

NEBRASKA STATE BOARD OF EDUCATION MEETING NOTIFICATION AND AGENDA

- Meeting Date:** Friday, June 2, 2023 9:00 AM
- Meeting Title:** State Board of Education Meeting Notification and Agenda
- Location:** Nebraska Innovation Campus
Banquet Hall
2021 Transformation Drive
Lincoln, NE 68508
- 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 Friday, June 2, 2023, 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 45 minute recess at or after 12:00 p.m.)
President Gubbels
 - 1.1. Roll Call
President Gubbels
 - 1.2. Pledge of Allegiance
President Gubbels
 - 1.3. Announcement of the placement of the Open Meetings Act information
President Gubbels
2. SPECIAL PRESENTATIONS
President Gubbels
3. DEPUTY COMMISSIONER'S REPORT
Deputy Commissioner Frison

3.1. Agenda Overview and Consent Agenda Process
Deputy Commissioner Frison

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

3.2. Discussion Item: Provide an update on the annual review of Priority School Progress for Isanti Elementary, Middle, and High School
Shirley Vargas

3.3. Discussion Item: Discussion of the standard setting process for NSCAS assessments in English Language Arts and Mathematics, and Science validation
Trudy Clark

4. PRESIDENT'S REPORT
President Gubbels

5. CONSENT AGENDA
President Gubbels

5.1. Board Member Out-of-State Travel Approval

5.2. Committee Appointments

5.3. Contract Approvals

5.3.A. Authorize the Deputy Commissioner to continue to contract with TNTP for services and support to Nebraska's Priority Schools for the period of July 1, 2023 through June 30, 2024
Shirley Vargas

5.3.B. Authorize the Deputy Commissioner to continue to contract with Educational Service Unit #10 (ESU 10) to provide support to the ATP Education Program
Tobias Orr and Lindy Foley

5.3.C. Authorize the Deputy Commissioner to continue to contract with Boys Town, USA for the Safe2Help
Zainab Rida and Jay Martin

5.4. Grant Approvals

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

5.4.B. Authorize the Deputy Commissioner to approve a continuation grant to the Nebraska Association for the Education of Young Children (NeAEYC) to operate the T.E.A.C.H. Early Childhood Nebraska ®Scholarship program
Melody Hobson

5.4.C. Authorize the Deputy Commissioner to continue to fund subgrants with several public school districts and Educational Service Units (ESUs) (see Estimated Cost Section for listing) for the purposes of funding the Promoting Engagement and Knowledge Projects (PEaK)
Amy Rhone

5.4.D. Authorize the Deputy Commissioner to continue to fund grant awards with the Educational Service Unit (ESU) #3, #6, #7, #10, #13, and The University of Nebraska at Lincoln for the purposes of providing the Autism Spectrum Disorder (ASD) Network Projects through Federal IDEA funding
Amy Rhone

5.5. Lease Approvals

5.5.A. Authorize the Deputy Commissioner to approve a lease renewal between the Department of Administrative Services, State Building Division, and the Nebraska Department of Education, Nebraska Vocational Rehabilitation (VR)/Assistive Technology Partnership (ATP), for office space at 1313 Farnam on the Mall, Omaha, Nebraska
Bryce Wilson and Lindy Foley

5.5.B. Authorize the Deputy Commissioner to approve a lease renewal between the Department of Administrative Services, State Building Division, and the Nebraska Department of Education, Nebraska VR, for office space at 200 South Silber, North Platte, Nebraska
Bryce Wilson and Lindy Foley

5.6. Minutes of the Previous State Board of Education Meeting

5.7. Miscellaneous Approvals

5.7.A. Authorize the Deputy Commissioner to adopt the Prepared Order to Adjust Boundaries for Educational Service Units #6 and #18
Deputy Commissioner Halstead

5.7.B. Authorize the Deputy Commissioner to pay annual dues for National Association of State Board of Education (NASBE); Council of Chief State School Officers (CCSSO) and Collaborative Groups; and Education Commission of the States (ECS)
President Gubbels

5.7.C. Authorize the Deputy Commissioner to approve the renewal of the Educational Service Unit #13 Rule 11 teacher waiver request

Melody Hobson

- 5.7.D. Authorize the Deputy Commissioner to 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. STANDING COMMITTEE REPORTS

President Gubbels

6.1. Executive Committee

President Gubbels

- 6.1.A. Action Item: Approve the Commissioner's Position Description, and the Essential Functions, Performance Indicators, and Evidence of Attainment Examples
Chair Patti Gubbels

6.2. Budget and Finance Committee

Patsy Koch Johns

- 6.2.A. Monthly Board Travel Expense Reports
- 6.2.B. Action Item: Authorize the Deputy Commissioner to approve awards for new and expansion Early Childhood Education program grants to the identified public school districts
Melody Hobson
- 6.2.C. Action Item: Authorize the Deputy Commissioner to contract with LDP, Inc. d/b/a Leader Services to provide support in developing a web application for collecting, storing, tracking, monitoring, reporting, and verifying federally required state-level data, district level data, and complaint investigation data
Amy Rhone
- 6.2.D. Action Item: Authorize the Deputy Commissioner to approve the reVISION Action Grants for 2023-2024
Katie Graham
- 6.2.E. Action Item: Authorize the Deputy Commissioner to approve a contract with Pearl Strategies for the costs of services delivered utilizing state set-side funds through American Rescue Plan/Homeless Children and Youth (ARP/HCY) I and II Grants
Ken Howard and Kirk Russell
- 6.2.F. Action Item: Authorize the Deputy Commissioner to distribute the Local Food for Schools Grant funds to School Food Authorities
Zainab Rida

6.3. Planning and Evaluation Committee

Deborah Neary

6.3.A. Action Item: Approve Rule 11 teacher waiver request from Creek Valley Public Schools
Melody Hobson

6.3.B. Action Item: Approve the Rule 11 teacher waiver request from Red Cloud Community Schools
Melody Hobson

6.3.C. Action Item: Authorize the Deputy Commissioner to approve the accreditation of school systems appearing on the accompanying list to operate for the 2023-2024 school year under Rule 10
Micki Charf and Brad Dirksen

6.3.D. Action Item: Authorize the Deputy Commissioner to approve the new approved schools and adding grades to approved schools appearing on the accompanying list to operate for the 2023-24 school year under Rule 14
Micki Charf and Brad Dirksen

6.3.E. Action Item: Authorize the Deputy Commissioner to approve the new interim-program school appearing on the accompanying list to operate for the 2023-24 school year under Rule 18
Micki Charf and Brad Dirksen

6.3.F. Action Item: Authorize the Deputy Commissioner to approve the educator preparation programs in Nebraska colleges and universities under Rule 20
Brad Dirksen

6.3.G. Action Item: Approve the amendment for Section 4 of Nebraska's Every Student Succeeds Act (ESSA) Plan
Vicky Munoz, Shirley Vargas, and Lane Carr

6.4. Rules and Regulations Committee

Elizabeth Tegtmeier

6.4.A. Report On Rules

6.4.B. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 20 (92 NAC 20) Regulations for the Approval of Teacher Education Programs
Brad Dirksen

6.4.C. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 21 (92 NAC 21) Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools

Brad Dirksen and Clayton Waddle

6.4.D. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 24 (92 NAC 24) Regulations for Certification Endorsements
Brad Dirksen

6.4.E. Action Item: Adopt the content test and passing score requirements for endorsements set forth in Rule 24
Brad Dirksen

6.4.F. Action Item: Adopt proposed revisions to Title 93, Nebraska Administrative Code, Chapters 1-16 (93 NAC 1-16), Nebraska Department of Education Personnel Rules
Joel Scherling

7. ADDITIONAL BUSINESS

President Gubbels

7.1. Discuss SBOE Consultant Selection Process, History, Decision-Making Steps, & Related Conflict of Interest & Gift Policies
Deborah Neary and Patsy Koch Johns

8. PUBLIC COMMENT PERIOD (The Board will hear Public Comment at or after 1:00 p.m.)

President Gubbels

8.1. Public Comment

8.2. Written Public Comment

9. INFORMATION ITEMS AND REPORTS

President Gubbels

9.1. Contracts Approved by Commissioner

9.2. Grants Approved by Commissioner

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 Gubbels

11. ADJOURNMENT
President Gubbels

The next regularly scheduled meeting of the State Board of Education will be held on Friday, August 4, 2023, at 9:00 a.m. in Lincoln, Nebraska. As needed, a work session will be held on Thursday, August 3, 2023 in Lincoln, Nebraska.

The agenda contains a list of subjects known at the time of its distribution on May 25, 2023. 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.*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 19, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Provide an update on the annual review of Priority School Progress for Isanti Elementary, Middle, and High School.

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

RATIONALE/BACKGROUND INFORMATION: Priority Schools identified through AQuESTT are required to submit an annual review of the progress plan to the Nebraska State Board of Education. This review illustrates the level of progress as evidenced by measurable indicators and identifies whether modifications are needed (79-760.07 R.R.S.).

Each Priority School is required to submit a Progress Plan for approval by the State Board of Education. The purpose of the Progress Plan is to identify: goals and areas for growth and improvement; measurable indicators of progress; strategies and actions to achieve improvement; associated timelines and resources; and evidence to monitor progress. The Progress Plan serves as the primary improvement plan for the Priority School and is also part of the continuous improvement plan for the district in which the Priority School is located (92 NAC 10, Section 009.01B2).

Below is a list of former and current Priority Schools.

School	District	Initial identification	Current status
Druid Hill Elementary School	Omaha Public Schools	December 2015	Exited June 2017
Loup County Elementary School	Loup County Public Schools	December 2015	Exited June 2019
Schuyler Central High School	Schuyler Community Schools	June 2018	Exited June 2022
Isanti Middle School	Isanti Community Schools	December 2015	In Year 6*
Isanti Elementary School	Isanti Community Schools	June 2019	In Year 3*
Isanti High School	Isanti Community Schools	June 2019	In Year 3*



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* In May 2021, the board approved to exempt the 2019-2020 school year from counting towards years in status.

If a school has been designated as a Priority School for three consecutive years, the State Board shall reevaluate the progress plan to determine if:

- A significant revision of the progress plan is necessary,
- An entirely new progress plan shall is developed, or
- An alternative administrative structure is warranted.

The Board will also review any recommendations made by the Deputy Commissioner regarding Priority Schools completing their third consecutive year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: NA

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:

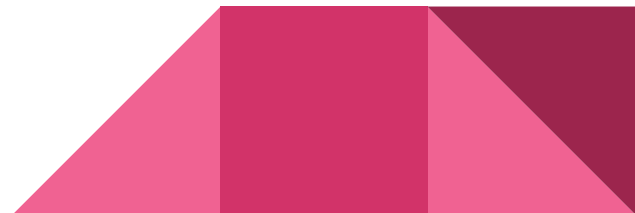
**Updated 02.07.2023*

Priority School Updates and Recommendations

Shirley Vargas, Ed.L.D.
School Transformation Officer & Administrator, Office
of Coordinated School & District Support
June 2, 2023

Objectives

- Review statutory authority and requirements related to Priority Schools
- Provide an overview of the Priority School designation process
- Provide a progress update on Isanti Elementary, Middle, and High School
- Share recommendations and next steps



Priority School Legislation

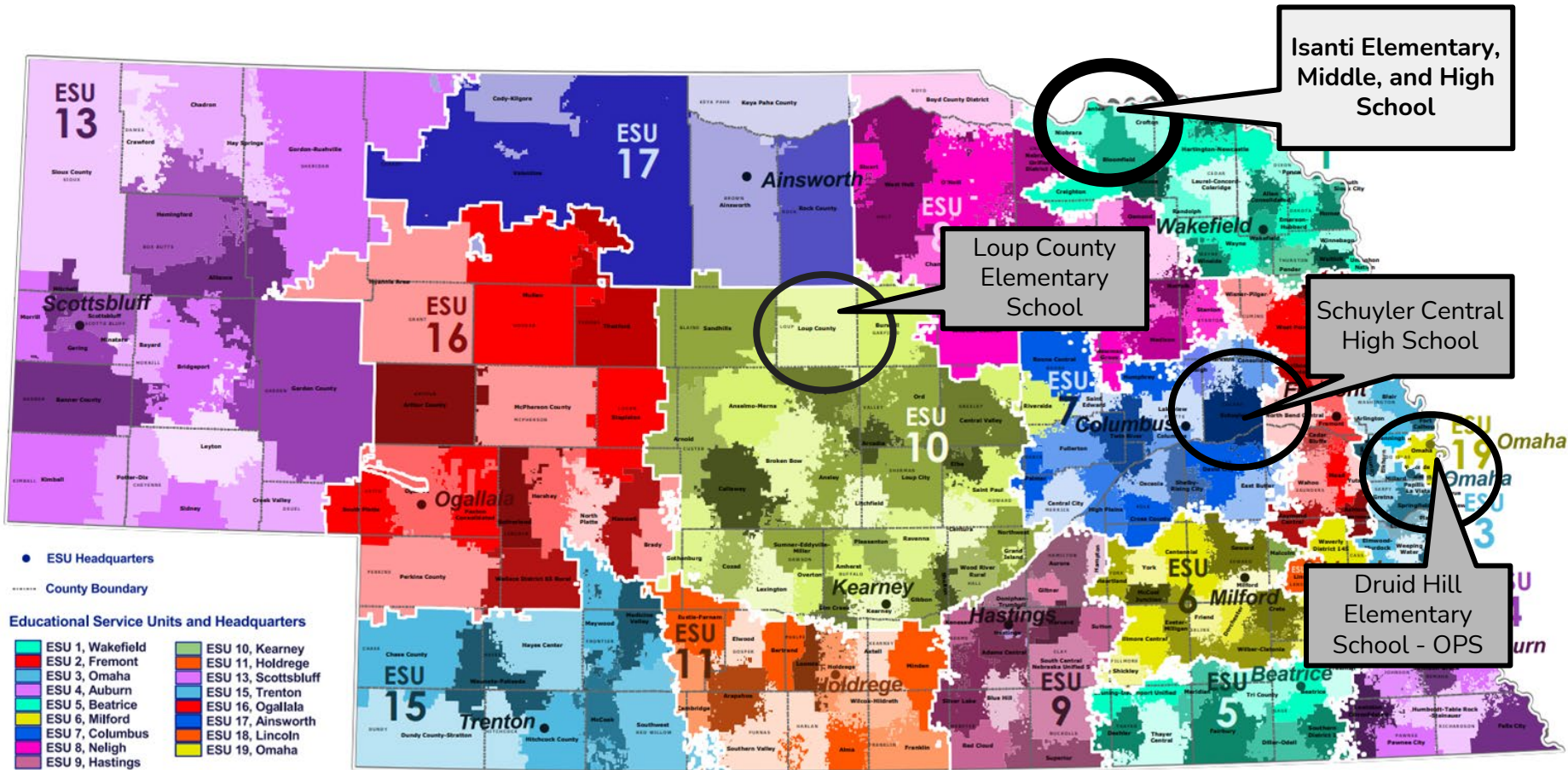
Statutory Requirements - N.R.S. §79-760.06-.07

- Schools designated as Priority Schools “shall be at the lowest performance level at the time of the initial designation” -- *Needs Support to Improve*
- “No less than three schools” may have this designation
- Schools designated as Priority Schools shall remain with such designation until removed by the State Board
- If a school has been designated as a priority school for the 3rd consecutive year, the state board shall reevaluate the progress plan to determine if:
 - A significant revision of the progress plan is necessary
 - An entirely new progress plan is developed, or
 - An alternative administrative structure is warranted.





Former and Current Priority Schools



Status of All Identified Priority Schools

School	District	Initial identification	Current status
Druid Hill Elementary School	Omaha Public Schools	December 2015	Exited June 2017
Loup County Elementary School	Loup County Public Schools	December 2015	Exited June 2019
Schuyler Central High School	Schuyler Community Schools	June 2018	Exited June 2022
Isanti Middle School	Isanti Community Schools	December 2015	In Year 6*
Isanti Elementary School	Isanti Community Schools	June 2019	In Year 3*
Isanti High School	Isanti Community Schools	June 2019	In Year 3*

*In May 2021, the board approved to exempt the 2019-2020 school year from counting towards years in status to align state and federal designation processes.



Priority School Designation Process


Priority School Process Timeline

In a typical school year,

- November/December: Release of AQuESTT Classifications and Federal Designations
- January: Identify a narrowed list of potential schools
- February: Conduct an on-site diagnostic review to inform final recommendations to the commissioner
- March: Seek Board approval of selection of school(s)
- April/May: Support school and district staff in improvement planning
- June: Seek Board approval of Progress Plan


Priority School Designation Process

- Assemble NDE staff from across the agency
- Understand data collection and processes from other offices
- Review multiple data sources to obtain a clearer picture of a school's quality and performance
 - Thorough review of qualitative and quantitative data
 - Identify patterns/trends over time and across offices
 - Conduct an on-site qualitative review and Rule 10 compliance visit
- Inform recommendations made to Commissioner
- Seek Board approval for proposed Priority School(s) and their Progress Plan



Isanti Elementary, Middle, and High School Updates

Isanti Community Schools Context

- School and district leadership turnover:
 - In the last 10 years, 9 new superintendents
 - In the last 5 years, 4 high school principals
 - Submitted affidavit for instructional hours exception for 2019-20, 2020-21, 2021-22 school years
 - Obtained Cognia accreditation this spring
 - The high school exited CSI status for graduation rate but was identified as CSI for low performance during Fall 2022 accountability cycle
 - School Board president and vice president started in Jan. 2023
 - Tribal Chairman started in Jan. 2023
- 

2019 Priority School Plan Focus

- Increase academic achievement: focus on learning intentions and success criteria
- Increase 4-year cohort graduation rates
- Reduce chronic absence and emphasize restorative practices and relationship building
- Center Dakota culture and language throughout the district



Evolving Focus for 2022-2023

The approach in 2022-2023 builds on past structures and foundations, but sought to go deeper and build connections in between focus areas.

Academics: Past structures & HQIM purchase set us up to focus on curriculum-based professional learning

Dakota Language & Culture: preliminary implementation of learning block for students is a place to build from in overall school climate

Talent: Past work developing teachers has shifted to a larger focus on teacher and leader recruitment, development, effectiveness, and retention.

2022-2023 School Year: Creating Conditions for Continuous Improvement

Talent Management	Preparing for the 23-24 school year with leaders, teachers, and support staff that share positive mindsets about Isanti students and clarity about their role in delivering a high-quality student experience.
Instructional Structures	Preparing for the 23-24 with the calendar, schedule, and materials needed to organize our school around teaching and learning.
Elementary Literacy	Students in grades K-5 will be taught at least 3 CKLA knowledge units between January and May 2023. We will identify foundational skills supports to roll out February 2023.
Secondary School Design	The Secondary school will engage in the CSI process in order to set vision for student experience focus specifically on high school (includes a focus on middle school)
Communication Structures	Clear and consistent communication to NDE, School Board, Community, and Tribal Council about progress.

Talent Management - Focus on Leadership Sustainability

The challenge: Leadership turnover in the secondary Principal and Superintendent position has made it difficult to sustain priorities and continuous improvement. This year, the Superintendent was acting as 6-12 Principal.



Hiring process: Conducted a thorough hiring process including site visit, interview day with students, staff, and Board members, and hiring exercise involving Priority Plan work.



Hired two experienced leaders with 50 years in education in between them to focus on High School. Cindy Nagel will take on 6-8 to bring into alignment with K-5 structures.



Succession Planning: Our work with TNTP is focused on creating the next 3 years through Dean of Students, teacher-leader roles, and proactive hiring and transition planning for Superintendent.

2022-2023 Elementary School Metrics (Estimates from NSCAS & NWEA Portal)

NWEA MAP (K-2)	K-2: 40% of students will <u>meet grade level expectations</u> on MAP (ELA & Math)	ELA: 13% Math: 16%
	K-2: 60% of students will meet projected growth expectations as measured by MAP over the course of the year (ELA & Math)	ELA: 61% - MET Math: 73% - MET
DIBELS (K-5)	K-5: 40% of students will be at grade level on DIBELS at the End of the Year	32%
	K-5: 60% of students will move up a level on DIBELS from beginning to end of year	32%
NSCAS (3-5)	3-5: 10% of students will be "On Track" or "Advanced" on each NSCAS ELA & Math	ELA: 14% * Math: 8% Cumulative: 12% - MET
	4-5: 60% of students meet projected growth on each NSCAS ELA & Math	Not yet available

Middle and High School Performance Metrics

- Continues to be a growing area of concern
- Lack of consistent leadership for secondary grades
- Data must be masked because of data privacy concerns on both NSCAS ELA and Math for grades 6-8 & ACT for 3-year cohort
- Increase graduation rates for 7-year cohort to increase combined graduation rate
- Focus areas for 2023-24:
 - HQIM adoption and implementation in ELA and Math
 - High-dosage tutoring program
 - Continue to work with graduation coach to support students
 - Move middle school grades under Elementary principal to support instructional coherence

Chronic Absenteeism Rates 2021-22

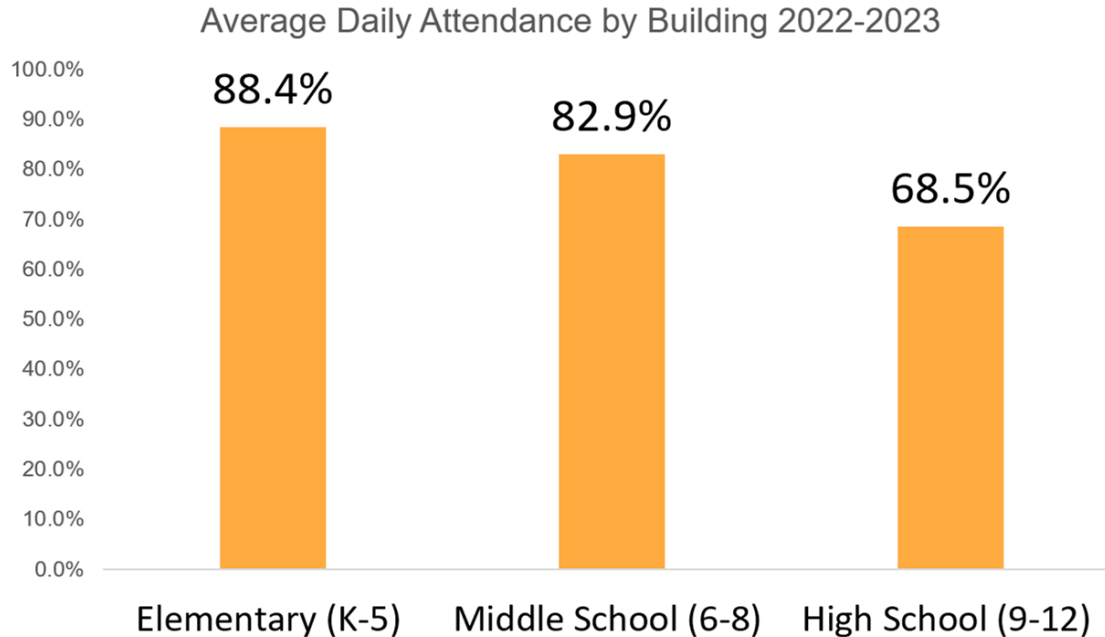
By School Building

School Year	Elementary (K-5)	Middle (6-8)	High (9-12)	District overall
2019	38.28%	70%	74.14%	52.31%
2022	51.52%	62.16%	86.96%	61.99%



Average Daily Attendance 2022-23

By School Building (as of May 31, 2023)



Plan for Coherence for K-8 Students in 2023-2024

Strong Tier 1 Instruction
Students are getting grade appropriate assignments

Intervention Platforms
Students have daily time for targeted intervention aligned to grade level skills

Targeted Small Groups
Students are pulled based on data for specific skill gap instruction

ELA

CKLA Skills (K-2)

CKLA Knowledge (K-5)

Amplify (6-8)

Amplify Boost

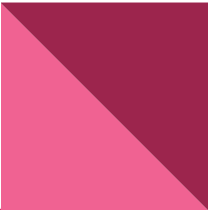
Amplify Burst

Math

Open Up Resources

Zearn

Targeted tutoring from Zearn



CSI Action Plan

Student Academics

Identify and implement HQIM for 9-12 ELA & Math.

