to be complete before spending any money. Ms. Haeffner presented the Board with a sample Budget summary, and explained its purpose and recommended use.

**Agenda Item 7. DISCUSSION OF PROCESS AND PROCEDURE TO BE USED FOR MEETINGS THROUGH MARCH 2009.** Secretary Gale asked to postpone Agenda Item 7 to the next meeting on January 22, 2009. No Council Member voiced any objection to postponement.

**Agenda Item 8. PRESENTATION ON COLLABORATIVE APPROACH TO PROBLEM-SOLVING AND POLICY-MAKING.** Palma Strand, Assistant Professor of Law, Creighton University, was present to speak on behalf of The Werner Institute for Negotiation and Dispute Resolution. Ms. Strand spoke on the topic of Collaborative Governance and Conflict

Resolution in the public sphere and how this applies to how the LCCC will operate. Ms. Strand asked the Council to brainstorm possible ideas for the structure of the council; specifically if the Council will have committees, president or chair or an executive committee, how meetings will be conducted, how budget will be developed, if it will have an internal secretary or treasurer or other entity, if there will be LCCC staff, and how will the LCCC engage the public. Ms. Strand expressed that the LCCC as a new and unique body brings many questions as to how it will operate.

**Agenda Item 9: DISCUSSION OF BYLAWS FOR COORDINATING COUNCIL.**

Kermit Brashear, Attorney with Brashear LLP, was present to speak to the Council about the details of structure and bylaws for the Council. Mr. Brashear stated that the Council might consider a structure similar to that of the Legislature such as agenda, rules, methodology for scheduling and time allotment, process and procedure development. Mr. Brashear's suggestion is to have a skeletal draft of the bylaws before the January 22, 2009 meeting, to include procedures to elect officers, basic development of start-up, and development of subcouncils by district.

**Agenda Item 10: DISCUSSION OF STAFF, FACILITY, LEGAL COUNSEL, ACCOUNTING FIRM, BANKING FACILITY ISSUES, EMPLOYEE AND COUNCIL MEMBERS BENEFIT AND MEDICAL PLANS AND BONDING OF OFFICERS AND/OR STAFF.** Mr. Brashear reiterated the importance of having bylaws and most specifically having a budget in place as soon as possible in order to receive depository money from the Nebraska State Legislature. The Council agreed to the need for a skeletal draft of the bylaws before the next meeting in order to have structure in place to move forward on the issues of staff, facility, legal counsel, accounting firm, banking facility issues, employee and council member benefit and medical plans and bonding of officers and/or staff.

**Agenda Item 11: DISCUSS ADVISORY COMMITTEE PURPOSE AND FUNCTION.** Mr. Moravec commented on the importance of the Advisory Committee, which consists of the 11 Superintendents from Sarpy and Douglas Counties. According to State Statute 79-2104.01, the LCCC shall have an Advisory Committee composed of the superintendent from each member school district or his or her representative. Legislation requires that the Advisory Committee shall meet at least four times each year to review issues related to open enrollment, proposal for focus groups, focus schools, magnet schools, and pathways; and to provide recommendations for improving academic achievement across the learning community, and provide input to the learning community coordinating council on other issues as requested.

**Agenda Item 12: DISCUSS ACHIEVEMENT SUBCOUNCILS PURPOSE AND FUNCTION.** Mr. Moravec commented on achievement subcouncils and their purpose. According to Nebraska State Statute 79-2117, each LCCC shall designate the three voting

members representing each election district as the achievement subcouncil for each election district. Each achievement subcouncil shall meet as necessary but shall meet and conduct a public hearing within its election district at least once each school year. Each subcouncil shall: develop a diversity plan recommendation for the territory in its election district; administer elementary learning centers; review and approve or disapprove of the poverty plans and limited English proficiency plans; receive community input and complaints regarding the LC and academic achievement; hold public hearings at its discretion in its election district in response to issues raised by residents of the election district regarding the LC, a member school district and academic achievement in the election district. A discussion was had regarding the applicability of the Open Meetings Act to the LCCC, the advisory committee and the achievement subcouncils.

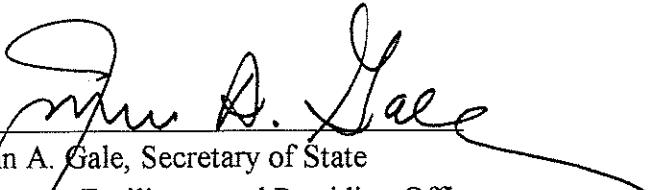
**Agenda Item 13: PUBLIC COMMENT.** Secretary Gale asked the members of the audience if anyone wished to come forward to provide public comment on any of the agenda items. Mary Tinglehoff, resident of Bennington, came forward and had questions about the projected cost of the LCCC. Jess Wolff, President of the Nebraska State Education Association (NSEA), came forward to introduce himself and other members of the NSEA. Mr. Wolff commented on the effect the LCCC will have on the State of Nebraska and that the LCCC has the support of the NSEA. Lastly, Ellen Platte, resident of Omaha and parent of Omaha Public School student came forward to express great faith in the LCCC and support in all its future endeavors.

**Agenda Item 14: DATE AND TIME AND LOCATION OF NEXT MEETING.** Secretary Gale announced the date of the next LCCC meeting will be January 22, 2009 at 6:30pm at ESU #3.

**Agenda Item 15: ADJOURNMENT.** Secretary Gale declared the meeting adjourned at 8:42 P.M.

Approved this 22 day of January, 2009.

By:

  
John A. Gale, Secretary of State  
Statutory Facilitator and Presiding Officer