Support leaders to develop teachers in the execution of those materials and strong instructional practices.

Create ACT Preparation and engagement structures.

Identify areas where students may need aligned, high-dosage tutoring.

Student Attendance

Create an attendance team that can monitor student attendance weekly and identify tiered interventions.

Create positive, student-centered routines and school traditions that improve the student experience (weekly gatherings, Big Brother/Big Sister programs, Student Council)

Work with Ha'hanna Consulting to develop all staff on cultural competency and instructional practices that support local values.

Graduation Rate

Continue current graduation structures – will need to maintain graduation rates for 7 year graduation rate to improve.

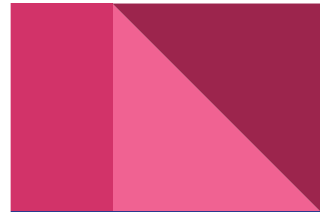
Identify opportunities within and outside of the community for students to engage in relevant real-world-learning that supports their future plans.

Build Elder Program that helps students connect their learning to the community and their goals.

Build leadership team that can monitor progress, collaborate to continually improve, and develop teachers
Work with Ha'hanna to engage in visioning process for the school's journey along Wo'awacin Spirals

District Priorities for 2023-2024

- 1 Identify the leadership team for future years and build development structures in to 2023-2024 so that transitions and successions do not disrupt the student experience.
- 2 Develop a staff, student, and family climate survey that is delivered regularly (monthly, quarterly) and that is reviewed by leadership team for opportunities to improve the student, staff, and family experience with the school.
- 3 Develop long-term strategies for recruitment, teacher development, and leader development. Review staffing structures for classroom supports and include a grow-your-own teacher model.
- 4 Maintain crucial staff policies, hiring protocols, and procedures for student needs in a transparent and consistent manner.
- 5 District engage in an audit of Special Education model and services with support from an external organization (like ESU 1, or NDE, or other) and then rebuild the design with student and family engagement and instructional model in mind.
- 6 Superintendent & Board set a goal for meeting required school days for instructional time in 23-24.





Recommendations & Next Steps

Recommendation & Next Steps

Recommended Action: Isanti Elementary and High School to continue as Priority Schools with a significant revision to their plan focused on implementing HQIM K-12, developing leaders and teachers, and community engagement.

Seek board approval for this recommendation and the Priority School Progress Plans in August.

Create coherence in support between opportunities provided to the district, including CSI, Priority, Special Education, and other programs working to support improvement.

Strengthen communication structures between the School Board, Tribal Council, NDE, and local community.

Thank you!



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Trudy K Clark, Ed.D.

PROPOSED AGENDA ITEM: Discussion of the standard setting process for NSCAS assessments in English Language Arts and Mathematics, and Science validation

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

RATIONALE/BACKGROUND INFORMATION:

- Standard setting is a process of describing levels of performance and identifying ranges of test scores associated with those levels. The Nebraska Department of Education has identified three (3) levels of performance: Developing, On Track, Advanced.
- Standard setting is conducted following the first year of a new assessment, a test changes significantly, or when policy makers want to adjust expectations. For ELA, we have a new assessment measuring new standards. For Math, there were questions regarding the consistency of the process between ELA and Math. For science, it is an opportunity to validate the cut scores with new data from the 2023 Spring NSCAS Science assessment.
- Standard setting provides information to educators, students, parents, and policymakers regarding a student's proficiency level when demonstrating what they know and can do based on Nebraska College and Career Ready Standards.
- Standard setting will occur over the course of 4 days (July 24-27) at the Cornhusker Marriott. ACS Ventures will facilitate the work with support from NWEA and NDE. On July 28th, Chad Buckendahl, the chair of the Technical Advisory Committee, will facilitate a policy review by a subcommittee of eight (8) educators from the Assessment & Accountability Advisory Committee. Their task is to determine the "reasonableness" of the cut scores. Following this review, the results will be shared with the Nebraska State Board of Education to be adopted if the board agrees.

PROPOSED BOARD MEETING (MONTH/YEAR): June 1, 2023

ESTIMATED COST: NA

FOR CONTRACTS AND GRANTS: NA

- Indicate the Funding Source:



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

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

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

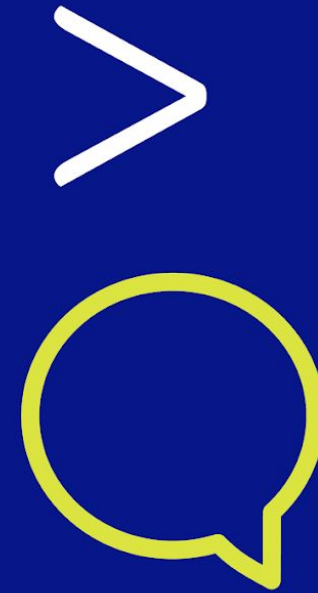
FOR GRANT SUBAWARDS: NA

- Describe the grantee selection process:

**Updated 02.07.2023*

Standard Setting

State Board of Education
June 1, 2023



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 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

English Language Arts

- Adoption of revised College and Career Ready State Standards (2021)
- New test (i.e., NSCAS Growth - Computer-Adaptive Test) (2023)

Mathematics

- As a result of educator concerns, a review of the edMetrics Technical Report of the 2018 standard setting process by the Technical Advisory Committee indicated there was sufficient evidence to suggest a new standard setting could take place.



ELA & Mathematics

Standard Setting Process

The NSBOE approved the contract for ACS Ventures to conduct the standard setting process. ACS Ventures will facilitate the work of approximately 65 content area specialists over 4 days (July 24-27).

- 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)



ELA & Mathematics Cut Score Recommendations

- NSCAS Growth ELA/Math 3-8 & ELA Alternate 3-8 & 11
- 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?”



ELA & 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.



Science Validation

ACS Ventures provides results of impact data using present cut scores on student performance on the Spring 2023 NSCAS General Science. Educators determine if the cut scores are reasonable.





Questions?

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)			



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 19, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to contract with TNTP for services and support to Nebraska's Priority Schools for the period of July 1, 2023 through June 30, 2024.

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

RATIONALE/BACKGROUND INFORMATION:

Per 79-760.07 R.R.S., the State Board is required to designate no less than three Priority Schools. As part of the supports provided by the NDE, external consultants have been contracted to provide intensive supports for Priority Schools based on school needs, including diagnostic reviews, on-site observation and coaching with administrators, school improvement planning and implementation of Progress Plans, partnership, and skill-building with NDE staff, and off-site support and follow-up.

TNTP was selected in June 2022 through a competitive negotiation process – Request for Proposals RFP.NDERFP.220320. This vendor has been working with the current Priority Schools and with this approval, the vendor will provide continuity of services for an additional year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$250,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: General Funds
- New or Renewal: Renewal
- If renewal, date of first approval: June 2022

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:



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- Indicate the method of procurement: Competitive Negotiation (Request for Proposal)
- Rationale for method of procurement: Ensure multiple potential contractors with various experiences and expertise could demonstrate their approach to supporting underperforming schools through a proposal – that addresses the various needs of the identified schools or potential new schools.
- Rationale for contractor selection: This vendor was the top scoring from a panel of five NDE employees. The vendor demonstrated the skills, abilities, and proven track record of support underperforming schools.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA

**Updated 02.07.2023*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 11, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

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

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

RATIONALE/BACKGROUND INFORMATION: This contract is for Educational Service Unit 10 (ESU10) 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. ESU10 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/ESU's 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.

ESU10 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 2023-2024.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$88,070.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Special Education IDEA Part B, and Part C funds.
- New or Renewal: Renewal
- If renewal, date of first approval: June 2022



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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 02.07.2023*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 2, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Grant the Deputy Commissioner the authority to contract with Boys Town, USA to continue as the communication center for the LB322 School safety and Security Reporting System, Act, specifically Safe2Help NE.

AGENDA ITEM TYPE: Contract Renewal

PROPOSED AGENDA ITEM:

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 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 which 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 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 provide the communication center support for the Douglas County Pilot Project and also now the statewide project since the inception of Safe2HelpNE. Boys Town, USA is the only in-state 24/7/365 communication center with live crisis counselors.



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PROPOSED BOARD MEETING (MONTH/YEAR): June, 2023

ESTIMATED COST: \$809,445.00

FOR CONTRACTS AND GRANTS:

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



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 24, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

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

AGENDA ITEM TYPE: Grants

RATIONALE/BACKGROUND INFORMATION: Districts are eligible for continuation funds based on the amount of state aid calculated for 4-year-olds in the program subtracted from the original grant amount.

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.*

PROPOSED BOARD MEETING: June 2023

ESTIMATED COST: See additional support material

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State General Funds
- New or Renewal:
- If renewal, date of first approval: varies by district



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FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS:

**Updated 02.07.2023*

School Districts Receiving Early Childhood Continuation Grants

Proposed consent item: Authorize the Deputy Commissioner to approve awards for continuation of the Early Childhood Education Program grants to the identified public school districts.

Adams Central Public Schools \$ 107,714

Arnold Public Schools \$ 50,000

Auburn Public Schools \$ 62,798

Bayard Public Schools \$ 14,124

Beatrice Public Schools \$ 39,350

Blair Community Schools \$ 72,405

Centennial Public Schools \$ 2,372

Clarkson Public Schools \$ 32,652

Columbus Public Schools \$ 152,152

Cozad Community Schools \$ 22,724

Creek Valley Public Schools \$ 50,775

Deshler Public Schools \$ 65,906

Douglas County West Community Schools \$ 65,222

Gering Public Schools \$ 51,185

Kearney Public Schools \$ 71,522

Kenesaw Public Schools \$ 19,529

Lakeview Community Schools \$ 108,143

Malcolm Public Schools \$ 46,843

Nebraska City Public Schools \$ 100,714

Norfolk Public Schools \$ 31,130

Northwest Public Schools \$ 37,841

Oakland-Craig Public Schools \$ 15,490

Palmyra District OR 1 \$ 66,830

Papillion-LaVista Community Schools \$ 145,008

Ralston Public Schools \$ 10,768

Scottsbluff Public Schools \$ 205,712

Sidney Public Schools \$ 54,999

Stapleton Public Schools \$ 38,165

Thayer Central Community \$ 65,130

Tri-County Public Schools \$ 41,813

Valentine Community Schools \$ 43,168

Total - \$2,259,448.00



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve a continuation grant to the Nebraska Association for the Education of Young Children (NeAEYC) to operate the T.E.A.C.H. Early Childhood Nebraska ®Scholarship program

AGENDA ITEM TYPE: Grant

RATIONALE/BACKGROUND INFORMATION:

- T.E.A.C.H. Early Childhood Nebraska® is a scholarship program for low-income professionals working in early childhood education and care programs who want to continue their education.
- T.E.A.C.H. is an acronym that stands for Teacher Education and Compensation Helps.
- T.E.A.C.H programs operate in twenty-one states.
- Nebraska T.E.A.C.H. scholars work to complete associate degrees in early childhood education and eventually may complete a bachelor's degree and obtain a Nebraska teaching certificate with an Early Childhood Inclusive endorsement.
- T.E.A.C.H. pays tuition, books, and release time for students who work at least 30 hours per week in an early childhood program.
- The Nebraska Association for the Education of Young Children is the T.E.A.C.H. Early Childhood Nebraska® license holder for Nebraska.
- In fiscal year 2022, 164 early education professionals received scholarships.
- For associate degree scholarship recipients, the average retention rate was 91.1%.
- For bachelor's degree scholarship recipients, the average retention rate was 96.9%
- 28% of T.E.A.C.H. recipients were people of color and/or Latinx

PROPOSED BOARD MEETING: June, 2023

ESTIMATED COST: \$100,000



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FOR CONTRACTS AND GRANTS:

- Indicate funding source: State general funds identified for scholarships
 - A grant for TEACH Early Childhood Scholarships was approved on the consent agenda at May 2023 state board meeting using Federal Child Care and Development Funds (CCDF).
- New or Renewal: Renewal
- If renewal, date of first approval: 2002

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: The Nebraska Association for the Education of Young Children is the only entity licensed to provide T.E.A.C.H. Early Childhood Scholarships in Nebraska

**Updated 02.07.2023*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 18, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Authorize the Commissioner to continue to fund subgrants with several public school districts and Educational Service Units (ESUs) (see Estimated Cost Section for listing) for the purposed of funding the Promoting Engagement and Knowledge Projects (PEaK).

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

RATIONALE/BACKGROUND INFORMATION: The NDE Office of Special Education is committed to supporting districts in improving results for children with disabilities. To meet this purpose, funding is available annually to support implementation and evaluation of Targeted Improvement Plans (TIPs) through a PEaK (Promoting Engagement and Knowledge) project. The PEaK Project funding is supplemental to, and is not intended to supplant or duplicate, any other funding source(s). Districts or consortiums of districts supported by an ESU may apply for projects funded with IDEA discretionary dollars for the specific purpose of improving learning for children with disabilities.

As part of Nebraska’s Results Driven Accountability (RDA) System, all school districts must participate in ongoing review of their special education program utilizing the Improving Learning for Children with Disabilities (ILCD) process. The process includes an analysis of district data to study Impact Area data, district infrastructure, and other pertinent district data to identify target areas for improvement. This is followed by identifying measurable results (goals) and coherent improvement strategies that will be the focus for improvement. Next, the district reviews the current infrastructure and capacity to implement, scale-up and sustain evidence-based practice. Finally, based upon strengths and challenges, a comprehensive, multi-year TIP detailing coherent improvement strategies focused on improving results for children with disabilities is created. The state plan directs districts to implement phases of the ILCD improvement process over several years.

PEaK Project activities are intended to assist districts in implementing and evaluating the TIP (See page 1). This is the last year for PEaK Project funding. The Project funding will be reconsidered and revised for future funding beginning with the 2024-25 school year. Projects should encourage agencies to leverage resources and align efforts to serve students with disabilities through continuous school improvement. Projects should increase the capacity of districts to deeply implement evidence-based practices designed to improve outcomes of students with disabilities. Project activities must address unique district strengths and needs. Applicants will



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identify the structures and supports necessary to implement and measure progress toward achieving the District TIP.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST:

ESU #1	\$87,399.00
ESU #2	\$94,542.00
ESU #3	\$131,036.00
ESU #4	\$53,693.00
ESU #6	\$99,126.00
ESU #7	\$65,047.00
ESU #8	\$78,752.00
ESU #10	\$80,698.00
ESU #11	\$50,089.00
ESU #13	\$144,945.00
Bellevue Public Schools	\$73,508.00
Elkhorn Public Schools	\$70,103.00
Grand Island Public Schools	\$74,228.00
Lincoln Public Schools	\$313,028.00
Millard Public Schools	\$180,135.00
Omaha Public Schools	\$396,270.00
Papillion LaVista Public Schools	\$90,135.00

*Pursuant to NDE, Agency Management Policy (AMP) 2.02, the list above only contains the PEaK grants of \$50,000 or more to review and approve. The listed grants make up 83% of the almost \$2,500,000 provided in PEaK funding annually.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: IDEA Federal Part B, 611 Funding
- New or Renewal: Renewal
- If renewal, date of first approval: August 2018

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:



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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.

The Office of Special Education, Part B 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 B:

- To provide technical assistance to schools and LEAs, and direct services, including direct student services described in section 1003A(c)(3) of the ESEA to children with disabilities, to schools or LEAs implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the ESEA on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement based on the challenging academic standards described in section 1111(b)(1) of the ESEA (20 U.S.C. 1411 (e)(2)(C)(xi))
- To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities (20 U.S.C. 1411 (e)(2)(C)(vii))
- To assist local educational agencies in meeting personnel shortages (20 U.S.C. 1411 (e)(2)(C)(vii))

Through these sub-award(s), NDE ensures appropriate and quality learning opportunities should exist for all children. All PEaK Projects as part of the OSE subaward process, has undergone 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 has successfully carried out similar duties on previous sub-awards/grants.



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Authorize the Commissioner to continue to fund grant awards with the Educational Service Unit (ESU) #3, ESU #6, ESU #7, ESU #10, ESU #13, and The University of Nebraska at Lincoln for the purposes of providing the Autism Spectrum Disorder (ASD) Network Projects through Federal IDEA funding.

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

RATIONALE/BACKGROUND INFORMATION: In 2002, five (5) Autism Spectrum Disorder (ASD) Regions were established across Nebraska to provide support for Nebraska schools and families impacted by autism spectrum disorders. In addition to the five ASD Regional Coordinators and five Behavioral consultants, an ASD Network State Coordinator is housed at the University of Nebraska - Lincoln to coordinate the services of the ASD Network. The Nebraska ASD Network is funded by the Nebraska Department of Education (NDE), Office of Special Education through Individuals with Disabilities Act (IDEA) funds.

The Nebraska Department of Education developed the ASD network to provide training and technical assistance to local early childhood providers, school districts, educational service units and parents of children with autism spectrum disorders for children birth to age 21. The ASD Network works to build school district capacity in providing quality, individualized programming for students with autism using evidence-based practices and interventions; however, the network does not provide direct services. It is the responsibility of Nebraska school districts to assure that all children with ASD have a free and appropriate public education (FAPE), which includes special education and related services that meet their unique needs.

The ASD Network is viewed as an integral part of the statewide system and a means for ensuring quality educational opportunities for children/students with ASD in Nebraska. ASD Network services include consultation assistance to school districts for student-specific needs through a regional referral process. Consultation is provided in the areas of educational programming, assessment, individualized program development, and evaluation.

The ASD Network does not provide direct services to students. The Network does, however, consult with school teams about specific students and other ASD needs through a referral system. Regional ASD Coordinators provide support as requested through the referral system to students with a primary or secondary educational identification of autism.



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Additionally, ASD Network services include state and regional professional learning on ASD and related topics. The ASD Network also maintains comprehensive resource libraries. Training for educators, ASD service providers, community agencies, and family members are provided through the Network on evidence-based practices and other relevant topics. ASD Network trainings and school consultations are aligned with and support the work of NeMTSS.

Collaboration between the Nebraska Department of Education (NDE), the Nebraska University Systems and other Nebraska Higher Education Institutions, and the Educational Service Units (ESUs) is also a crucial component for the ASD Network.

The Nebraska Department of Education, Office of Special Education and the University of Nebraska – Lincoln (UNL) work collaboratively to ensure that the State Plan for children with ASD is carried out effectively and efficiently. The NDE, Office of Special Education is responsible for the infrastructure, collaboration with the ASD Network, and funding. UNL’s primary role includes being the fiscal agency for the State ASD Grant program, and host of the State Program offices, Website, and Resources.

Each of the ASD regions covers specific ESUs within that region (see estimated cost section for details). This is a collaborative partnership with five ESUs, and UNL with the proposed allocated amounts for each agency listed in the estimated cost section.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST:

Recipient: UNL- ASD State Coordinator and behavioral consultant (covers statewide support to network)
Project Amount: \$357,995

Recipient: ESU13- Western ASD Region (covers ESUs 13, 16, and 17)
Project Amount: \$219,490 (includes coordinator and behavioral consultant)

Recipient: ESU10- Central ASD Region (covers ESUs 9, 10, 11, 15, parts of 16 and 17)
Project Amount: \$262,064 (includes coordinator and behavioral consultant)

Recipient: ESU6- Southeast ASD Region (covers ESUs 4, 5, 6, and 18)
Project Amount: \$269,580 (includes coordinator and behavioral consultant)

Recipient: ESU7- Northeast ASD Region (covers ESUs 1, 7, and 8)
Project Amount: \$240,399 (includes coordinator and behavioral consultant)

Recipient: ESU3- Metro ASD Region (covers ESUs 2, 3, and 19)
Project Amount: \$358,579 (includes coordinator and behavioral consultant)

Total awarded for ASD Network projects: \$1,708,107



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FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Part B, 611 and 619 and Part C Funding
- New or Renewal: Renewal
- If renewal, date of first approval: 2003 with annual approval each year after. Last renewed June 2022.

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: 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.

The Office of Special Education, Part B 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 B:

- To provide technical assistance to schools and LEAs, and direct services, including direct student services described in section 1003A(c)(3) of the ESEA to children with disabilities, to schools or LEAs implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the ESEA on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement based on the challenging academic standards described in section 1111(b)(1) of the ESEA (20 U.S.C. 1411 (e)(2)(C)(xi))
- To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities (20 U.S.C. 1411 (e)(2)(C)(vii))



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As well as the Part C Grants that meet the Federal subgranting requirements listed above 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:

- comprehensive personnel development (34 CFR 303.118)

Through these sub-award(s), NDE ensures appropriate and quality learning opportunities should exist for all children. The ASD Network project(s), as part of the OSE subaward process, has undergone 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 has successfully carried out similar duties on previous sub-awards/grants.



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 25, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Lindy Foley, Office Administrator of Nebraska VR

PROPOSED AGENDA ITEM:

Authorize the Commissioner to approve a lease renewal between the Department of Administrative Services, State Building Division, and the Nebraska Department of Education, Nebraska Vocational Rehabilitation (VR)/Assistive Technology Partnership (ATP), for office space at 1313 Farnam on the Mall, Omaha, Nebraska for the period of 7/1/23 through 6/30/25.

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

RATIONALE/BACKGROUND INFORMATION:

This is a renewal of a lease for the Nebraska VR and ATP Omaha Downtown field office at the Omaha State Office Building. DAS negotiated the renewal of the lease for 7/1/23-6/30/25. Nebraska VR leases 8,495 sq. ft. and ATP leases 1,244 sq. ft. for a total of 9,739 sq. ft.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST:

July 1, 2023 - June 30, 2025	SF	2023-25 Rate PSF	Annual Rent	Monthly Rent
First Floor	1,244	\$11.13	\$13,845.72	\$1,153.81
Third Floor	8,495	\$11.13	\$94,549.35	\$7,879.11
Total Rent:	9,739		\$108,395.07	\$9,032.92
Building Renewal Assessment Fee	9,739	\$2.33	\$22,691.87	\$1,890.99
TOTAL:	9,739		\$131,086.94	\$10,923.91

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Nebraska VR: State Vocational Rehabilitation funds/Federal Vocational Rehabilitation funds; ATP: Federal AT Act funds, Federal Medicaid funds (through the DHHS agreement)
- New or Renewal: Renewal
- If renewal, date of first approval: 7/1/15

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

**Updated 02.07.2023*

Date: June 2, 2023
 To: Deborah A. Frison, Ed.D., Deputy Commissioner of Education
 From: Lindy Foley/Bryce Wilson/Paul Haas
 Subject: **Lease Transaction** X (Over \$50,000) Requires State Board of Education Approval
 _____ (\$50,000 or under) Requires Commissioner of Education Approval

RECOMMENDATION: It is recommended that the State Board of Education authorize the Commissioner to renew the lease agreement between the Department of Administrative Services, State Building Division and the Department of Education's Division of Rehabilitation Services and Assistive Technology Partnership for office space in Omaha for the period July 1, 2023 through June 30, 2025.

L E S S O R	DAS State Building Division 1526 K Street Lincoln, NE 68509	L E S S E E	Nebraska Department of Education 500 S. 84 th Lincoln, NE 68510-2605		
DESCRIPTION OF PREMISES Location: Downtown Education Center 1313 Farnam on the Mall Omaha, NE Square Footage: 9,739		OCCUPIED BY Division: Rehabilitation Services and Assistive Technology Partnership Section: Omaha Office			
ANNUAL COST: See below					
TERM OF LEASE – From July 1, 2023 To June 30, 2025 New___ Renewal__X_ Special Provisions: (Extensions/Terminations/Options)					
July 1, 2023 - June 30, 2025		SF	2023-25 Rate PSF	Annual Rent	Monthly Rent
First Floor		1,244	\$11.13	\$13,845.72	\$1,153.81
Third Floor		8,495	\$11.13	\$94,549.35	\$7,879.11
Total Rent:		9,739		\$108,395.07	\$9,032.92
Building Renewal Assessment Fee		9,739	\$2.33	\$22,691.87	\$1,890.99
TOTAL:		9,739		\$131,086.94	\$10,923.91
(VR-8,495 sq ft) (ATP-1,244 sq ft)					



TEL 402.471.2295
FAX 402.471.0117



P.O. Box 94987
Lincoln, NE 68509-4987



education.ne.gov



PROPOSED AGENDA ITEM RATIONALE

DATE: May 25, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Lindy Foley, Office Administrator of Nebraska VR

PROPOSED AGENDA ITEM:

Authorize the Commissioner to approve a lease renewal between the Department of Administrative Services, State Building Division, and the Nebraska Department of Education, Nebraska VR, for office space at 200 South Silber, North Platte, NE for the period of 7/1/23 through 6/30/25.

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

RATIONALE/BACKGROUND INFORMATION:

This is a renewal of a lease for the Nebraska VR North Platte field office at the Craft State Office Building. DAS negotiated the renewal of the lease for 7/1/23-6/30/25. Nebraska VR leases 4,640 sq. ft.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST:

July 1, 2023 - June 30, 2025	SF	2023-25 Rate PSF	Annual Rent	Monthly Rent
Base Rent	4,640	\$18.39	\$85,329.60	\$7,110.80
Building Renewal Assessment Fee	4,640	\$3.84	\$17,817.60	\$1,484.80
TOTAL:	4,640		\$103,147.20	\$8,595.60

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State Vocational Rehabilitation funds/Federal Vocational Rehabilitation funds
- New or Renewal: Renewal
- If renewal, date of first approval: 7/1/15

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

**Updated 02.07.2023*

State Board of Education Work Session and Business Meeting.

Thursday-Friday May 4-5, 2023

Lincoln Marriott Cornhusker Hotel, Lancaster 4, 5, 6, 333 South 13th 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 4, 2023, 3:00 p.m.

1. CALL TO ORDER

President Gubbels called the meeting to order at 3:00 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Lisa Fricke

Patsy Koch Johns

Sherry Jones

Patti Gubbels

Elizabeth Tegtmeier

Kirk Penner

Jacquelyn Morrison

Deputy Commissioner Frison was also in attendance.

Absent: Deborah Neary

1.2. President Gubbels led the Pledge of Allegiance.

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

2. BUSINESS

2.1. Nebraska's ESSA Plan

Board Members engaged in a work session with NDE Staff on the recommended changes to the Nebraska's Every Student Succeeds Act (ESSA) plan.

Jacquelyn left the meeting at 4:16 p.m.

3. ADJOURNMENT

President Gubbels adjourned the meeting at 4:36 p.m.

The State Board of Education will reconvene Friday, May 5, 2023, at 9:00 a.m. at the Lincoln Marriott Cornhusker Hotel, Lancaster 4, 5, 6, 333 South 13th Street, Lincoln, NE 68508.

STATE BOARD OF EDUCATION MEETING, Friday, May 5, 2023, 9:00 a.m.

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

1.1 Roll Call

Roll Call showed the following attendance:

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

Deputy Commissioner Frison was also in attendance.

1.2. President Gubbels led the Pledge of Allegiance.

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

2. SPECIAL PRESENTATIONS

2.1. Special Presentation and Resolution to Recognize Nebraska PK-12 Educators for Teacher Appreciation Month

Motion by Sherry Jones, second by Patsy Koch Johns to adopt the resolution 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.

Tim Royers, 2016 Nebraska Teacher of the Year, provided remarks with regard to the Board's adoption of the resolution.

3. DEPUTY COMMISSIONER'S REPORT

Deputy Commissioner Frison delivered the Deputy Commissioner's Report.

3.1. Agenda Overview and Consent Agenda Process

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

No consent agenda items were requested for removal.

3.2. NeMTSS Coherence Project

NDE Staff provided a presentation on the NeMTSS Coherence Project.

4. PRESIDENT'S REPORT

President Gubbels delivered the President's Report.

5. CONSENT AGENDA

Motion by Kirk Penner, second by Patsy Koch Johns to approve the Consent Agenda.

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. STANDING COMMITTEE REPORTS

6.1. **Executive Committee** – Patti Gubbels, Chair, reported on the meeting of the Committee.

Deborah Neary left at 10:28 a.m. Returned at 10:29 a.m.

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

Kirk Penner left at 10:40 a.m. Returned at 10:45 a.m.

6.2.A. Monthly Board Travel Expense Report

There was no further discussion on this item.

President Gubbels called for a break at 10:46 a.m. The meeting resumed at 10:57 a.m.

6.2.B. Action Item: Authorize the Deputy Commissioner to approve 2023-2024 medical consultant contracts for the Office of Disability Determinations

Motion by Jacquelyn Morrison, second by Patsy Koch Johns to approve 2023-2024 medical consultant contracts for the Office of Disability Determinations.

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: Authorize the Deputy Commissioner to contract with the University of Nebraska Omaha Center for Afghanistan Studies

NDE Staff provided additional information.

Motion by Sherry Jones, second by Patsy Koch Johns to contract with the University of Nebraska Omaha Center for Afghanistan Studies.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	No
Elizabeth Tegtmeier:	No
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	No

The motion passed.

- 6.2.D. Action Item: Authorize the Deputy Commissioner to contract with Utah State University, The Center for Technical Assistance for Excellence in Special Education (TAESE)

Motion by Elizabeth Tegtmeier, second by Patsy Koch Johns to contract with Utah State University, The Center for Technical Assistance for Excellence in Special Education (TAESE).

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 Deputy Commissioner to approve grants to selected Educational Service Units (ESUs) to provide identified trainings free to the early education and care field

Motion by Deborah Neary, second by Patsy Koch Johns to approve grants to selected Educational Service Units (ESUs) to provide identified trainings free to the early education and care field.

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: Approve the proposed Innovation Grant networks for the 2023-24 and 2024-25 school years and authorize the Deputy Commissioner to enter into contracts with vendors to carry out grants

Motion by Elizabeth Tegtmeier, second by Sherry Jones to approve the proposed Innovation Grant networks for the 2023-24 and 2024-25 school years and authorize the Deputy Commissioner to enter into contracts with vendors to carry out grants.

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

The motion passed.

- 6.2.G. Action Item: Authorize the Deputy Commissioner to grant Support for Improvement (SFI) funding for Comprehensive Support for Improvement (CSI) schools

Motion by Patsy Koch Johns, second by Deborah Neary to approve the proposed Innovation Grant networks for the 2023-24 and 2024-25 school years and authorize the Deputy Commissioner to enter into contracts with vendors to carry out 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.

- 6.3. **Planning and Evaluation Committee Report** – Deborah Neary, Chair reported on the meeting of the Committee.

- 6.3.A. Action Item: Authorize the Deputy Commissioner to approve Rule 18 Interim-Program Schools appearing on the accompanying list to operate for the 2023-2024 school year under Rule 18 (92 NAC 18), Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters

Motion by Sherry Jones, second by Patsy Koch Johns to approve Rule 18 Interim-Program Schools appearing on the accompanying list to operate for the 2023-2024 school year under Rule 18 (92 NAC 18), Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters.

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.B. Action Item: Approve the accreditation of Education Service Units appearing on the accompanying list to operate for the 2023-2024 school year under Rule 84, Regulations for the Accreditation of Education Service Units

Motion by Lisa Fricke, second by Patsy Koch Johns to approve the accreditation of Education Service Units appearing on the accompanying list to operate for the 2023-2024 school year under Rule 84, Regulations for the Accreditation of Education Service Units.

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 Gubbels called for a break at 11:29 a.m. The meeting resumed at 12:16 p.m.

6.3.C. Discussion Item: Discuss Rule 10 accreditation process for schools

No additional discussion on this item.

6.3.D. Discussion Item: Discuss the Rule 18 approval process for new interim-program schools, and Rule 14 approval process for new schools and schools adding grades

No additional discussion on this item.

6.3.E. Discussion Item: Discuss the Rule 20 approval process for educator preparation programs

Board members discussed the rules and why they were a part of the Planning and Evaluation Committee instead of the Rules and Regulations Committee. After hearing from NDE Staff, Board members suggested that this be an update in Committee only.

6.3.F. Discussion Item: Discuss LB 154 (2021) and the provisions regarding student discipline

NDE Staff presented to the Board on the provisions regarding student discipline.

6.3.G. Discussion Item: Discuss the amendment process for Section 4 of Nebraska's Every Student Succeeds Act (ESSA) plan

No additional discussion on this item.

6.3.H. Discussion Item: Discuss approval of the Rule 11 teacher waiver request from Creek Valley Public Schools

No additional discussion on this item.

6.3.I. Discussion Item: Discuss approval of the Rule 11 teacher waiver request from Red Cloud Community Schools

No additional discussion on this item.

6.4. **Rules and Regulations Committee** – Elizabeth Tegtmeier, Chair reported on the meeting of the Committee.

Board Members asked for clarification on the Rule 24 revisions.

6.4.A. Report on Rules

There is no action on rules.

- 6.4.B. Discussion Item: Discuss the potential adoption of content test scores related to Rule 24 revisions

No additional discussion.

7. ADDITIONAL BUSINESS

(NONE)

8. INFORMATION ITEMS AND REPORTS

President Gubbels referred Board Members to review information items and reports.

8.3. Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 8.3., SBOE Written Public Comment May 2023.

10. GOOD OF THE ORDER

President Gubbels shared that the National Association of State Board of Education (NASBE) Annual Conference will be October 25-28, 2023, in San Diego, CA. A member interest survey to seek input on annual conference topics is located on NASBE's website.

President Gubbels also asked Board Members to submit proposals for topics that they would like to present during the conference.

11. ADJOURNMENT

President Gubbels adjourned the meeting at 1:43 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, June 2, 2023, at 9:00 a.m. in Lincoln, NE.

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

IN THE MATTER OF:)	ORDER
)	Case No. 23-15
Adjustment of the Boundaries of Educational)	
Service Unit Numbers 6 and 18)	

On June 2, 2023, the State Board of Education (Board) met at Innovation Campus, 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, 2023.

The Board finds that the boundaries for Educational Service Unit Numbers 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) and Lancaster County School District No. 160 (Norris Public School District), 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) and Lancaster County School District No. 160 (Norris Public School District) as such school district boundaries exist on August 1, 2023.

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, 2023. 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 2nd day of June 2023.

Patti Gubbels, 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

May 9, 2023

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 me at 402-436-1635 if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Salem".

Dr. Sarah Salem
ESU 18 Administrator

ns FILED 01

MAY 19 2023

NEBRASKA DEPARTMENT
OF EDUCATION

City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Pyrtle Elementary School
- Lux Middle School
- East High School

LPS School Board District

District 6

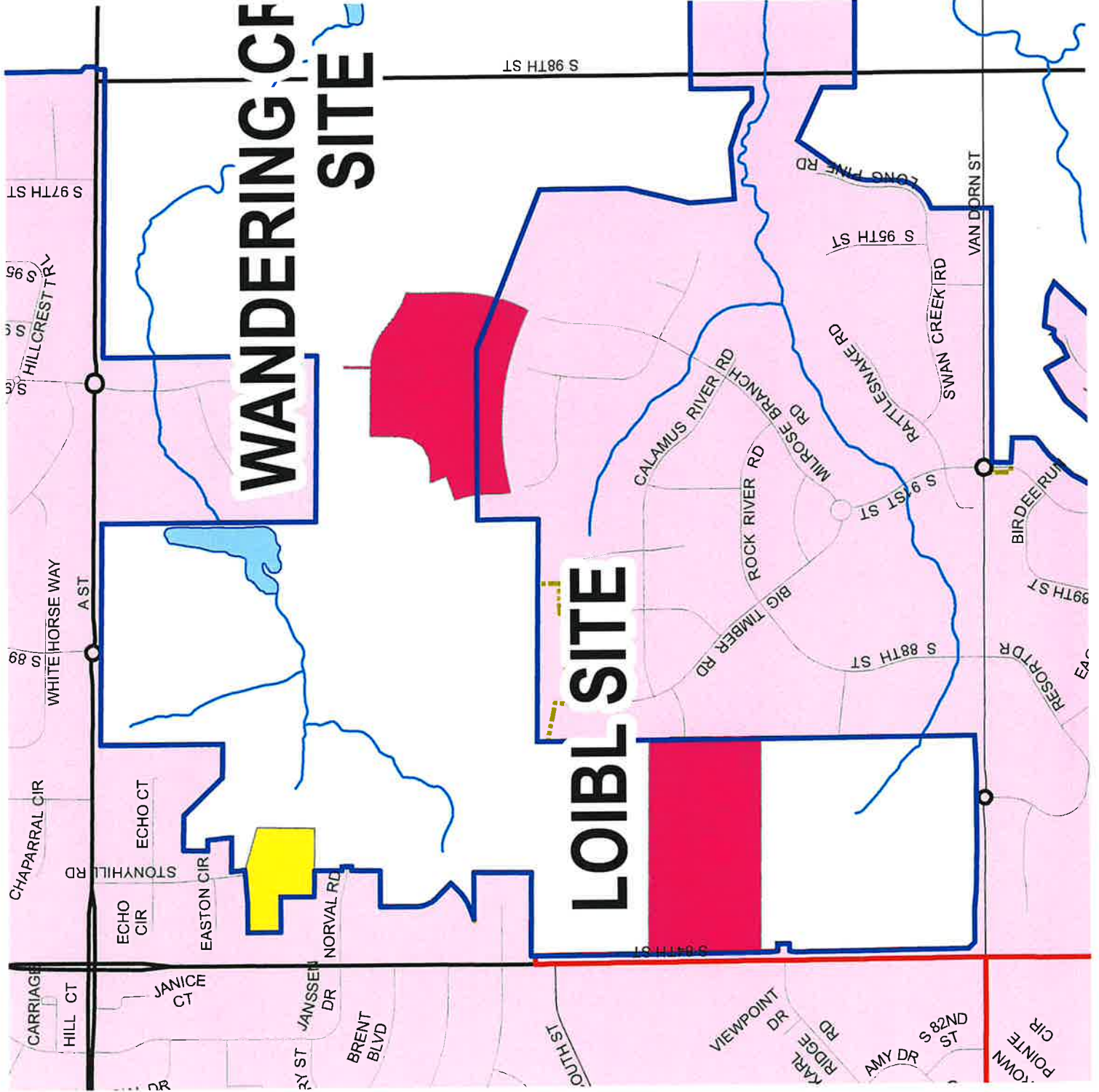
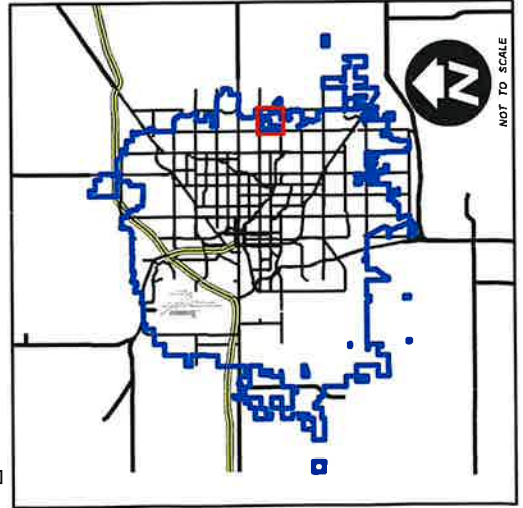
City of Lincoln Information

Annexation Number: 23001
 Ordinance Number: 21456
 Name: Hoppe's Echo Addition PUD
 Effective: May 16, 2023
 Size: 4.69 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

Robinson Elementary School
Culler Middle School
East High School

LPS School Board District




District 6

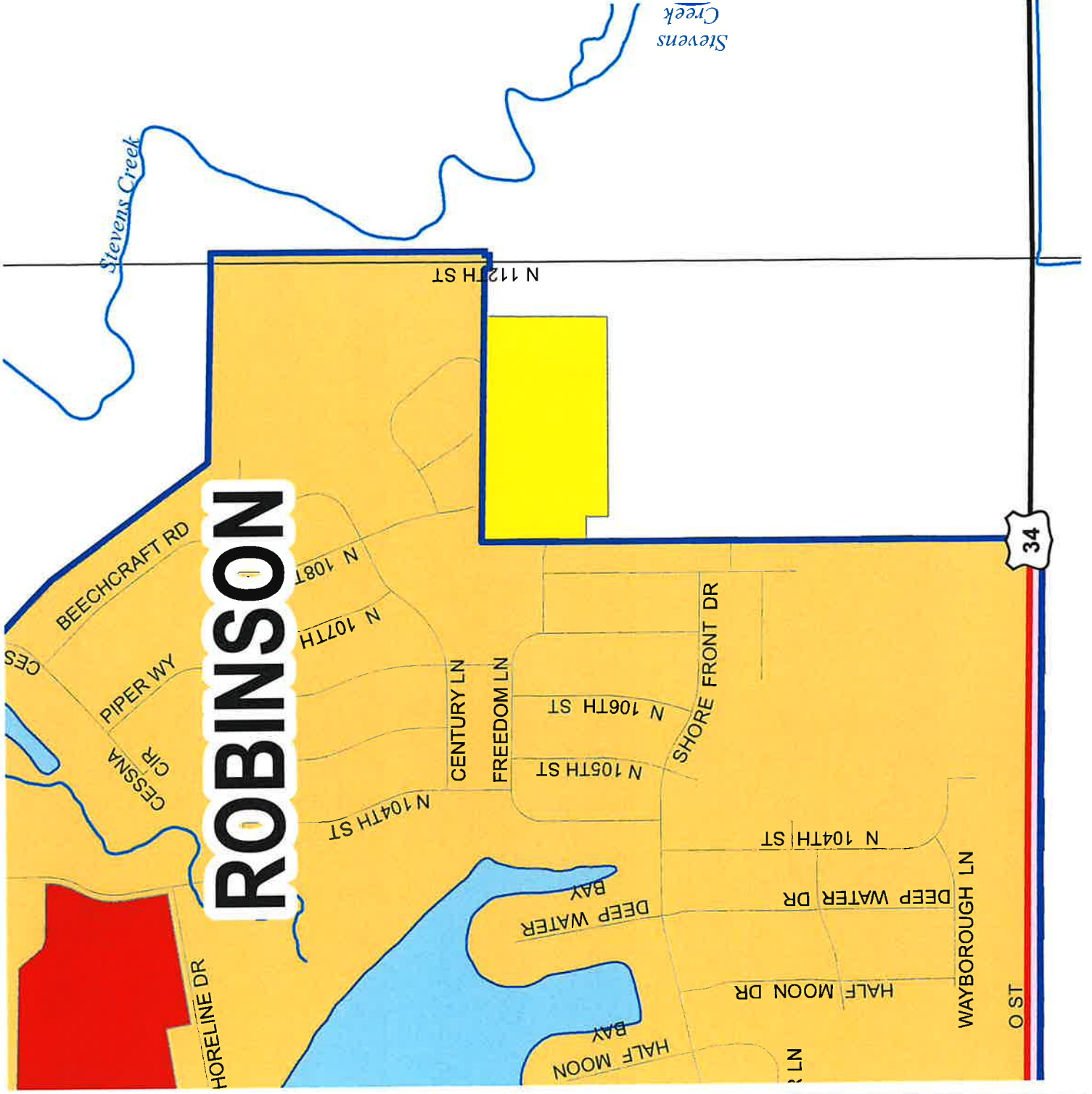
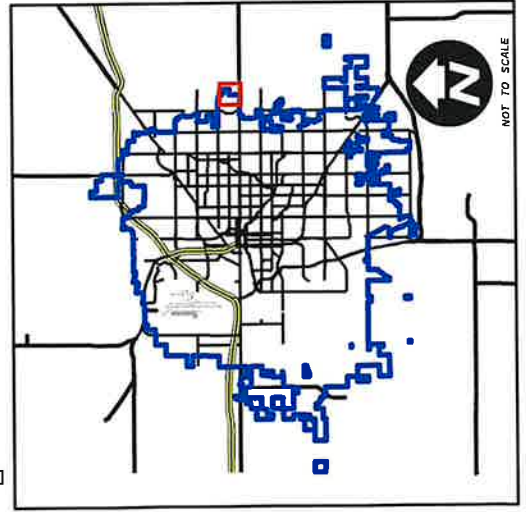
City of Lincoln Information

Annexation Number: 22013
Ordinance Number: 21418
Name: East Dominion Estates
Effective: February 28, 2023
Size: 14.57 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

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

LPS School Board District

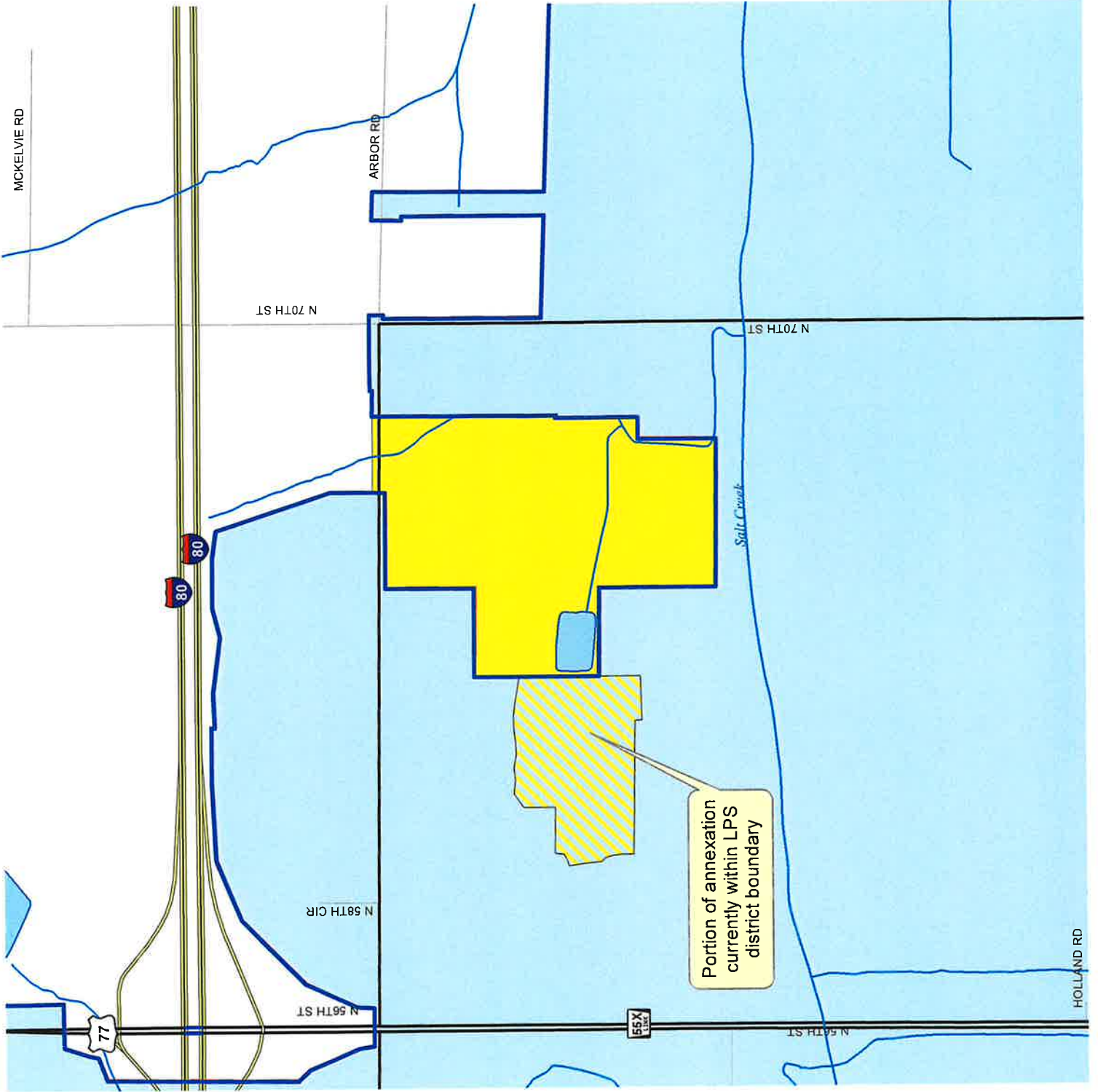
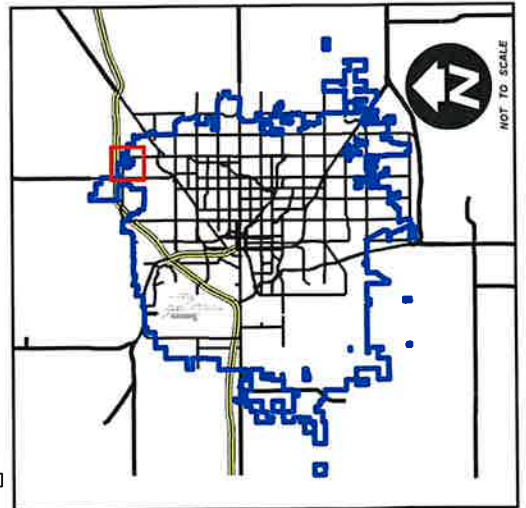
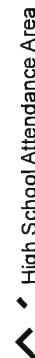
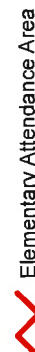
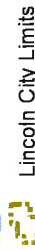
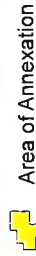
District 1

City of Lincoln Information

Annexation Number: 22003
 Ordinance Number: 21398
 Name: Lincoln Logistics Hub
 Effective: January 24, 2023
 Size: 85.50 Acres

Previous School District

#145 - Waverly



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

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

LPS School Board District

District 2

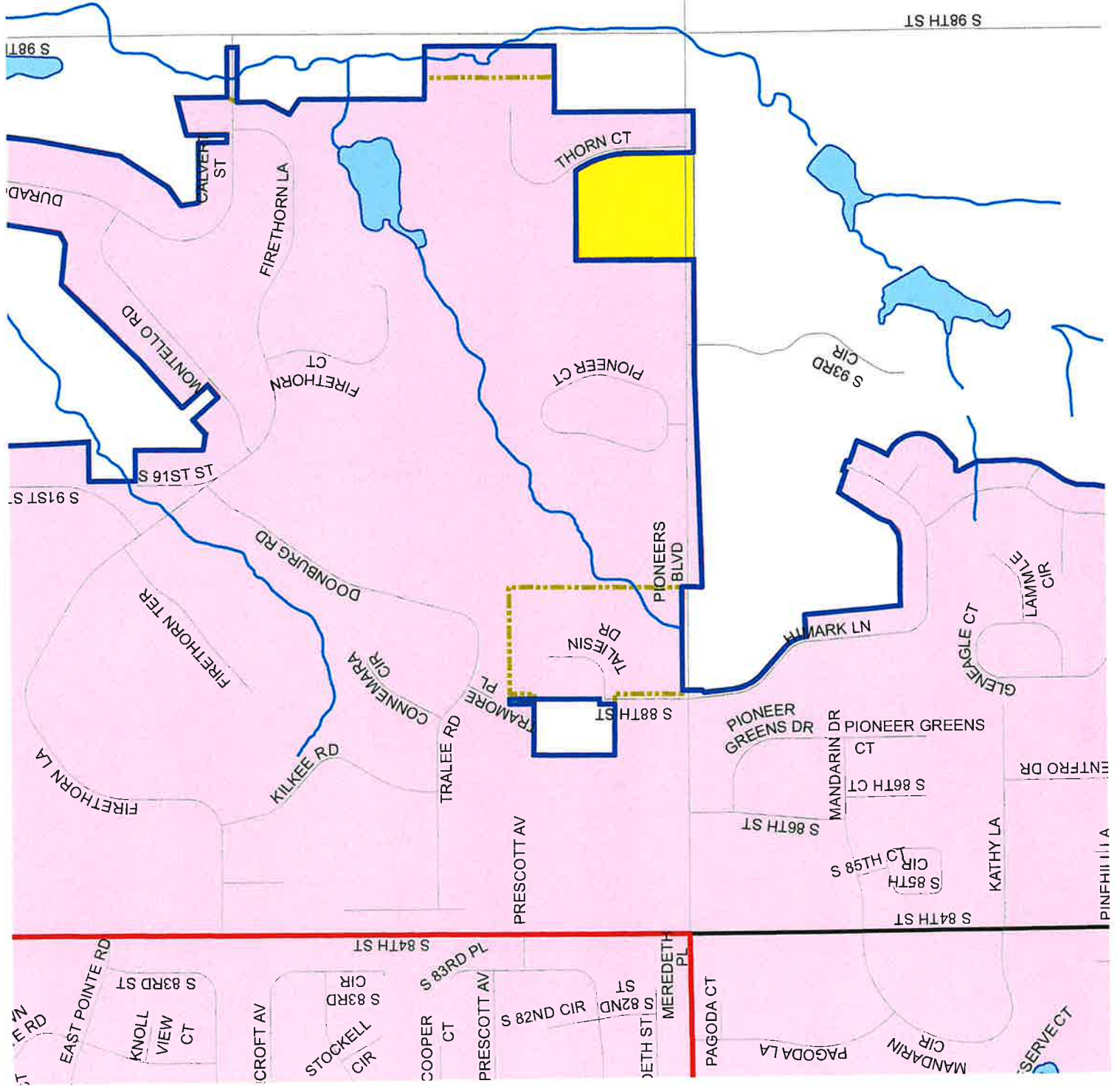
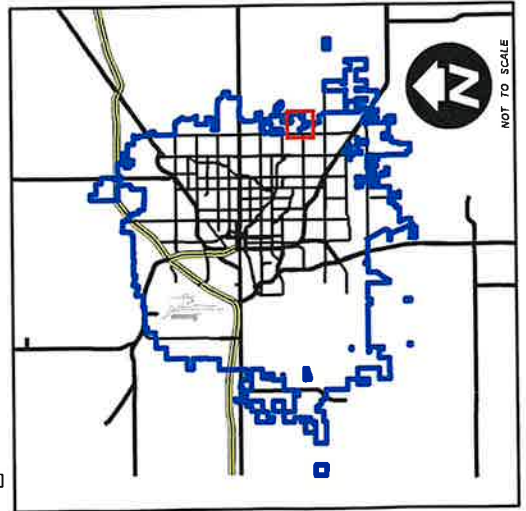
City of Lincoln Information

Annexation Number: 22006
 Ordinance Number: 21368
 Name: Thorn Addition CUP
 Effective: November 8, 2022
 Size: 9.84 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

- Robinson Elementary School
- Mickle Middle School
- NortheastHigh School

LPS School Board District

District 1

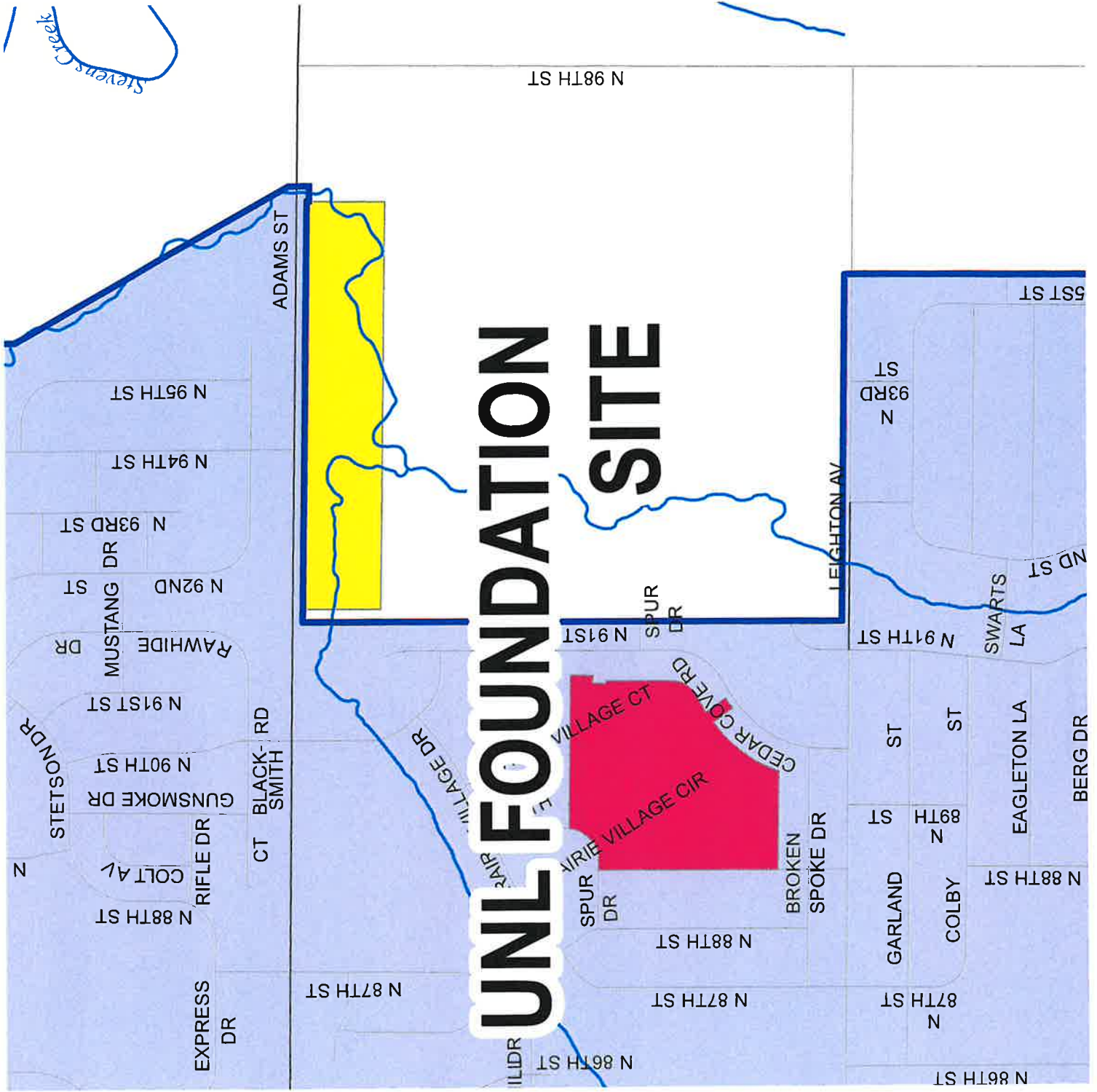
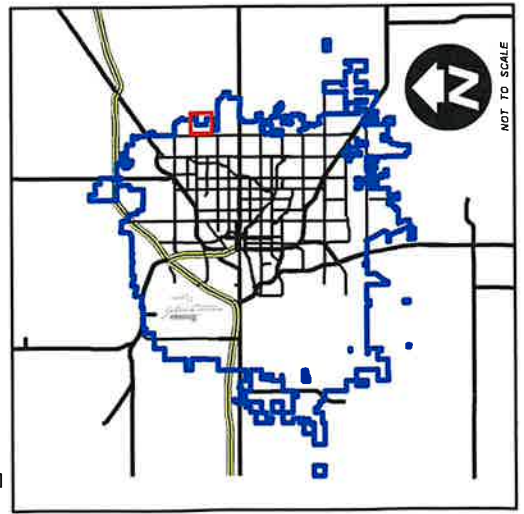
City of Lincoln Information

Annexation Number: 22011
 Ordinance Number: 21366
 Name: Stevens Creek Villas 1st Add CUP
 Effective: November 8, 2022
 Size: 16.62 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

- Pyrtle Elementary School
- Lux Middle School
- East High School

LPS School Board District







District 2

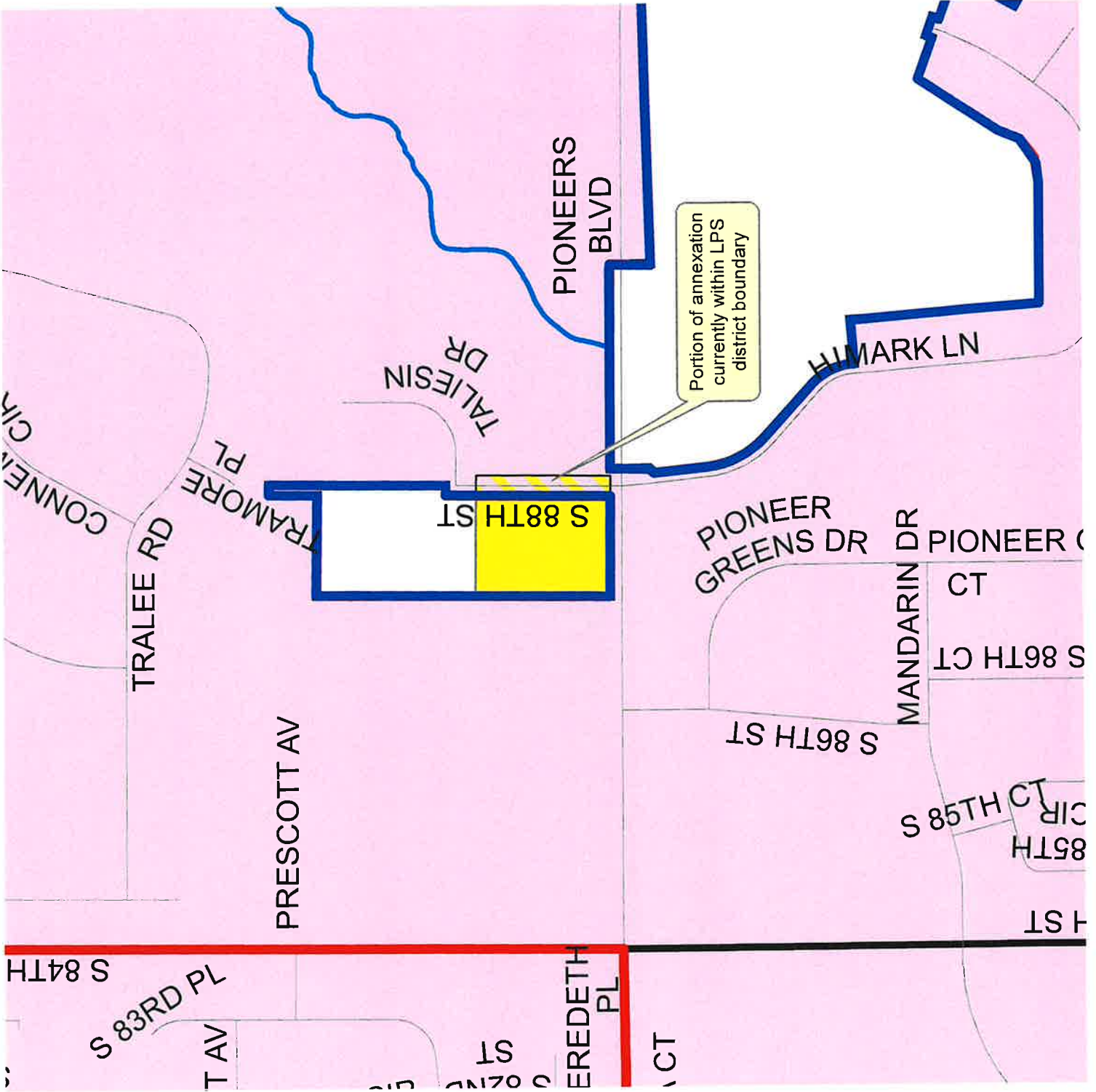
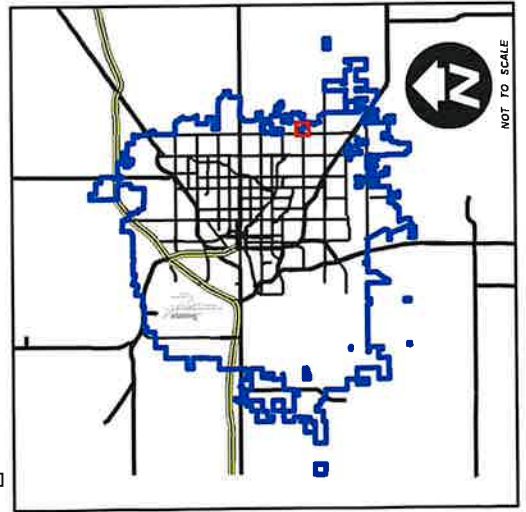
City of Lincoln Information

Annexation Number: 22005
 Ordinance Number: 21322
 Name: Lacy Addition CUP
 Effective: August 30, 2022
 Size: 2.80 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



City of Lincoln Annexation & Affected LPS Boundaries

Assigned LPS Schools

- Wysong Elementary School
- Moore Middle School
- East High School

LPS School Board District







District 5

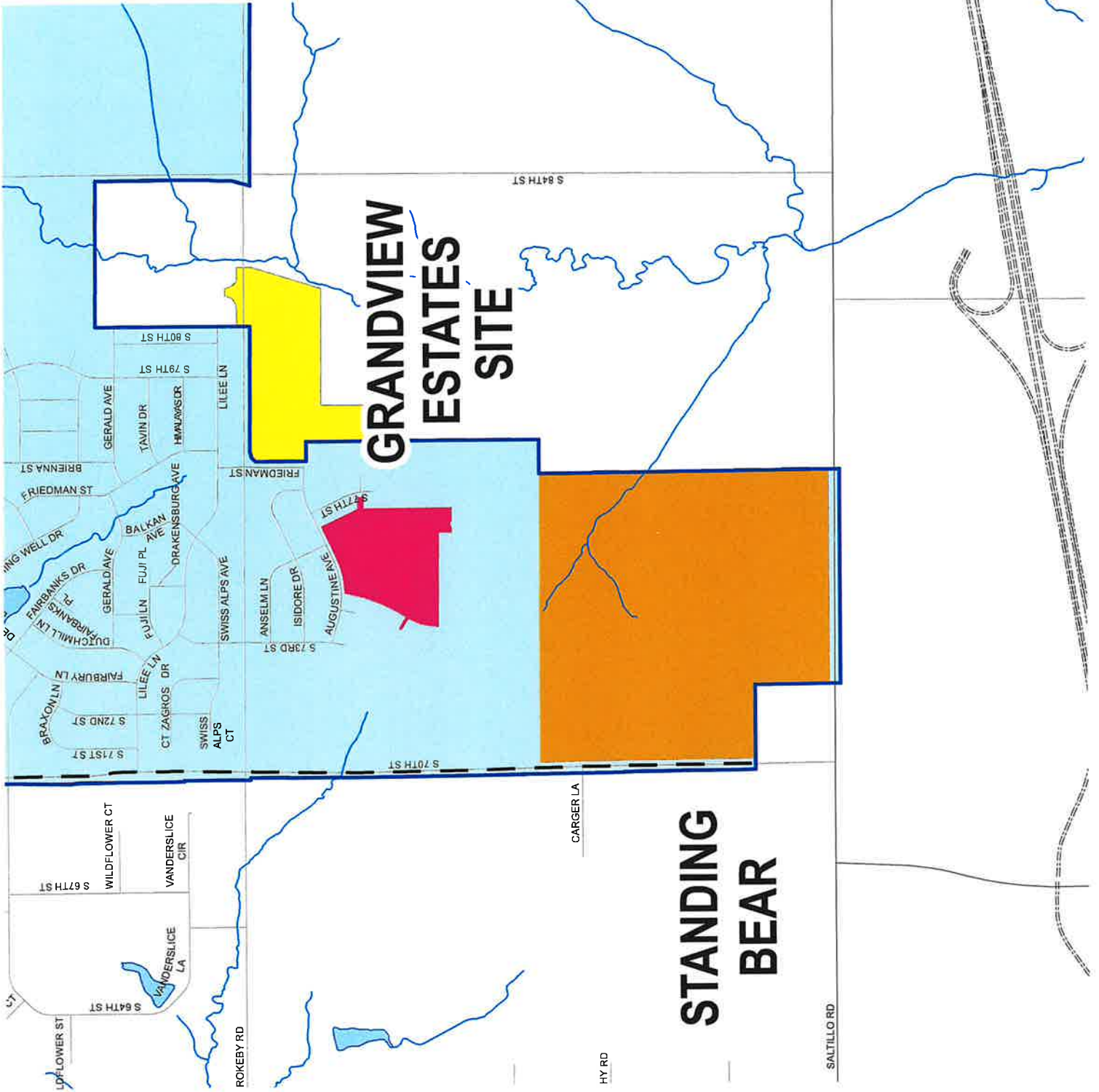
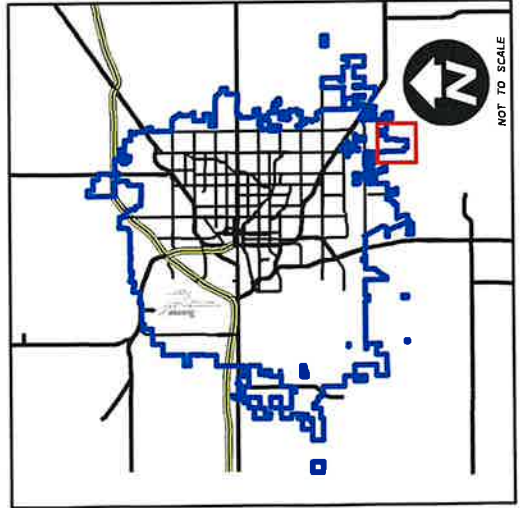
City of Lincoln Information

Annexation Number: 22007
 Ordinance Number: 2-1300
 Name: Grandview Estates 2nd Addition
 Effective: August 9, 2022
 Size: 28.45 Acres

Previous School District

#160 - Norris

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



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.



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-00331
DATE: 05/22/2023
DUE DATE: 06/30/2023

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
2024 NASBE Membership Dues	\$24,100.00
2024 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-00331

TOTAL DUE: \$24,230.00

AMOUNT ENCLOSED:

NASBE has a relationship with John Marshall Bank. The account information is below:

JMB Routing # 056009356
Checking Account # 1000017457



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

Customer #: 87949

Contact: Nebraska Department of Education
Deborah Frison
500 S. 84th Street, 2nd Floor
Lincoln NE, 68510-2611

Prepared By: Michelle Singleton
Email: michelle.singleton@ccsso.org

Membership Invoice

Invoice #: 358992

Invoice Date: 04/03/2023

Payment Terms: Net 30 Days

Description	Terms	Qt	Price	Amount
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Invoice Total:	\$54,600.00
Amount Paid:	\$0.00
PLEASE PAY:	\$54,600.00

PLEASE DETACH AND REMIT WITH YOUR PAYMENT

Invoice#: 358992

Customer #: 87949
Nebraska Department of Education
Deborah Frison
500 S. 84th Street, 2nd Floor
Lincoln NE, 68510-2611

Remit Payment To:

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

Balance Due:	\$54,600.00
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Amt Remitted: _____

Payment Methods:

CHECK: Make payable to CCSSO and reference the invoice number above. Please enclose a copy of your check with payment.

ACH PAYMENT & WIRE TRANSFER: To pay your invoice electronically transfer funds following the below instructions:

Beneficiary Name: Council of Chief State School Officers
Beneficiary Account Number: 2000033021805
Routing/Transit Number: 12100248
Swift Code: WFBIUS6S
Bank Name: Wells Fargo Bank NA
Bank Address: 1753 Pinnacle Drive, McLean, VA 22102, USA



EDUCATION COMMISSION OF THE STATES

Your education policy team.

ecs.org | @EdCommission

700 Broadway, Suite 810
Denver, CO 80203-3442

303.299.3600
Fax: 303.296.8332



May 1, 2023

Dr. Deborah Frison
Interim Commissioner of Education
Nebraska Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509

Dear Dr. Frison,

Looking back, 2022 was a year of states taking bold strides in transforming education. Education Commission of the States was proud to be a part of states' efforts this past year and remains fully committed to serving as your education policy partner to support efforts to advance education in your state.

You will find enclosed Nebraska's annual state dues invoice and the 2022 state support report. As you read through the services provided to your state over the past calendar year, we hope it demonstrates how your membership with Education Commission of the States provides the state with invaluable resources to meet your education policy goals. Education Commission of the States has kept state dues consistent for the past decade while continuously increasing our level of service.

With funding from state dues, Education Commission of the States works to provide the following services and resources for states:

- **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 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.
- **Counsel:** We provide unbiased advice on policy plans, review and consult on proposed policies, provide expert knowledge for state education work groups and testify at legislative hearings as third-party experts.
- **Convene:** We bring education leaders together both within states and across states. Through our two 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 nonpartisan and unbiased. We do not advocate for specific policies and we only provide impartial, factual information and resources. These unique qualities make Education Commission of the States a trusted and valued education policy partner.

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. Rather than focus on a single constituent group, we work with governors, legislators, chief state school officers, state board members, higher education officials, business leaders and teachers.

Challenges like funding or accountability do not affect just one level of education; they cross the full range. 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.

As your partner in education policy, we look forward to further conversations about how we can continue to serve your state. We appreciate your prompt payment so we can continue to provide quality and timely services to your state.

Sincerely,

A handwritten signature in blue ink, appearing to read "Asa Hutchinson".

The Honorable Asa Hutchinson
ECS Chair, 2022-2023

A handwritten signature in blue ink, appearing to read "Jeremy Anderson".

Jeremy Anderson
President

cc: Hon. Jim Pillen



Dr. Deborah Frison
Interim Commissioner of Education
Nebraska Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509

INVOICE # 2024 NE

DATE: 05/1/2023

cc: Hon. Jim Pillen

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

Dues for Fiscal Year 2024: 07/01/23 - 06/30/24 \$ 60,500.00

Due and payable by July 15, 2023

Please return a copy of the invoice with payment to ECS, Attention: Accounting Dept.—Dues
Invoice # 2024 NE
Education Commission of the States
700 Broadway, Suite 810
Denver, CO 80203

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: Matt Padilla, 303-299-3693.



Nebraska

January 1 – December 31, 2022

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. One Commissioner in each state is appointed to serve as the Steering Committee member to provide leadership among their state's Commissioners.

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

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, 2023)

Counsel

In 2022, Nebraska ECS Commissioners and other key state education leaders received the following support and national features:

- **Policy Consultation** provided to state department of education and legislative staff on policies affecting justice-impacted youth.
- **Presentation** to members of the Council of Chief State School Officers Career Readiness Collaborative, including Nebraska, on funding for career pathways.
- **Hosted state legislative staff** for a series of virtual and in-person professional development and networking opportunities, along with ECS' partners at the National Conference for State Legislatures.

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 learn from each other without recreating the wheel. Education Commission of the States compiles information on education policies from early childhood through postsecondary education and the workforce 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 two annual, national convenings, regional meetings and issue-specific or role-specific meetings, we create opportunities for policymakers to interact, learn and collaborate.



- **Provided professional development** and policy workshops to a cohort of executive directors of state boards of education during the 2022 National Forum on Education Policy and through virtual connections opportunities for state board staff.
- **State Information Requests:** Answered 16 requests for information on the following topics: early learning, foster care, governance, health, parent/family, postsecondary finance, school/district structure/operations, school climate and safety, school funding, special populations and teacher quality.

Research

In 2022, 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 2022, we released ten 50-State Comparisons covering the full spectrum of education policy issues, including [Teacher Recruitment and Retention](#) and [K-12 School Safety](#), as well as [Open Enrollment Policies](#) and [Dual/Concurrent Enrollment Policies](#).
- **State Education Policy Tracking:** In 2022, we tracked, summarized and entered 11 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 2023 [State Education Policy Watchlist](#).
- **Governors' State of the State Addresses:** This was our 18th 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 2022, 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 blog posts:

- [Governors' Top Education Priorities in 2022 State of the State Addresses](#)
- [Elements of Student Health Support](#)
- [2022 Elections Set to Have Outsized Impact on Education](#)
- [2022 Election Outcomes and Implications for State Education Policy](#)
- [Meet the New Governors: Education Priorities of Governor-Elects](#)
- [South Carolina Expands Access to Computer Science Education](#)

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

Convenings

In 2022, Education Commission of the States welcomed attendees from Nebraska at 10 convenings listed below:

- 2022 National Forum on Education Policy (*13 registrants*)
- 2022 Winter Commissioners Meeting (*2 registrants*)
- AEP National Town Hall for Local Arts Education Supervisors (*1 registrant*)
- AEP Research & Funder Policy Briefing (*2 registrants*)
- Executive Directors Policy Forum II (*2 registrants*)
- Our Shared Future: Imagining a New Landscape for Teaching Artists (*18 registrants*)
- Partnering For Success: Addressing Shortages Across the Teacher Pipeline (*7 registrants*)
- Partnering For Success: Building a Strong Teacher Workforce Through Apprenticeships (*2 registrants*)
- Partnering For Success: Education Trends in State of the State Addresses (*5 registrants*)
- Partnering For Success: Using Data to Support Learning Recovery and Acceleration (*3 registrants*)



TEL 402.471.2295
FAX 402.471.0117



P.O. Box 94987
Lincoln, NE 68509-4987



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve the renewal of the Educational Service Unit #13 Rule 11 teacher waiver request.

AGENDA ITEM TYPE: Consent

- **RATIONALE/BACKGROUND INFORMATION:** 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 cannot hire one or more teacher(s) who hold a valid teaching certificate of any kind must apply for a Rule 11 waiver for the teacher(s).
- Nebraska State Board has the authority/responsibility to either approve or deny the Rule 11 waiver.

Please see additional information regarding this request on other document attached to this agenda item.

PROPOSED BOARD MEETING: June 2023

ESTIMATED COST: N/A



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FOR CONTRACTS AND GRANTS:

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

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS:

**Updated 02.07.2023*

Historical context and current status of early childhood programs operated by Educational Service Unit (ESU) #13

ESU 13 did not operate an early childhood education program until 2015. The Community Action Partnership of Western Nebraska (CAPWN) held the Head Start grant for 49 years and was forced to relinquish it on November 1, 2014. A grant competition was held to find another entity capable of managing the requirements of the Head Start grant. Two weeks prior to the deadline for grant submission, a group from the community approached Dr. Jeff West, who was the ESU Administrator at the time, asking the ESU to write for the 5-year Head Start grant in order to keep Head Start opportunities for children in the area, and to keep the \$14 million in grant money in the Panhandle. No other local entities had expressed an interest in taking on the grant. The ESU 13 board approved writing the grant and the ESU was awarded the Head Start grant from the Office of Head Start on April 1, 2015.

At the time of the Grant award, ESU 13 did not know that they would be required to meet the regulations in Rule 11, including the requirement for employing certified teachers in every classroom. Head Start performance standards do not require the employment of certified teachers. The Nebraska Department of Education was not aware that ESU 13 had applied for the grant until after the award was made.

Three issues have made the requirement for having certified teachers in every classroom difficult for ESU 13. First, there is a shortage of teachers certified to teach in early childhood classrooms across Nebraska. This is compounded by the sparse population of the Panhandle and its distance to larger colleges and universities with teacher certification programs. Second, ESU 13 cannot pay the prevalent wage for certified teachers. The Head Start grant was not written with the cost of certified teachers as an expense and the grant was funded with money for teachers who have less than a 4-year degree. Third, ESUs are not eligible for Tax Equity and Educational Opportunities Support Act (TEEOSA) to be calculated for the 4-year-olds that they serve, so there is no additional revenue to pay for certified teachers.

One strategy that ESU 13 used to staff its classrooms was to partner with member school districts. School Districts could employ and pay for a certified teacher and the ESU could pay for the para-educators and other expenses. When ESU 13 became the grantee, Head Start had partnerships with five ESU 13 member school districts. Over the course of the last seven years, ESU 13 has increased the number of public school partnerships to seven.

Beginning in January of 2017, ESU 13 required its Head Start teachers who did not yet have a teaching certificate to maintain enrollment in college courses leading toward teacher certification. The Administration of ESU 13 has provided an annual update to the NDE on the teachers' progress.

Finally, ESU 13 is continuing to explore alternative approaches for keeping the grant operational in western Nebraska.

Educational Service Unit 13 has been in compliance with federal Head Start performance standards every year since being awarded the grant.

At the June 2020 State Board of Education meeting, the State Board approved a waiver for the teacher certification of staff allowing the ESU to be approved to operate during the 2020-2021 school year.

For the 2020-2021 school year, ESU 13 operated 12 classrooms for children birth to kindergarten entrance age. They employed 2 certified teachers, 3 teachers who met the waiver requirements, and 6 classrooms staffed with adults who did not meet the waiver requirements.

For the 2021-2022 school year, ESU 13 operated 11 classrooms. They had 2 certified teachers, 4 teachers who met the waiver requirements and were making progress toward their four-year degree and teacher certification, and 5 early childhood professionals who did not yet meet the requirements for a waiver.

For the 2022-2023 school year, ESU 13 operated 11 classrooms. They had 2 certified teachers, 4 teachers who met the waiver requirements and 5 early childhood professionals who did not yet meet the requirements for a waiver. These 5 teachers are enrolled in classes at Western Nebraska Community College.

For the 2023-2024 school year, ESU 13 will operate 12 classrooms. Three of these classrooms are preschool (ages 3-5) rooms and 9 are infant and toddler (0-2) classrooms. There is currently 1 certified teacher, 5 teachers who meet the waiver requirements and 5 early childhood professionals who do not yet meet the requirements for a waiver. These 5 teachers are enrolled in classes at Western Nebraska Community College. 1 position is still unfilled.



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Lincoln, NE 68509-4987



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy 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. 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 2023/24 school district budget.

2. 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 2023/24 school district budget.



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3. 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.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: None

FOR CONTRACTS AND GRANTS: N/A

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

FOR GRANT SUBAWARDS: N/A

**Requests Relative to the Budgeting Provisions
of the Tax Equity & Educational Opportunities Support Act
For the 2023/24 School Year
June 2, 2023**

Recommendation 1

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

County-District Number	School District Name	Amount to be Approved
37-0030	Elwood Public Schools	\$10,000
85-2001	Bruning-Davenport Unif Systems	\$19,188

Recommendation 2

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

County-District Number	School District Name	Amount to be Approved
02-0115	Summerland Public Schools	\$105,754
11-0020	Lyons Decatur Northeast Public Schools	\$75,394
13-0032	Louisville Public Schools	\$140,694
13-0097	Elmwood Murdock Public Schools	\$102,716
14-0045	Randolph Public Schools	\$63,258
22-0011	South Sioux City Comm Schools	\$809,600
27-0062	Scribner Snyder Comm Schools	\$87,196
34-0100	Diller Odell Public Schools	\$66,686
37-0030	Elwood Public Schools	\$58,460
50-0503	Minden Public Schools	\$180,300
54-0501	Niobrara Public Schools	\$73,321
59-0002	Norfolk Public Schools	\$921,571
69-0044	Holdrege Public Schools	\$255,236
72-0015	Cross County Community Schools	\$89,821
76-0068	Friend Public Schools	\$60,265
78-0072	Mead Public Schools	\$66,066
78-0107	Cedar Bluffs Public Schools	\$92,819
87-0016	UMÓ ⁿ HO ⁿ Nation Public Schools	\$265,560

Recommendation 3

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	\$7,900,000	2023/24



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STATE BOARD OF EDUCATION EXECUTIVE COMMITTEE REPORT

Date: June 1, 2023

The Executive Committee reports on its Thursday, June 1 meeting.

For board member review, the Committee report is attached in Sparq.

The Committee reviewed the Commissioner's Position Description and Essential Functions, Performance Indicators, and Evidence of Attainment Examples. Recent suggested revisions provided by non-committee members were discussed. Joel Scherling will put the Draft Appraisal Document together and it will be discussed at a future Committee meeting this month.

The Committee discussed the Options for the Administration of the Commissioner's Performance Appraisal. Committee Chair Gubbels spoke to Marcia Herring, Director at Nebraska Association of School Boards about how the Commissioner's Appraisal could be administered. Marcia offered to administer the Commissioner's appraisal for us. Committee Chair Gubbels will ask Marcia for a scope of the work and will invite Marcia to come in and demonstrate the Appraisal tool for the Committee.

The Committee discussed the Format for the Commissioner's Informal Progress Assessment. Joel Scherling and Committee Chair Gubbels spoke about using the same functions and indicators, but have people give feedback without a ranking. Steve Joel will be helping with Commissioner's Goals for the year. Committee Chair Gubbels will contact Steve Joel about reaching out to him to discuss the process he will be using to establish Commissioner goals and will identify dates he will be available to work with the Board in July or August.

The Committee reviewed the 2023 Legislative and Regulatory Priorities.

This concludes the Executive Committee report.

Patti Gubbels, Chair

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

Updated 6/1/2023



Position Description

Date: 5/24/2023	Prepared By: Human Resources
Classification Title: Commissioner	Working Title: Commissioner of Education
Office: Commissioner	Reports To: State Board of Education
FLSA Status: <input type="checkbox"/> Nonexempt <input checked="" type="checkbox"/> Exempt	Job Code & Pay Grade: EDO001 – No PG
Position Number: 01325002	Direct Reports: 5
Incumbent: Brian Maher	Indirect Reports: ~500

Purpose

To provide leadership and direction for the Nebraska Department of Education (NDE) aligned with the direction of the Nebraska State Board of Education (the Board), the agency’s strategic priorities, mission, vision, and values.

Essential Functions

- Shared Vision and Strategic Direction – Leads the development and implementation of a shared vision, strategic direction, and goals for the agency and PK-12 school system.
- State Board of Education and Education System Policy – Provides support to the board in policy development and governance.
- State School System Leadership – Provides leadership for Nebraska’s schools.
- School Accountability – Ensures continuous improvement and accountability by supporting, monitoring, and reporting on school performance.
- Agency Management – Oversees the planning, implementation, and evaluation of the agency’s programs and services. Maintains a qualified, competent staff to carry out the agency’s work.
- Budget Development and Management – Provides oversight for the agency’s financial operations and seeks funding to implement agency goals and funding for NDE-supported school programs.
- Maintains regular & reliable attendance, possesses a valid driver’s license and travels independently, and works in a variety of settings.

Additionally, the Commissioner is charged with carrying out duties listed in state statute, including but not limited to: 79-301(3), 79-305, 79-306, 79-315 and 79-317.

Extent of Public Contact

This position requires extensive contact with school administrators and other education partners, state senators and other government staff, NDE employees, and the public.

Minimum Qualifications

Per Section 79-304 R.R.S., the Commissioner of Education shall (1)(a) be a person of superior educational attainments, (b) have had many years of experience, (c) have demonstrated personal and professional leadership in the administration of public education, and (d) be eligible to qualify for the highest grade of school administrator certificate currently issued in the state or (2) possess a combination of education, skills, administrative experiences in public education, and other such qualifications as determined by the State Board of Education.

Knowledge and Abilities

Knowledge:

- Emerging legislative, policy, and technology trends and concerns related to education and other service areas.
- Principles and techniques for management, strategic planning, resource allocation, human resource modeling, leadership, and coordination of people and resources.



NEBRASKA DEPARTMENT OF EDUCATION

Human Resources

- Advanced administration, organization, and policies of state government.
- Legislative process on both state and national levels; relevant laws, legal codes, government regulations, and NDE rules.
- Strategies and procedures to promote effective security operations for the protection of people, data, and property.
- Fiscal planning and budget management practices and policies to effectively manage agency budget and resources.
- Management and supervisory best practices and techniques.
- Formats used in written business communications.
- English grammar, spelling, and composition needed for correspondence.
- Computer software necessary to carry out job responsibilities.
- Types and uses of office equipment.
- Office management principles, methods, and procedures.
- Established policies, procedures, practices of the Nebraska Department of Education.

Abilities:

- Develop and communicate a clear and comprehensive strategic plan to a variety of stakeholders (e.g., employees, State Board, Legislature, the public).
- Supervise and direct the work of subordinates to achieve goals, delegate effectively and empower employees to take ownership of their work to achieve best results.
- Appropriately manage significant agency-wide changes: listen and respond to feedback, and ensure employees and stakeholders are acknowledged and valued.
- Efficiently identify and analyze upcoming issues, calculate risks or potential rewards, and make recommendations or solve complex problems.
- Establish and maintain positive, effective working relationships with employees, partners, and other stakeholders to create a culture of collaboration and trust, and promote cross-team functional projects.
- Facilitate public meetings, forums, and special events.
- Maintain the confidential nature of information.
- Understand, interpret, and apply rules, administrative policies, and program guidelines.
- Operate office equipment necessary to perform the required duties.

Working Conditions & Environment

This position requires approximately 50% of work time spent in an office environment (e.g., state offices, home offices); the remainder is spent traveling or working in alternative sites such as schools, educational service units, other service agencies, or government offices. Extensive in-state and out-of-state travel is required.

Note: The Nebraska Department of Education will make reasonable accommodations in compliance with the Americans with Disabilities Act of 1990.

Examples of Physical Demands

The physical requirements for this job are characterized in the following table showing how often each activity is done to adequately perform the job.

Lifting, Carrying, Pushing or Pulling

- | | |
|--|---------|
| <input type="checkbox"/> Continuous | lbs. |
| <input type="checkbox"/> Frequent | lbs. |
| <input type="checkbox"/> Occasional | lbs. |
| <input checked="" type="checkbox"/> Intermittent | 10 lbs. |



Repetitive Motions

Use of Hands	Continuous 76-100% of the day	Frequent 34-66% of the day	Occasional 6-33% of the day	Intermittent 1-5% of the day	Less than 1%
Fine Manipulation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pushing/Pulling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Simple Grasping	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keyboarding	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of Feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other Physical Demands

Physical Activity	Continuous 76-100% of the day	Frequent 34-66% of the day	Occasional 6-33% of the day	Intermittent 1-5% of the day	Less than 1%
Stoop/Bend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Crouch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Crawl	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kneel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Twist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Climb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Balance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reach	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Walking/Standing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Driving	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sitting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Nothing in this job description restricts management's right to manage, direct, and assign duties and responsibilities to this position at any time.



Commissioner of Education

Essential Functions, Performance Indicators, and Evidence of Attainment Examples

1 Shared Vision and Strategic Direction – Leads the development and implementation of a shared vision, strategic direction, and goals for the agency and the PK-12 education system.

Indicators:

1.1 Supports the development and communication of a shared vision and strategic direction with State Board of Education (Board), staff, and stakeholder input that sets high expectations for student achievement.

Evidence Examples:

- Documentation of collaborative development of the shared vision and strategic direction involving Board members and key community constituents/stakeholders.
- Documentation of the strategic plan document goals.
- Goals and indicators in the strategic direction document that are aligned with expectations for high student achievement.
- Newsletters, articles, public speaking engagements, and information on the agency website provide stakeholders with information related to the shared vision and strategic direction.

1.2 Implements the vision and strategic direction so it becomes the guiding document for the Board, staff, and education community.

Evidence Examples:

- Implementation and completion dates and strategies are included in the strategic direction documents.
- The vision is referenced on official Nebraska Department of Education (NDE) communications and publications.
- Board and staff projects are aligned with the strategic direction and vision.

1.3 Leads periodic updates, reviews and revisions of the shared vision and strategic direction with input from key statewide stakeholders, staff, and the Board.

Evidence Examples:

- Documentation of feedback processes such as stakeholder surveys, Board work sessions.
- Master Strategic Plan indicates revision dates and notes.

② State Board of Education and Education System Policy – Provides support to the Board in policy development and governance.

Indicators:

2.1 Develops productive Board relationships, keeps Board members informed, and provides guidance to help the elected Board carry out its statutory duties.

Evidence Examples:

- Board member perceptions and strategies employed to foster Board relationships.
- Documentation of consistent communications with the Board.
- Board meeting minutes and other communications provide governance guidance and information.

2.2 Assists the Board in its policy-forming, planning, and evaluation functions by recommending goals, priorities, policies, and rules.

Evidence Examples:

- Board meeting minutes, committee meeting notes.
- Commissioner Board reports.

2.3 Makes informed recommendations to the Board providing multiple data sources, research, and options.

Evidence Examples:

- Materials provided to the Board members by Commissioner or designee.
- Problem identification, provision of alternatives, and evaluation of alternatives guidance discussions with Commissioner.

2.4 Provides leadership to the Board for the development, review, and compliance of state education policy.

Evidence Examples:

- Board policies are current and in compliance with state and federal statutes and regulations.

③ State School System Leadership – Provides leadership for Nebraska’s schools.

Indicators:

3.1 Cultivates positive working relationships with educators and stakeholders statewide and engages appropriate individuals and organizations in the identification of education-related challenges and school successes.

Evidence Examples:

- Communications with the Board, feedback from educators, stakeholder engagement documents.
- Public acknowledgement of education success stories.

3.2 Presents a professional image of the Nebraska Department of Education through public engagements, collaborations, visibility, and communications with schools.

Evidence Examples:

- Effective presentations for education groups, engagement with education organizations.
- Documentation of a presence in schools and Educational Service Units (ESUs) throughout the state.
- Examples of assistance and advice provided to school districts.

3.3 Communicates about, and provides guidance on, key education policies to school districts, ESUs, the public, Legislature, and Governor as appropriate.

Evidence Examples:

- Copies of communications with schools, ESUs, the public, the Legislature and the Governor.
- Commissioner reports to the Board on education policies.

3.4 Guides the state school system in supporting high expectations for student achievement, quality educator certification requirements, high quality teaching and learning practices and materials, and supports for school administration development.

Evidence Examples:

- Communications with school leaders related to educational leadership.
- Research-based teaching, learning, and assessment supports provided to schools and ESUs.
- Review and updating of teacher preparation and certification rules and processes.
- NDE programs for effective school leadership.

3.5 Uses periodic formal stakeholder methods and informal feedback to improve agency processes and practices.

Evidence Examples:

- Reports of Agency improvements based on stakeholder input.

3.6 Fosters high accountability within schools and ESUs through the development and implementation of rigorous standards and reviews.

Evidence Examples:

- Rules 10, 14, 20, and 84 annual approvals and regular on-site visits.
- Communication with school leaders.
- Implements accountability measures for the agency.

④ School Accountability – Ensures continuous improvement and accountability by supporting, monitoring, and reporting on school performance.

Indicators:

4.1 Assures that content standards and assessments are researched-based and developed using a standardized process that includes stakeholder input and Board review.

Evidence Examples:

- Committee reports on standards development.
- Assessment reports to committee and Board.
- Board meeting notes to indicate discussion of proposed standards.

4.2 Promotes student success through a clearly defined accountability system that includes multiple measures and fosters a culture of continuous improvement.

Evidence Examples:

- Accountability processes are clearly defined, developed, and documented.
- Accountability documents reveal measures and decisions are founded on a growth-mindset and multiple measures.

4.3 Assures that review and revision of the school accountability system are based on stakeholder and Board input, educational research, and updates in state and federal regulations.

Evidence Examples:

- Documentation of stakeholder engagements, Board reports, state and federal statutes/regulations documentation.

4.4 Maintains an accountability reporting system that focuses on academic achievement and continuous school improvement.

Evidence Examples:

- Nebraska Education Profile provides accurate achievement and school improvement data.
- Reporting system meets state and federal accountability regulations.

4.5 Advocates for financial and human resources to support CSI, TSI, and ATSI schools to improve student achievement and school performance.

Evidence Examples:

- Budget requests for financial continuous improvement supports for schools.
- Establishment of Partnerships with ESUs or other partners to support CSI, TSI, and ATSI schools.

5 Agency Management – Oversees the planning, implementation and evaluation of the agency’s programs and services. Maintains a qualified, competent staff to carry out the agency’s work.

Indicators:

5.1 Develops and models a positive, learning-focused and responsive culture of high expectations and holds others in the agency accountable.

Evidence Examples:

- Commissioner interactions with staff members and Board.
- Observation of staff interactions with Commissioner/Informal feedback.
- Board observation of staff work products, presentations, and interagency collaborations.

5.2 Leads, supervises, and guides the NDE executive staff as they support offices across the agency.

Evidence Examples:

- Existence of Executive Team meetings, perception of teamwork by team members and Board.
- Systematic performance appraisal for executive team members that focuses on professional development.

5.3 Reviews, anticipates, and analyzes emerging trends, educational data, and innovative strategies to continually improve all aspects of the agency.

Evidence Examples:

- Reports to the Board about trends, data, and innovations.
- Materials shared with Board or made available for reading and review.

5.4 Promotes agency success by managing the organizational structure, resources, and functions in a way that ensures a safe, efficient, and effective work environment.

Evidence Examples:

- Organization structure promotes effectiveness, efficiency, and collaboration.
- Visual evidence that the work environment is clean and is organized for efficiency.
- Other evidence provided under Financial Planning and Budget Development and Management Essential Job Functions.

5.5 Employs effective strategies to hire, develop, and retain high-performing staff who demonstrate a shared commitment to student success.

Evidence Examples:

- Effective hiring and dismissal processes are practiced as per personnel policies.
- Documented staff performance appraisal forms and processes focus on opportunities for improvement and professional development.
- Short-term and long-term goals and actions are in place for hiring, developing, and retaining employees.

⑥ Budget Development and Management – Provides oversight for the agency’s financial operations and seeks funding to implement agency goals for NDE-supported school programs.

Indicators:

6.1 Oversees and effectively manages all operational functions of NDE including budget, procurement, accounting, human resources, physical facilities, and technology systems in alignment with federal and state law and Board policy.

Evidence Examples:

- Accurate budget and finance reports and processes are shared in committee and with the Board.
- Technology procurement, use, and replacement plans.
- Budget requests for human resources and physical resources are reasonable.
- Explanations of how financial practices are aligned with state and federal guidelines or requirements.

6.2 Develops short- and long-term financial plans and works with the Legislature and other organizations to secure financial resources necessary to the agency’s shared vision and strategic direction and to effectively manage the agency.

Evidence Examples:

- Documentation of financial plans for the agency.
- Appropriations Committee meeting summaries.

6.3 Ensures that internal controls are in place to prevent mishandling of funds and require accountability from funding recipients.

Evidence Examples:

- Audit results document compliance with governing principles and laws and have no material findings.
- Reporting requirements provide assurances of school expenditures.

⑦ Travel – Maintains regular and reliable attendance, possesses a valid driver’s license and travels independently, and works in a variety of settings.

Indicators:

7.1 Travels independently across the state to make presentations, participate in education-related meetings, visit schools, and engage with education organizations.

Evidence Examples

- Commissioner’s calendar showing appointments that indicate work-related travel.
- Board members present at events Commissioner attends.



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STATE BOARD OF EDUCATION BUDGET AND FINANCE COMMITTEE REPORT

Date: June 1, 2023

“The Budget and Finance Committee reports that on its Thursday, June 1, 2023, meeting. Members present were Patsy Koch Johns, Elizabeth Tegtmeier, Sherry Jones, and Deborah Neary.

The Committee reviewed the proposed new and expansion grants for early childhood education programs with NDE providing an overview of the process including the selection requirements. The Committee supported bringing this item to the full Board.

The next item reviewed was a proposed contract with Leader Services, who was selected during and RFP process, to provide support in developing a web application for collecting and using federally required special education data. The Committee supported bringing this item to the full Board for vote.

The third action item reviewed by the Committee was the reVISION Action Grants for 2023/24. NDE staff highlighted the selection process and amounts awarded to recipients. The Committee recommends bringing this item to the full board.

The Committee then reviewed a proposed contract with Pearl Strategies to provide assistance to districts in addressing homelessness representing both urban and rural districts. This contract is funded with Federal ARP Homeless Children and Youth Grants. The Committee recommended bringing this item to the full board.

The last action item reviewed was the Local Food for Schools Grants. This grant was to address food supply issues that were recognized during the pandemic. It allowed us to use the opportunity for local schools to use food grown in these areas for mutual support. The Committee supports bringing this item to the full board.

Additionally, the Committee reviewed the monthly board travel expense report and in-state authorizations noting no concerns.

Last, NDE staff reviewed work being done that will result in action items being brought to the board next month including the procurement that is being undertaken for any contracts as previously requested by the board. There are several action items that may be coming to the board during the August meeting that include contracts related to IDEA Part C funds, a potential contract for a vendor to analyze and submit special education data, a contract for educational interpreter training, funding for special education transition programs, a contract to support the Nebraska Statewide Workforce and Education Reporting System, a contract for the continued CANVAS support, a possible procurement/contracting system and a contract for the north side of the first floor construction for Disability Determination Services.

This concludes the Budget and Finance Committee report.”

Patsy Koch Johns, Chair



2022-2023 Board Travel

At-A-Glance

Budgeted

\$29,381

Monthly Spending

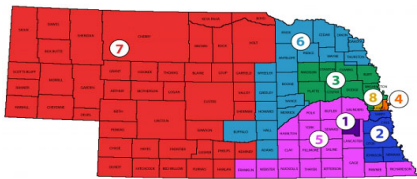
\$3,180
Average

Annual Spending

\$38,160
Projected

Expenditures

Lodging
Meals
Mileage



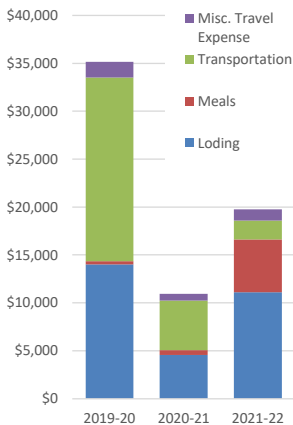
Board Member Activity

District Board Member

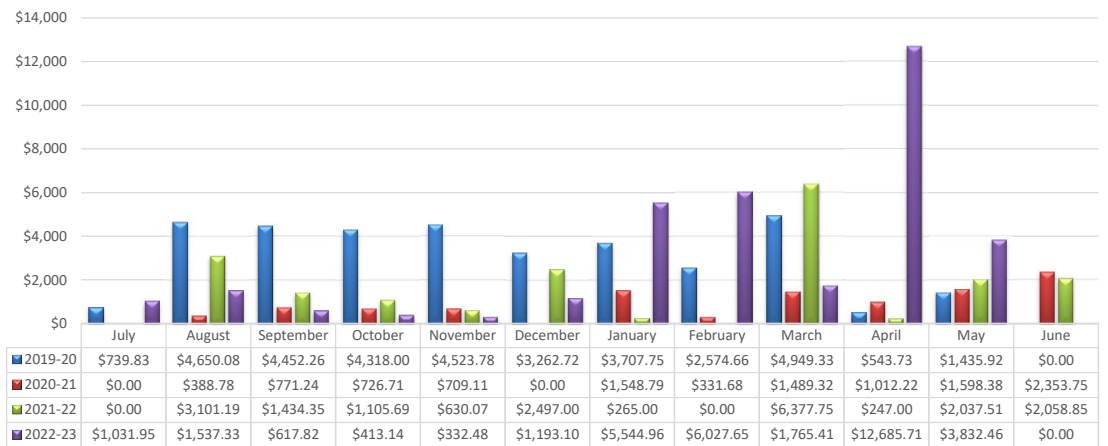
- 1 Patsy Koch Johns
- 2 Lisa Fricke
- 3 Patti Gubbels - President
- 4 Jacquelyn Morrison
- 5 Kirk Penner - Vice President
- 5 Patricia Timm *Incumbent Dec. 2021*
- 6 Sherry Jones *Appointed Dec. 2022*
- 6 Maureen Nickels *Incumbent*
- 7 Elizabeth Tegtmeier *Appointed Dec. 2022*
- 7 Robin Stevens *Incumbent*
- 8 Deborah Neary

	Current Year July 2022-June 2023		Prior Year July 2021-June 2022		Variance	
	May	Year-To-Date	May	Year-To-Date	May	Year-To-Date
1	\$234	\$2,114	\$76	\$2,067	\$158	\$48
2	\$908	\$6,239	\$76	\$4,345	\$832	\$1,895
3	\$1,772	\$9,315	\$76	\$1,603	\$1,697	\$7,712
4	\$504	\$2,563	\$76	\$3,960	\$428	-\$1,397
5	\$439	\$1,623	\$76	\$567	\$363	\$1,056
5	\$0	\$0	\$0	\$1,734	\$0	-\$1,734
6	\$495	\$2,023	\$0	\$0	\$495	\$2,023
6	\$15	\$2,294	\$76	\$1,632	-\$61	\$663
7	\$2,089	\$5,476	\$0	\$0	\$2,089	\$5,476
7	\$15	\$4,353	\$369	\$2,855	-\$354	\$1,498
8	\$362	\$1,981	\$76	\$2,038	\$286	-\$58
Annual Budget	\$6,832	\$37,982	\$900	\$20,799	\$5,932	\$17,183
Over/(Under) Budget		\$29,381		\$29,381		\$29,381
		\$8,601		(\$8,582)		29%

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	(NONE)			
Deborah Neary	(NONE)			
Kirk Penner	(NONE)			

In-State Travel Authorization Reports - June - Updated

Name	Event Name	Date	Location	Board Bylaw B16 Code A-F
Patsy Koch Johns	NSEA - U	July 17, 2023	Kearney, NE	E
Patti Gubbels	NASB Board Leader and Law	June 15, 2023	Kearney, NE	E
	Present to GNSA Superintendents	June 16, 2023	Hastings, NE	E
Elizabeth Tegtmeier	(NONE)			
Sherry Jones	Grand Opening of Against the Current Career Academy	May 23, 2023	Macy, NE	E



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 24, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve awards for new and expansion Early Childhood Education program grants to the identified public school districts.

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION: Funds for awarding new and expansion Early Childhood Education Program grants are available due to eligible districts rollover to state aid. Contingent upon the availability of state funds on July 1, grants will be provided to the identified public school districts to provide collaborative early childhood programs to serve at-risk three and four-year-old children.

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*.

PROPOSED BOARD MEETING: June, 2023

ESTIMATED COST: See attached support material

FOR CONTRACTS AND GRANTS:

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

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:



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FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Panels of early childhood professionals unaffiliated with the grants being reviewed read and score grant applications. Applications are scored on the basis of their articulation of community need, project plan, partnerships, and appropriate budgeting of funds.

**Updated 02.07.2023*

School Districts Recommended for Receiving New or Expansion Early Childhood Grants

Proposed action item: Authorize the Deputy Commissioner to approve awards for new and expansion Early Childhood Education program grants to the identified public school districts.

The Nebraska Department of Education implements the following process:

- All eligible applications are reviewed and rated by an external panel of persons knowledgeable in early childhood education.
- Successful applications are subject to approval by the State Board of Education.
- The NDE funds programs widely distributed across the state in both rural and urban areas.
- Applications are prioritized to provide grants to programs that serve at-risk four-year-old children who are eligible to attend kindergarten in the following year.
- Proposals are scored on a point system with a maximum 100 points. (120 with priority points)
 - Priority points are given for districts that didn't previously operate an early childhood program.
 - Priority points are also given for districts that have an elementary school that has been designated as needing support (CSI, TSI, ATSI designation or Needs Improvement classification)
- Proposals are rated according to criteria specified in the application requirements and guidance in the RFP. <https://www.education.ne.gov/wp-content/uploads/2022/11/Guidance-document-23-24-app.pdf>

Districts and ESUs could apply for funding for a part- day classroom and/or a full-day classroom. A part-day classroom is one that is in session with a group of children for less than 6 hours per day. A full-day classroom is one that is in session with a group of children for 6 hours or more per day.

All applications received by the NDE during this year's competition were written to provide full-day services. Districts planning a full-day program are eligible to receive up to \$130,000 per classroom for operating expenses with an additional amount of up to \$25,000 for start-up expenses. Districts are required to match their operating expenses with an equal amount of matching dollars.

Table of districts recommended for grants

District	Congressional District	Amount	New or expansion	Number of Classrooms
Alma	3	\$145,000	New	1
Logan View	1	\$179,375	New	2
Eustis-Farnam	3	\$73,860	New	1
Kearney	3	\$155,000	Expansion	1
North Platte	3	\$155,000	Expansion	1
Loup City	3	\$155,000	Expansion	1
Plattsmouth	1	\$142,400	Expansion	1
Westside	2	\$155,000	Expansion	1
Total		\$1,160,635		



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Authorize the Commissioner to contract with LDP, Inc. d/b/a Leader Services to provide support to The Office of Special Education in developing a web application for collecting, storing, tracking, monitoring, reporting, and verifying federally required state-level data, district level data, and complaint investigation data.

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

RATIONALE/BACKGROUND INFORMATION: Pursuant to federal (34 C.F.R. § 300.600) and state special education regulations (92 Neb. Admin. Code § 51-004.14), NDE is required to monitor the implementation of the Individuals with Disabilities Education Act (IDEA) and its implementing regulations and Nebraska special education statutes and implementing regulations. These statutes and their implementing regulations require the state of Nebraska to ensure that a free appropriate public education is provided to children with exceptionalities in the least restrictive environment, and that parents of children with exceptionalities, and certain other specified individuals or organizations, are afforded the rights specified in the statutes and implementing regulations. Through an RFP process, The NDE, Office of Special Education selected LDP, Inc. d/b/a Leader Services to create a web-based system with the capability to collect, store, report, and track special education monitoring and improvement planning data.

Through this contract, Leader Services shall develop and maintain a fully functional web-based application capable of performing all necessary data collection, storing, verification, and compliance tracking functions necessary to meet the Office of Special Education’s IDEA and Rule 51 and Rule 52 oversight responsibilities. The Contractor is to provide the customized software to be housed within the Nebraska Department of Education Portal. This web-based application must include:

- State-level interactive dashboard that allows NDE to filter by data element (each SPP/APR Part B indicators 1–17 and SPP/APR Part C indicators 1–11 separately), district, building, and identified demographic information.
- District-level interactive dashboard with similar capabilities of the state-level dashboard
- Modules for those listed and other data as deemed necessary:
 - Indicator 8
 - Indicator 11
 - Indicator 12
 - Indicator 13
 - Indicator 14
 - IDEA Application



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- Maintenance of Effort Compliance
- State Complaint
- Monitoring
- Equity (Indicators 4, 9, and 10 and significant disproportionality)
- District Performance Report and Determinations and the ability to run those calculations within the system
- Targeted Improvement Plan (TIP)

Each module must include:

- Calendars, with built-in reminders that automatically send out notifications to identified recipients.
- The ability to create, modify, and send letters.
- The ability for NDE to set and modify timelines to open and close the module to district data entry.
- The ability for NDE to set and edit questions.
- The ability for districts to upload data in response to questions.
- The ability for NDE to determine compliance for each question and provide comment to the district.
- The ability for the district to upload additional information following NDE's comment.
- When applicable, the ability to import data from an outside system.
- The ability to run calculations on data within the system.
- The ability to display data dashboards of data calculated within the system.

The source of various data sets lies with different groups within the Nebraska Department of Education (e.g., ADVISER), Nebraska school districts and approved cooperatives, the United State Department of Education, and other NDE-Authenticated third-party tools (e.g., TS Gold, Student Information Systems, Qualtrics, BOSR). Leader Services was selected as it was able to demonstrate that they would be able to provide the build of a web-based system that could import data from identified sources and create reports as specified by the Nebraska Department of Education while fulfilling legal and compliance requirements.

Leader Services shall, in addition to developing the web-based system, provide services to make necessary setups and configurations for the system to be implemented and integrated with NDE's system architecture, make the product fully functional and operational as per the requirements, and to provide necessary post implementation services.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: Year 1 - \$335,000
Year 2 - \$108,000
Year 3 - \$108,000

** The Office of Special Education requested and received a waiver to extend the contract with the selected contractor to a three-year period, with the option to renew for one additional two year period.



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FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Part B – 611 and 619 and Part C Funding
- New or Renewal: New
- If renewal, date of first approval:

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 5. This contract does not create an employee/employer relationship.
- Rationale for contractor selection: The LDP, Inc. d/b/a Leader Services proposal earned the highest overall score from the evaluation committee members. The Leader Services proposal demonstrated experience in performing various activities outlined within the RFP that would lead to the development of a web application for collecting, storing, tracking, monitoring, reporting, and verifying federally required state-level data, district level data, and complaint investigation data. 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 web application development, successfully for other states. Given Leader Services 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: N/A



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

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

PROPOSED AGENDA ITEM: Approve the reVISION Action Grants for 2023-2024.

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 eligibility requirement was added that dictates all eligible recipients must complete a comprehensive local 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 now 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 reVISION Action grants come from the Perkins Reserve funds (Section 112(c)) and 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 \$1,052,408.21 for FY24) and must target (1) rural areas, or (2) areas with high percentages or numbers of CTE concentrators, or (3) areas with gaps in performance. In recent years, the requests for these competitive grants exceed available funds by



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approximately 3:1. For 2023-2024, \$50,000 from the statewide Perkins Leadership funds (Section 124) were included in the total allocation to support the regional ESU 7 CTE 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 who they serve. Additionally, the Grace S. Pfister Foundation Trust has provided approximately \$3,770 to support a rural reVISION project.

Over the past 10, years reVISION Action Grants have been awarded to 78 school districts, four ESUs (impacting 52 districts), four community colleges, and 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 the Nebraska College of Technical Agriculture). Given this grant has been available for over 10 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 October of 2022, the 23-24 grant application and template/guidelines were released and shared widely across the state. Applications were due by March 24, 2023. 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 from multiple Offices and external partners (e.g., members from Department of Labor and Economic Development grant program staff). Each application is scored by at least an internal and external reviewer and then applications are ranked based on overall score. The geographic location and/or size of participating institution(s) 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 2023-2024 year, a total of 36 grant applications were received, with a total funding request of \$2,620,535. Applications were reviewed and scored by review teams. Based on those scores, the proposed recipients include:

LEA	Award
Centennial Public School	\$ 100,000
Educational Service Unit 7*	\$ 150,000
Harvard Public Schools	\$ 96,000
Hershey Public Schools	\$ 100,000
Lincoln Public Schools	\$ 97,738



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Metropolitan Community College	\$	100,000
Norris School District 160	\$	100,000
Perkins County High School	\$	100,000
Ralston Public Schools	\$	69,947
Southern School District 1	\$	100,000
Syracuse-Dunbar-Avoca High School	\$	29,674
Wakefield Community School	\$	60,871
Total	\$	1,104,230

* 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, 2023

ESTIMATED COST: Approximately \$ 1,104,230

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Perkins and the Grace S. Pfister Foundation Trust
- New or Renewal: N/A (Each year there are new applicants and awards. We have sought and received Board approval for reVISION Action Grants 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 from multiple Offices and external partners (e.g., members from Department of Labor and Economic Development grant program staff). Each application is scored by at least an internal and external reviewer and then applications are ranked based on overall score. The geographic location and/or size of participating institution(s) of all proposals are taken into consideration to ensure equitable access to funds and diverse representation across



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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 as required by Perkins: (1) rural areas, or (2) areas with high percentages or numbers of CTE concentrators, or (3) areas with gaps in performance.



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Dr. Ken Howard & Kirk Russell

PROPOSED AGENDA ITEM: Authorize the Commissioner to approve a contract with Pearl Strategies for the costs of services delivered utilizing state set-side funds through ARP/HCY I and II Grants.

AGENDA ITEM TYPE: Contract

RATIONALE/BACKGROUND INFORMATION:

In 2021, The American Rescue Plan Act was signed into law in recognition of the impacts of the COVID-19 pandemic on students experiencing homelessness. This included \$800 million to support the specific needs of homeless children and youth via the American Rescue Plan Elementary and Secondary School Emergency Relief – Homeless Children and Youth (ARP-HCY) Fund.

The Nebraska Department of Education awarded seventy-five percent (75%) or (\$2,683,703) of its total allocation to LEAs, based on the formula set forth in the final requirements. The remaining twenty-five percent (25 %) or (\$893,998) was to be used by the State Homeless Liaison for activities and allowable uses as written in sections 722(f) and (g) of the M-V act. As of 3/15/2023, NDE still has (over \$300,000) to be allocated prior to 9/30/2024. These funds must be allocated to support the homeless children and youth population in the state.

The specific tasks to be completed were determined based upon the findings of a state-wide survey that was sent out to all districts in March of 2023. NDE received 170 responses reflecting the needs of the districts to support homeless students.

Summary: Pearl Strategies (Pearl) will provide professional development (PD) and technical assistance (TA) to Nebraska school district homeless liaisons, other educators, and community partners with the goals of improving the provision of education and wraparound services to children, youth, and families experiencing homelessness and using McKinney-Vento subgrant and ARP-HCY funds strategically. Pearl will partner with NDE to host three in-person regional learning institutes and four virtual engagements between in-person institutes to meet the needs of Nebraska schools serving children, youth, and families experiencing homelessness. Pearl will partner with SchoolHouse Connection (SHC), a leading national non-profit organization working to overcome homelessness through education, to offer the three in-person learning institutes, with Pearl serving as the NDE contractor and SHC serving as a Pearl subcontractor.



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PROPOSED BOARD MEETING (MONTH/YEAR):

June 2023

ESTIMATED COST: Up to \$150,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal American Rescue Plan Homeless Children and Youth (ARP-HCY) Grant
- New or Renewal: New
- If renewal, date of first approval: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: RFP Process – April 4th – May 8th, 2023
- Rationale for method of procurement: Given the amount of the funds, the bid was taken out to all interested companies to bid.
- Rationale for contractor selection: Contractor rated highest on the assessment tool.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D. Deputy Commissioner of Education

FROM: Zainab Rida, Administrator, Coordinated Student Support Services
Kayte Partch, Director, Child Nutrition Programs

PROPOSED AGENDA ITEM: Action Item: Authorize Deputy Commissioner to Accept Local Food for Schools Grant funds and to distribute grant funds to School Food Authorities

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

RATIONALE/BACKGROUND INFORMATION: USDA provided to the NDE approximately \$1.5 million for distribution to school food authorities (SFAs) operating the National School Lunch and/or Breakfast Program to spend on allowable food purchases of local origin. SFAs in the four eastern Nebraska Economic Development Districts may receive reimbursement for their approved allocation, based on a per student value, for allowable items purchased between July 1, 2023, and June 30, 2024. SFAs will be required to submit documentation to support reimbursement requests and demonstrate products meet eligibility criteria.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$880,444.85

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: USDA Commodity Credit Corporation
- 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:



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- Rationale for contractor selection:

FOR GRANT SUBAWARDS: SFAs in the four eastern Nebraska Economic Development Districts were selected for their access and proximity to local producers, which supports their use of the funds. Each eligible SFA's allocation value was determined based on student enrollment where a per-student value was used to determine the funding amount the SFA is eligible to receive.

SFA Name	Allocated Amount
NELIGH-OAKDALE SCHOOLS	\$4,292.30
BOONE CENTRAL SCHOOLS	\$5,085.48
ST MICHAEL'S SCHOOL	\$1,487.91
OAKLAND CRAIG PUBLIC SCHOOLS	\$4,421.15
DAVID CITY PUBLIC SCHOOLS	\$5,188.56
EAST BUTLER PUBLIC SCHOOLS	\$2,037.69
AQUINAS- ST. MARY'S SCHOOL	\$4,495.60
WEeping WATER PUBLIC SCHOOLS	\$2,074.93
ST JOHN THE BAPTIST SCHOOL	\$1,619.63
HARTINGTON NEWCASTLE PUBLIC SCHOOLS	\$4,398.24
RANDOLPH PUBLIC SCHOOLS	\$2,009.06
LAUREL-CONCORD-COLERIDGE SCHOOL	\$4,484.15
LEIGH COMMUNITY SCHOOLS	\$1,991.89
CLARKSON PUBLIC SCHOOL	\$1,900.25
HOWELLS-DODGE CONSOLIDATED SCHOOLS	\$1,930.95
SCHUYLER COMMUNITY SCHOOL	\$8,945.40
WEST POINT PUBLIC SCHOOLS	\$5,303.10
BANCROFT-ROSALIE COMM SCHOOLS	\$2,115.01
WISNER-PILGER PUBLIC SCHOOLS	\$4,504.19
ST PAUL LUTHERAN SCHOOL	\$1,407.98
GUARDIAN ANGELS CENTRAL CATHOLIC SCHOOLS	\$4,306.48
SO SIOUX CITY COMMUNITY SCHOOLS	\$13,982.21
HOMER COMMUNITY SCHOOLS	\$4,512.78
ST. MICHAEL'S SCHOOL- SOUTH SIOUX CITY	\$1,734.16
PONCA PUBLIC SCHOOL	\$4,541.43
EMERSON-HUBBARD PUBLIC SCHOOLS	\$1,891.66
SCRIBNER-SNYDER COMMUNITY SCHOOLS	\$1,771.40
NORTH BEND CENTRAL PUBLIC SCHOOLS	\$4,965.20
ARCHBISHOP BERGAN SCHOOL	\$1,785.71
TRINITY LUTHERAN SCHOOLS	\$1,599.59
OMAHA PUBLIC SCHOOLS	\$151,078.55
ELKHORN PUBLIC SCHOOLS	\$35,017.14
MILLARD PUBLIC SCHOOLS	\$71,291.34
RALSTON PUBLIC SCHOOLS	\$12,710.85
WESTSIDE COMMUNITY SCHOOLS	\$19,642.05
JESUIT ACADEMY	\$1,413.74
BOYS TOWN SCHOOLS	\$1,943.20
CHRIST THE KING CATHOLIC SCHOOLS	\$2,009.24
HOLY CROSS SCHOOL	\$2,037.69
OUR LADY OF LOURDES SCHOOL	\$1,948.93
ST BERNARD'S SCHOOL	\$1,688.36
ST. JAMES-SETON SCHOOL	\$4,469.98
ST MARGARET MARY SCHOOL	\$4,704.64
ST PIUS X / ST LEO SCHOOL	\$4,994.34
ST. ROBERT BELLARMINE SCHOOL	\$4,564.84
ST THOMAS MORE SCHOOL	\$4,452.65
LIFEGATE CHRISTIAN SCHOOL	\$4,346.70
SOUTHERN PUBLIC SCHOOLS	\$4,349.56
FREEMAN PUBLIC SCHOOLS	\$4,541.43
DILLER-ODELL PUBLIC SCHOOLS	\$1,903.13
FAIRBURY PUBLIC SCHOOLS	\$5,867.19

TRI COUNTY PUBLIC SCHOOLS	\$4,469.83
STERLING PUBLIC SCHOOLS	\$1,845.85
JOHNSON CO CENTRAL PUBLIC SCHOOL	\$4,585.93
CREIGHTON COMMUNITY PUBLIC SCHOOL	\$2,023.38
CROFTON COMMUNITY SCHOOLS	\$2,107.04
NIOBRARA PUBLIC SCHOOLS	\$1,739.90
BLOOMFIELD SCHOOL	\$2,003.34
ST LUDGER SCHOOL	\$1,353.34
ST ROSE OF LIMA SCHOOL	\$1,445.35
LINCOLN PUBLIC SCHOOLS	\$122,790.51
RAYMOND CENTRAL PUBLIC SCHOOLS	\$5,351.78
CATHEDRAL OF RISEN CHRIST	\$4,352.44
PIUS X HIGH SCHOOL	\$6,376.89
ST JOHN'S CATHOLIC SCHOOL	\$2,189.46
ST PATRICK CATHOLIC SCHOOL	\$1,711.26
ST TERESA SCHOOL	\$1,951.80
ST. PETER'S SCHOOL	\$2,152.24
NORTH AMERICAN MARTYRS SCHOOL	\$4,707.50
CEDAR YOUTH SERVICES	\$1,268.81
MADISON PUBLIC SCHOOLS	\$4,790.54
NORFOLK PUBLIC SCHOOLS	\$15,030.88
BATTLE CREEK PUBLIC SCHOOLS	\$4,641.25
NEWMAN GROVE PUBLIC SCHOOLS	\$1,771.40
ELKHORN VALLEY SCHOOLS	\$4,550.01
ST LEONARD'S SCHOOL	\$1,310.39
CHRIST LUTHERAN SCHOOL	\$2,135.05
FULLERTON PUBLIC SCHOOLS	\$2,097.83
TWIN RIVER PUBLIC SCHOOLS	\$4,501.34
JOHNSON-BROCK PUBLIC SCHOOLS	\$2,226.69
AUBURN PUBLIC SCHOOL	\$6,222.26
SYRACUSE-DUNBAR-AVOCA SCHOOLS	\$5,526.45
NEBRASKA CITY LOURDES CENTRAL	\$2,057.74
PIERCE PUBLIC SCHOOLS	\$5,078.66
OSMOND COMMUNITY SCHOOLS	\$1,728.45
HUMPHREY PUBLIC SCHOOL	\$2,054.88
IMMANUEL LUTHERAN School	\$1,590.28
ST ANTHONY SCHOOL	\$1,559.50
ST ISIDORE SCHOOL	\$1,974.70
SCOTUS CENTRAL CATHOLIC	\$4,232.84
SHELBY - RISING CITY PUBLIC SCHOOLS	\$4,398.24
HIGH PLAINS COMMUNITY SCHOOLS	\$1,894.53
FALLS CITY PUBLIC SCHOOLS	\$5,787.01
SACRED HEART SCHOOLS	\$1,854.44
CRETE PUBLIC SCHOOLS	\$9,320.53
DORCHESTER PUBLIC SCHOOL	\$1,897.39
FRIEND PUBLIC SCHOOLS	\$1,934.61
PAPILLION LA VISTA COMMUNITY SCHOOLS	\$37,634.33
GRETNA PUBLIC SCHOOLS	\$21,401.43
SPRINGFIELD PLATTEVIEW COMMUNITY SCHOOLS	\$6,560.15
ST MARY'S SCHOOL	\$1,653.52
ST. BERNADETTE SCHOOL	\$1,923.16
ASHLAND-GREENWOOD PUBLIC SCHOOLS	\$6,290.99

YUTAN PUBLIC SCHOOLS	\$4,770.50
CEDAR BLUFFS PUBLIC SCHOOLS	\$4,595.83
MILFORD PUBLIC SCHOOLS	\$5,598.03
SEWARD PUBLIC SCHOOLS	\$7,255.13
CENTENNIAL PUBLIC SCHOOLS	\$4,604.41
ST PAUL LUTHERAN SCHOOL	\$1,442.10
STANTON COMMUNITY SCHOOLS	\$2,232.41
THAYER CENTRAL COMMUNITY SCHS	\$4,466.98
PENDER PUBLIC SCHOOLS	\$4,444.06
UMO 'HO' NATIONAL PUBLIC SCHOOL	\$5,016.75
WINNEBAGO PUBLIC SCHOOLS DISTRICT 17	\$4,886.31
WINNEBAGO TRIBE OF NEBRASKA YOUTH SHELTER	\$1,164.14
FORT CALHOUN COMMUNITY SCHOOLS	\$5,529.31
ARLINGTON PUBLIC SCHOOLS	\$5,283.05
WAYNE COMMUNITY SCHOOLS	\$6,076.23
WINSIDE PUBLIC SCHOOLS	\$1,908.84
MC COOL JUNCTION PUBLIC SCHOOLS	\$1,937.48
ST. JOSEPH SCHOOL- YORK	\$1,432.19
	\$880,442.98



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STATE BOARD OF EDUCATION PLANNING AND EVALUATION COMMITTEE REPORT

Date: June 1, 2023

The Planning and Evaluation Committee reports on its Thursday, June 1, 2023, meeting. The members present were chair, Deborah Neary, vice-chair Lisa Fricke, Sherry Jones, and Patti Gubbels.

The committee reviewed the following action items:

- The approval of Rule 11 teacher waiver requests for Creek Valley Public Schools and Red Cloud Community Schools.
- The approval of new interim-program schools under Rule 18.
- The approval of educator preparation programs in Nebraska colleges and universities under Rule 20.
- The approval of the Nebraska's Every Student Succeeds Act (ESSA) Plan Amendment for Section 4.

The committee recommends the approval of these five items.

The committee also reviewed the action items to approve the accreditation of school systems to operate for the 2023-2024 school year under Rule 10 and to approve the new approved schools and adding grades to approved schools for the 2023-2024 school year under Rule 14. The committee reviewed the compliance checklists for school systems under Rule 10 and Rule 14, as well as clarify nuances among Rule 10 – Accredited Public School Districts, Rule 10 – Accredited Non-Public School Systems, and Rule 14 – Approved Non-Public School Systems. The committee recommends the approval of these two items.

During the Deputy Commissioner's report, there were two presentations related to the committee work.

- School, district, and board representatives from Isanti Elementary, Middle, and High School provided the committee with a Priority School Progress Update. The committee discussed progress and recommendations regarding to the two schools with three consecutive years in Priority School status.
- The committee discussed the standards setting process for NSCAS assessments in ELA and Math, and Science validation.

The committee received an update on the Rule 11 teacher waiver request for Scottsbluff Public Schools. NDE staff member provided an update on the waiver process for schools seeking educators in early childhood settings. NDE staff will return next meeting for discussion and to seek approval for this district waiver.

The committee also received updates on the approval of instructional hour affidavits, the 2023-2024 Nebraska Council on Teacher Education (NCTE) Membership Roster, and the 2023 legislative session and potential implications for the committee. NDE staff will return next meeting for discussion and to seek approval.

This concludes the Planning and Evaluation report.

Deborah Neary, Chair

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



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 16, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve Rule 11 teacher waiver request from Creek Valley Public Schools

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

- 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 cannot hire one or more teacher(s) who hold a valid teaching certificate of any kind must apply for a Rule 11 waiver for the teacher(s).
- Nebraska State Board has the authority/responsibility to either approve or deny the Rule 11 waiver.

- Creek Valley Public School began a preschool with an early childhood education grant at the beginning of the 2022-2023 school year with a certified teacher who is working on an early childhood endorsement.
- During the school year, Volunteers of America, the operator of the childcare program in Chappell and several other towns in western Nebraska, made the decision to no longer provide childcare in the state. No other entity either had the capacity or the interest in taking over the early childhood program.
- Creek Valley Public Schools agreed to take over operation of the program, meaning that the program now would need to follow Rule 11 rather than child care licensing regulations.
- The infant and the toddler teacher at the program have some early childhood education but have not yet completed their early childhood education associate degree. They each have a plan of study to pursue their education.



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PROPOSED BOARD MEETING: Information, April 2023; Discussion, May 2023; Action, June 2023

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

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

FOR GRANT SUBAWARDS: N/A

**Updated 02.07.2023*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 16, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve the Rule 11 teacher waiver request from Red Cloud Community Schools

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

- 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 for a Rule 11 waiver for the teacher(s).
- Nebraska State Board has the authority/responsibility to either approve or deny the Rule 11 waiver.
- Red Cloud Community Schools is a recipient of an Early Childhood Education Endowment Birth -3 grant, commonly known as a Sixpence grant. The school operates an early childhood classroom in collaboration with The Valley Child Development Center in the community. As a school district operated classroom and a Sixpence funded classroom, a certified teacher is needed to teach that group of children.
- Red Cloud has been unable to hire a certified teacher for that Sixpence grant funded classroom.
- The school district has submitted the appropriate documentation for the waiver.

PROPOSED BOARD MEETING (MONTH/YEAR): Information-April 2023, Discussion- May 2023, Action item- June 2023.



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ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

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

FOR GRANT SUBAWARDS: N/A

**Updated 02.07.2023*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 25, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Micki Charf, Ed.D.
Director of Accreditation
Brad Dirksen
Administrator

PROPOSED AGENDA ITEM: Approve the accreditation of school systems appearing on the accompanying list to operate for the 2023-2024 school year under Rule 10, Regulations and Procedures for the Accreditation of Schools

AGENDA ITEM TYPE: Other

RATIONALE/BACKGROUND INFORMATION:

On an annual basis the State Board of Education accredits schools in accordance with Rule 10 (92 NAC 10). Continued accreditation is granted for one school year from each July 1 through the following June 30 and based upon the school's compliance with this Chapter during the prior school year.

The accreditation section monitors compliance with Rule 10 regulations by reviewing annual assurance statements, conducting on-site visits, and evaluating data submitted on required reports. Annual assurance statements are due November 1st and staff responds to any self-reported non-compliance by providing guidance and issuing a request for a corrective plan of action to meet the regulation(s) the following school year.

Other reports that inform the accreditation section of compliance with Rule 10 are the Fall Personnel Report, which indicates proper certification of staff whose primary role is the instruction of students, the Curriculum Report, which ascertains subject area requirements for the elementary, middle, and secondary grades, and other data elements.

On-site compliance visits are conducted on a regular basis. Accreditation staff collaborate closely with the Rule 10 school staff to affirm regulatory compliance and to provide recommendations as needed to strengthen school operations.

Accredited school systems are required to develop and implement a continuous school improvement process to promote quality learning for all students. The school improvement process includes a visitation, at least once every five years, by a team of external representatives to review progress and provide written recommendations.

In May the State Accreditation Committee, which serves as an advisory committee to the Commissioner, meets to review the annual report and presentation provided by the Accreditation section. This committee



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convened on May 16, 2023, and confirmed their recommendation to the Commissioner that accreditation be granted to schools appearing on the attached list for the 2023-24 school year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST:

None

FOR CONTRACTS AND GRANTS:

Not Applicable

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

Not Applicable

FOR GRANT SUBAWARDS:

Not Applicable

**Updated 02.07.2023*



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Schools Recommended for Accreditation for the 2023-24 School Year

Class II through V School Districts (Total 244)

Adams Central Public Schools
Ainsworth Community Schools
Allen Consolidated Schools
Alliance Public Schools
Alma Public Schools
Amherst Public Schools
Anselmo-Merna Public Schools
Ansley Public Schools
Arapahoe Public Schools
Arcadia Public Schools
Arlington Public Schools
Arnold Public Schools
Arthur County Schools
Ashland Greenwood Schools
Auburn Public Schools
Aurora Public Schools
Axtell Community Schools
Bancroft-Rosalie Community Schools
Banner County Public Schools
Battle Creek Public Schools
Bayard Public Schools
Beatrice Public Schools
Bellevue Public Schools
Bennington Public Schools
Bertrand Public Schools
Blair Community Schools
Bloomfield Community Schools
Blue Hill Community Schools
Boone Central Schools
Boyd County Schools
Brady Public Schools
Bridgeport Public Schools
Broken Bow Public Schools
Bruning-Davenport Unified
Burwell Public Schools
Callaway Public Schools
Cambridge Public Schools
Cedar Bluffs Public Schools
Centennial Public Schools
Central City Public Schools
Central Valley Public Schools
Centura Public School

Chadron Public Schools
Chambers Public Schools
Chase County Schools
Clarkson Public Schools
Cody-Kilgore Public School
Columbus Public Schools
Conestoga Public Schools
Cozad Community Schools
Crawford Public Schools
Creek Valley Schools
Creighton Community Public Schools
Crete Public Schools
Crofton Community Schools
Cross County Community Schools
David City Public Schools
Deshler Public Schools
Diller-Odell Public Schools
Doniphan-Trumbull Public Schools
Dorchester Public Schools
Douglas County West
Dundy County-Stratton Public Schools
East Butler Public Schools
Elba Public Schools
Elgin Public Schools
Elkhorn Public Schools
Elkhorn Valley Schools
Elm Creek Public Schools
Elmwood-Murdock Public Schools
Elwood Public Schools
Emerson-Hubbard Public School
Eustis-Farnam Public Schools
Exeter-Milligan Public Schools
Fairbury Public Schools
Falls City Public Schools
Fillmore Central Public Schools
Fort Calhoun Community Schools
Franklin Public Schools
Freeman Public Schools
Fremont Public Schools
Friend Public Schools
Fullerton Public Schools
Garden County Schools
Gering Public Schools
Gibbon Public Schools
Giltner Public Schools
Gordon-Rushville Schools
Gothenburg Public Schools
Grand Island Public Schools
Gretna Public Schools
Hampton Public School
Hartington-Newcastle Public Schools
Harvard Public Schools
Hastings Public Schools

Hay Springs Public Schools
Hayes Center Public Schools
Heartland Community Schools
Hemingford Public Schools
Hershey Public Schools
High Plains Community Schools
Hitchcock County School System
Holdrege Public Schools
Homer Community Schools
Howells-Dodge Consolidated Schools
Humboldt Table Rock Steinauer
Humphrey Public Schools
Hyannis Area Schools
Isanti Community School
Johnson County Central Public Schools
Johnson-Brock Public Schools
Kearney Public Schools
Kenesaw Public Schools
Keya Paha County Schools
Kimball Public Schools
Lakeview Community Schools
Laurel-Concord-Coleridge Public Schools
Leigh Community Schools
Lewiston Consolidated Schools
Lexington Public Schools
Leyton Public Schools
Lincoln Public Schools
Litchfield Public Schools
Logan View Public Schools
Loomis Public Schools
Louisville Public Schools
Loup City Public Schools
Loup County Public Schools
Lyons-Decatur Northeast
Madison Public Schools
Malcolm Public Schools
Maxwell Public Schools
Maywood Public Schools
McCook Public Schools
McCool Junction Public Schools
McPherson County Schools
Mead Public Schools
Medicine Valley Public Schools
Meridian Public Schools
Milford Public Schools
Millard Public Schools
Minatare Public Schools
Minden Public Schools
Mitchell Public Schools
Morrill Public Schools
Mullen Public Schools
Nebraska City Public Schools
Neligh-Oakdale Public Schools

Newman Grove Public Schools
Niobrara Public Schools
Norfolk Public Schools
Norris School District 160
North Bend Central School District
North Platte Public Schools
Northwest Public Schools
Oakland Craig Public Schools
Ogallala Public Schools
Omaha Public Schools
O'Neill Public Schools
Ord Public Schools
Osceola Public Schools
Osmond Community Schools
Overton Public Schools
Palmer Public Schools
Palmyra District OR-1
Papillion-LaVista Public Schools
Pawnee City Public Schools
Paxton Consolidated Schools
Pender Public Schools
Perkins County Schools
Pierce Public Schools
Plainview Public Schools
Plattsmouth Community Schools
Pleasanton Public Schools
Ponca Public Schools
Potter-Dix Public Schools
Ralston Public Schools
Randolph Public Schools
Ravenna Public Schools
Raymond Central School
Red Cloud Community Schools
Riverside Public Schools
Rock County Schools
Sandhills Public Schools
Sargent Public Schools
Schuyler Community Schools
Scottsbluff Public Schools
Scribner-Snyder Community Schools
Seward Public Schools
Shelby-Rising City Public Schools
Shelton Public Schools
Shickley Public Schools
Sidney Public Schools
Silver Lake Public Schools
Sioux County Public Schools
South Central Unified
South Platte Public School
South Sioux City Community Schools
Southern School District 1
Southern Valley Schools
Southwest Public Schools

Springfield Platteview Community Schools
St Edward Public Schools
St Paul Public School
Stanton Community Schools
Stapleton Public Schools
Sterling Public Schools
Stuart Public Schools
Summerland Public Schools
Sumner-Eddyville-Miller Schools
Superior Public Schools
Sutherland Public Schools
Sutton Public Schools
Syracuse-Dunbar-Avoca Public Schools
Tekamah-Herman Schools
Thayer Central Community Schools
Thedford Public Schools
Tri County Public Schools
Twin Rivers Public Schools
Umo Ho Nation Public School
Valentine Community Schools
Verdigre Public School
Wahoo Public Schools
Wakefield Public Schools
Wallace Public School District 65R
Walthill Public Schools
Wauneta-Palisade Public Schools
Wausa Public Schools
Waverly School District 145
Wayne Community Schools
Weeping Water Public Schools
West Holt Public Schools
West Point Public School
Westside Community Schools
Wheeler Central Schools
Wilber-Clatonia Public Schools
Wilcox-Hildreth Public Schools
Winnebago Public Schools
Winside Public Schools
Wisner-Pilger Public Schools
Wood River Rural Schools
Wynot Public Schools
York Public Schools
Yutan Public Schools

Accredited Nonpublic Schools (Total 82)

<u>City</u>	<u>School</u>	<u>Grades</u>
Albion	St Michael's Elementary School	(K-8)
Atkinson	St Joseph's School	(K-8)
Bellevue	Daniel J Gross High School	(9-12)
Bellevue	St Mary Elementary School	(K-8)
Bellevue	St Matthew the Evangelist School	(K-8)
Boys Town	Boys Town Schools	(K-12)
Central City	Nebraska Christian Schools	(K-12)
Clarkson	St John Neumann Elementary	(1-6)
Columbus	Scotus Central Catholic	(7-12)
Columbus	St Anthony School	(K-6)
Columbus	St Bonaventure School	(K-8)
Columbus	St Isidore Elementary School	(K-6)
Creighton	St Ludger Elementary School	(K-6)
Crofton	St Rose of Lima Elementary School	(1-8)
David City	Aquinas Catholic Schools	(K-12)
Dodge	St Wenceslaus Elementary School	(K-6)
Elgin	Pope John XXIII High School	(7-12)
Elgin	St Boniface Elementary School	(K-6)
Elkhorn	Mt Michael Benedictine HS	(9-12)
Elkhorn	St Patrick's Catholic School	(K-8)
Falls City	Sacred Heart Schools	(K-12)
Fremont	Archbishop Bergan Elementary	(K-6)
Fremont	Archbishop Bergan School	(7-12)
Grand Island	Central Catholic Schools	(6-12)
Hartington	Cedar Catholic High School	(7-12)
Hartington	East and West Catholic School	(K-8)
Hartington	Holy Trinity Elementary School	(K-6)
Hastings	Hastings Catholic Schools	(K-12)
Howells	Howells Community Catholic	(K-6)
Humphrey	St Francis Schools	(K-12)
Kearney	Kearney Catholic Schools	(6-12)
Lincoln	Lincoln Christian Schools	(K-12)
Lincoln	Lincoln Lutheran MS/HS	(6-12)
Lincoln	Parkview Christian	(K-12)
Lincoln	Pius X High School	(9-12)
Lindsay	Holy Family School	(1-12)
Madison	St Leonard's Elementary School	(K-6)
Nebraska City	Neb. City Lourdes Central Catholic	(K-12)
Norfolk	Lutheran High Northeast	(9-12)
Norfolk	Norfolk Catholic Schools	(K-12)
North Platte	North Platte Catholic Schools	(K-12)
Omaha	All Saints Catholic Schools	(K-8)
Omaha	Brownell Talbot College Prep	(K-12)
Omaha	Christ the King Catholic School	(K-8)
Omaha	Creighton Preparatory School	(9-12)
Omaha	Duchesne Academy	(9-12)

Omaha	Holy Cross Catholic School	(K-8)
Omaha	Holy Name School	(K-8)
Omaha	Jesuit Academy	(4-8)
Omaha	Madonna School	(K-8)
Omaha	Marian High School	(9-12)
Omaha	Mary Our Queen Elementary	(K-8)
Omaha	Mercy High School	(9-12)
Omaha	Nelson Mandela School	(K-6)
Omaha	Omaha Christian Academy	(K-12)
Omaha	Our Lady of Lourdes Elementary	(K-8)
Omaha	Roncalli Catholic High School	(9-12)
Omaha	Sacred Heart Elementary School	(K-8)
Omaha	Skutt Catholic High School	(9-12)
Omaha	St Bernadette Catholic School	(K-8)
Omaha	St Bernard Elementary School	(K-8)
Omaha	St Cecilia Cathedral School	(K-8)
Omaha	St James-Seton Elementary School	(K-8)
Omaha	St Joan of Arc Elementary School	(K-8)
Omaha	St Margaret Mary Elementary	(K-8)
Omaha	St Philip Neri Elementary School	(K-8)
Omaha	St Pius X/St Leo Elementary	(K-8)
Omaha	St Robert Bellarmine Elementary	(K-8)
Omaha	St Stephen the Martyr	(K-8)
Omaha	St Thomas More Elementary	(K-8)
Omaha	St Vincent dePaul Elementary	(K-8)
Omaha	St Wenceslaus School	(K-8)
Omaha	Sts Peter & Paul Elementary	(K-8)
O'Neill	St Mary's Schools	(K-12)
Osmond	St Mary Elementary School	(K-8)
Papillion	St Columbkille Catholic School	(K-8)
Ralston	St Gerald Elementary School	(K-8)
So. Sioux City	St Michael Elementary School	(K-8)
Wahoo	Bishop Neumann High School	(7-12)
Wayne	St Mary Elementary School	(K-6)
West Point	Guardian Angels Central Catholic	(K-12)
Winnebago	St Augustine Elementary School	(K-8)

Special Purpose Schools (Total = 5)

City	School
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



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 25, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Micki Charf, Ed. D., Director of Accreditation
Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve the new approved schools and adding grades to approved schools appearing on the accompanying list to operate for the 2023-24 school year under Rule 14.

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

RATIONALE/BACKGROUND INFORMATION:

[Rule 14](#) (92 NAC 14) section 003 outlines the procedures for approval of a school seeking new approval or adding grade levels to a previously approved school. Applications submitted by May 1 will be considered for conditional approval for the 2023-24 school year.

Once an application is received by the accreditation section, an initial consultation is scheduled. Accreditation staff support the applicant school by providing a Rule 14 checklist of regulations and an explanation of how compliance is to be demonstrated. The applicant school and the Director of Accreditation then schedule an on-site visit to determine the applicant school can comply with the provisions of Rule 14. Upon completion of the on-site visit and the applicant school responding to required actions, a recommendation is made to the Board that the applicant school be granted conditional approval.

For those applicant schools that are granted conditional approval for the 2023-24 school year an additional fall semester visit is conducted by Accreditation staff during a time that students are in attendance as a condition to continue operation as an approved Rule 14 school for the following year.

Attached is the list of new approved schools, and additional grades to approved schools recommended for approval under Rule 14 for the 2023-2024 school year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS:



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- 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:



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New Nonpublic Schools seeking Rule 14 Approval:

St. Mark's Lutheran School, Omaha, NE

OneSchool Global Gothenburg Campus, Gothenburg, NE

Rule 14 Nonpublic Schools adding grades:

Legacy Christian School, Holdrege, NE

Community Christian School, Scottsbluff, NE

Freidel Jewish Academy, Omaha, NE

Alleluia Kindergarten, Elkhorn, NE



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 25, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Micki Charf, Ed. D., Director of Accreditation
Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve the new interim-program school appearing on the accompanying list to operate for the 2023-24 school year under Rule 18.

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

RATIONALE/BACKGROUND INFORMATION:

[Rule 18](#) (92 NAC 18) section 003 outlines the procedures for approval of a new interim program. This process will be recommended for a discussion item at the May Planning and Evaluation Committee meeting in preparation as an action item at the June 2, 2023, business meeting.

Once an application is received by the accreditation section, an initial consultation is scheduled. Accreditation staff support the applicant program by providing a Rule 18 checklist of regulations and an explanation of how compliance is to be demonstrated. The applicant program and the Director of Accreditation then schedule an on-site visit to determine the applicant program can comply with the provisions of Rule 18. Upon completion of the on-site visit and the applicant program responding to required actions, a recommendation is made to the Board that the applicant program be granted conditional approval.

For those applicant programs that are granted conditional approval for the 2023-24 school year an additional fall semester visit is conducted by Accreditation staff during a time that students are in attendance as a condition to continue operation as an approved Rule 18 program for the following year.

Attached is the new interim-program school for the 2023-2024 school year.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$0



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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 02.07.2023*



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New Interim Program seeking Rule 18 Approval:

Radius Omaha
5040 Grand Ave.
Omaha, NE 68104



TEL 402.471.2295
FAX 402.471.0117



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 19, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Brad Dirksen, Administrator Accountability, Accreditation and Program Approval

PROPOSED AGENDA ITEM: Action Item: Authorize the Deputy Commissioner to approve the educator preparation programs in Nebraska colleges and universities

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

RATIONALE/BACKGROUND INFORMATION: Nebraska statute 79-318(5)(g) requires the State Board of Education to approve teacher education programs conducted in Nebraska postsecondary educational institutions designed for the purpose of certifying teachers and administrators.

Each Nebraska educator preparation institution is required to submit an annual request for approval of the programs which will be offered in the upcoming academic year. The annual request includes an assurance statement that the institution is in compliance with the requirements of 92 NAC 20, Regulations for the Approval of Teacher Education Programs. In addition, a current matrix which identifies the required courses which meet the requirements for each certificate endorsement offered by the institution is filed with the Accountability, Accreditation and Program Approval office for review to determine compliance with 92 NAC 24, Regulations for Certificate Endorsements. The report of Nebraska institutions seeking program approval, from July 1, 2023-June 30, 2024, along with the endorsements offered by each institution, is attached.

In addition to the annual approval process, Peru State College, Nebraska Wesleyan University and the University of Nebraska-Omaha participated in the cyclical program approval process which occurs every seven years and includes an offsite and onsite review of the educator preparation programs. Peru State College, Nebraska Wesleyan University and the University of Nebraska-Omaha have met the standards for both the offsite and onsite review and are recommended for approval by the State Board.

All current information and data submitted for purposes of documenting compliance with Rule 20 and Rule 24 annual approval requirements are reviewed by the Accountability, Accreditation and Program Approval section staff and is maintained in the section files.

PROPOSED BOARD MEETING (MONTH/YEAR):

June 2023

ESTIMATED COST:

N/A



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FOR CONTRACTS AND GRANTS:

N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

N/A

FOR GRANT SUBAWARDS:

N/A

**Updated 02.07.2023*

2023-2024

**Teacher Preparation Programs
in
Nebraska
Colleges and Universities**



(Office of Educator Preparation Program Approval / May, 2023)

Degree Codes:
B – Bachelor’s **M – Master’s**
S - Specialist **D - Doctorate**

Endorsement Codes:
F - Field **S - Subject**
G - Graduate **SP - Supplemental**

	Bellevue University	Chadron State College	College of Saint Mary	Concordia University	Creighton University	Doane University	Hastings College	Midland University	NE Wesleyan University	Peru State College	Union College	University of NE-Kearney	University of NE-Lincoln	University of NE-Omaha	Wayne State College	York University
Highest Certification Degree Granted	B	M	M	M	M	D	M	M	B	M	B	S	D	D	S	B
Level of Accreditation:																
CAEP/AAQEP		X		X	X	X	X		X	X	X	X	X	X	X	X
Higher Learning Commission (formerly NCA)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
State	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administrative Endorsements																
Principal (G) (F) PK-12, PK-8, 7-12		X		X	X	X		X				PK-8 7-12	X	X	X	X
Special Education Supervisor (G) (F) B-12		X										X	X	X	X	
Superintendent (G) (F) PK-12						X						X	X	X	X	
Teaching Endorsements																
Adapted Physical Education (SP) PK-12												X		*D		
Agricultural Education (F) 6-12				X									X			
American Sign Language (S) or (SP) K-8, 7-12, K-12				(SP) K-12												
Anthropology (S) 7-12																
Art (F) PK-12		X	X	X	X	X	X		X	X		X		X	X	
Bilingual Education (SP) PK-12, K-6, 4-9, 7-12												*D	K-6 7-12	K-6 7-12		
Biology (S) 7-12	X	X	X	X		X	X	X	X	X	X	X	X	X	X	
BMIT (Business, Marketing & Info Tech) (F) 6-12	X	X	X	X	X		X	X	X	X		X	X	X	X	X
Chemistry (S) 7-12	X	X	X	X		X	X		X	X	X	X	X	X	X	
Coaching (SP) 7-12	X	X		X		X		X	X	X		X	X	X	X	X
Driver Education (SP) 7-12																
Early Childhood Education (SP) PK-3		X	X	X	X	X	X	X		X		†X	X	X	X	

X - Endorsement program offered for all levels. **†** - Indicates new program offering beginning in 2023-2024. Endorsements listed in **BOLD** were recently reviewed by NCTE.

***D** – Indicates program is dropped effective 2023-2024; no new candidates accepted. Previously enrolled candidates are allowed to complete.

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F - Field **S - Subject**
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		Bellevue University	Chadron State College	College of Saint Mary	Concordia University	Creighton University	Doane University	Hastings College	Midland University	NE Wesleyan University	Peru State College	Union College	University of NE-Kearney	University of NE-Lincoln	University of NE-Omaha	Wayne State College	York University
Early Childhood Inclusive (F) <i>(formerly ECEU)</i>	B-3		X	X	X						X		X	X	X	X	
Earth and Space Science (S)	7-12		X											X			
Economics (S)	7-12																
Elementary Education (F)	K-6, K-8	K-6, K-8	K-8	K-6	K6, K8	K-8	K-6	K-8	K-8	K-6	K-8	K-6, K-8	K-6	K-6	K-6	K-8	K-8
English As A Second Language (SP) PK-12, PK-6, 4-9, 7-12		PK-12		*D	PK-12	PK-12 PK-6 7-12	PK-12 PK-6 7-12	PK-12	PK-12 PK-6 7-12		PK-12		PK-12	PK-6 7-12	PK-6 7-12	PK-12	
English Language Arts (F)	7-12		X	X	X	X	X	X		X	X	X	X	X	X	X	
Family & Consumer Sciences Occupational (F) 6-12			X											X		X	
Geography (S)	7-12				X								X			X	
Health Education (S)	7-12	X	X										X		X		
Health & Physical Education (F)	PK-12	X	X				X	X	X	X	X		X			X	
Health Sciences Education (F)	6-12																
Health Sciences Education (SP)	6-12		X											X		X	
High Ability Education (SP)	K-12								X				X				
History (S)	7-12	X	X		X	X	X	X	X	X	X	X	X			X	X
Information Technology (SP)	PK-12	X			X				X				X	X	X	X	
Instructional Technology Leadership (SP)	PK-12				X								X	X	X		
Journalism & Media Education (SP)	7-12				X									X		X	
Mathematics (F)	6-12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Middle Level Education (S)	5-9	X	X	X	X		X				X		X		X	X	
Middle Level Endorsement Academic Areas:																	
<i>English Language Arts</i>		X	X	X	X		X				X		X		X	X	
<i>Mathematics</i>		X	X	X	X		X				X		X		X	X	
<i>Science</i>		X	X	X	X		X				X		X		X	X	

X - Endorsement program offered for all levels. **†** - Indicates new program offering beginning in 2023-2024. Endorsements listed in **BOLD** were recently reviewed by NCTE.

***D** – Indicates program is dropped effective 2023-2024; no new candidates accepted. Previously enrolled candidates are allowed to complete.

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SP - Supplemental

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<i>Social Science</i>		X	X	X	X		X				X		X		X	X	
<i>Agricultural Education</i>											X						
<i>Business Marketing Info Technology-BMIT</i>			X								X						
<i>Family and Consumer Sciences Education</i>			X													X	
<i>Health and Physical Education</i>			X		X						X					X	
<i>Industrial Technology Education</i>																	
<i>World Language</i> (C=Chinese, F=French, G=German, S=Spanish)					S												
Music (F) PK-12			X		X		X	X	X	X	X	X	X	X	X	X	
Orientation and Mobility (O&M) Specialist Special Services B-21														X			
Physical Education (S) PK-12, PK-6, 7-12		X	PK-6 7-12		PK-12 7-12		X		PK-12	PK-12			X		PK-12 7-12	PK-6 7-12	PK-12
Physics (S) 7-12					X			X		X			X	X	X		
Political Science (S) 7-12													X			X	
Psychology (S) 7-12		X			X								*D			X	
Reading and Writing (SP) PK-6, 7-12				X			X									X	7-12
Reading Specialist (G) (S) PK-12			X		X		X						X	X	X	X	
Religious Education (S) K-12, PK-6, 7-12				K-12	K-12	K-12						K-12					
ROTC (S) 9-12																	
School Counselor (G) (F) PK-12 (S) PK-8, 7-12			X		PK-12	X	PK-12						PK-8 7-12	PK-8 7-12	PK-12	X	
School Librarian (F) PK-12													X		X		
School Psychologist (F) (G) PK-12													X	X	X		
Science (F) 7-12		X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Secondary English (S) 7-12		X			X	X	X	X	X	X	X	X	X	X	X	X	X
Secondary Transition Specialist (G) (SP) 7-12																	

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Skilled and Technical Sciences Education (F) 6-12													X		X	
Skilled & Technical Sciences-Skilled Specific (SP) 9-12													X		X	
Social Science (F) 7-12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sociology (S) 7-12												X			X	
Special Education Generalist (F) K-12 (S) K-6, 7-12	7-12	K-12	K-6 7-12	X		X	K-12	X	K-6 7-12	X		X	X	K-6 7-12	X	K-12
Special Education-Behavior Intervention Specialist (G) (SP) B-12, PK-6, 7-12								†X B-12				B-12	B-12	PK-6 7-12		
Special Education-Deaf or Hard of Hearing (S) B-12, PK-6, 7-12													B-12	PK-6 7-12		
Special Education-Early Childhood (G) (S) B-K		X		X									X			
Special Education-Early Intervention Specialist (SP) B-PK												X	X			
Special Education-Functional Academic Skills and Independent Living Specialist (G) (SP) B-12												X				
Special Education-Inclusion and Collaboration Specialist (G) (SP) PK-12												X				
Special Education-Visual Impairment (S) B-12													X			
Speech (SP)				X									X		X	X
Special Program (S)																
Speech Language Pathologist (G) (F) B-21												X	X	X		
Theatre (SP) 7-12		X		X		X	X	X	X			X	X		X	X
Vocal Music (S) PK-12		X		X				X	X		X				X	X
Work-Based Learning (SP) 9-12 (formerly Cooperative Education/Distributive Occ)	X	X					X					X	X	X	X	
World Language (S) K-8, 7-12, K-12 (C=Chinese, F=French, G=German, L= Latin, R=Russian, S=Spanish, J=Japanese)			S 7-12, K-12	C, S 7-12	F, S 7-12	S 7-12	S 7-12		F, G, S 7-12			F, G, S 7-12	S, C, F G, R, L †J 7-12	F, G, S 7-12	S 7-12	

X - Endorsement program offered for all levels. † - Indicates new program offering beginning in 2023-2024. Endorsements listed in BOLD were recently reviewed by NCTE.

*D – Indicates program is dropped effective 2023-2024; no new candidates accepted. Previously enrolled candidates are allowed to complete.

Inquiries regarding state approval of teacher education programs leading to certification may be addressed to:
Nebraska Department of Education, Educator Preparation Program Approval

Kelly Heineke
kelly.heineke@nebraska.gov
500 S. 84th St., 2nd Floor
Lincoln, NE 68510-2611
402.314.4432

Specific program inquiries may be directed to the *Certification Official* listed for each institution of higher education:

BELLEVUE UNIVERSITY

Susan Alford
1000 Galvin Road South
Bellevue, NE 68005
402.557.7131
Email: salford@bellevue.edu

CREIGHTON UNIVERSITY

April Buschelman
2500 California Plaza
Omaha, NE 68178
402.280.3583
Email: aprilbuschelman@creighton.edu

NEBRASKA WESLEYAN UNIVERSITY

Tanya Martin
5000 St. Paul Avenue
Lincoln, NE 68504
402.465.2307
Email: tmartin@nebrwesleyan.edu

UNIVERSITY OF NEBRASKA – LINCOLN

Sara Skretta
CEHS, 116 Henzlik Hall, PO Box 880371
1400 R Street, Lincoln, NE 68588-0371
402.472.8626
FAX: 402.472.1701
Email: Sskretta2@unl.edu

CHADRON STATE COLLEGE

Dave Perkins
10th & Main
Chadron, NE 69337
308.432.6032
Email: dperkins@csc.edu

DOANE UNIVERSITY

Emily Griesch
1014 Boswell
Crete, NE 68333
402.826.8538
FAX: 402.826.6785
Email: emily.griesch@doane.edu

PERU STATE COLLEGE

Stephanie Holmes
PO Box 10 600 Hoyt Street
Peru, NE 68421
402.872.2399
FAX: 402.872.2414
Email: sholmes@peru.edu

UNIVERSITY OF NEBRASKA – OMAHA

Huai-Mei Furman
Roskens Hall 204
6005 University Dr North, Omaha, NE 68182
402.554.2718
FAX: 402.554.2879
Email: mfurman@unomaha.edu

COLLEGE OF SAINT MARY

Lori Wewel
7000 Mercy Road
Omaha, NE 68106
402.399.2666
FAX: 402.399.2414
Email: lwewel@csm.edu

HASTINGS COLLEGE

Darci Karr
710 North Turner Avenue
Hastings, NE 68901
402.461.7304
FAX: 402.461.7490
Email: dkarr@hastings.edu

UNION COLLEGE

Peter Adams
3800 South 48th Street
Lincoln, NE 68506
402.486.2600
Email: peter.adams@ucollege.edu

WAYNE STATE COLLEGE

Brook Jech
1111 Main Street
Wayne, NE 68787
402.375.7373
FAX: 402.375.7414
Email: brjech1@wsc.edu

CONCORDIA UNIVERSITY

Carlene Bauer
800 North Columbia
Seward, NE 68434
402.643.7475
Email: carlene.bauer@cune.edu

MIDLAND UNIVERSITY

Jamie Folkers
900 North Clarkson
Fremont, NE 68025
402.941.6449
Email: folkers@midlandu.edu

UNIVERSITY OF NEBRASKA – KEARNEY

Jenny Jansky
905 West 25th Street
Kearney, NE 68849
308.865.8266
FAX: 308.865.8854
Email: janskyjl@unk.edu

YORK COLLEGE

Erin DeHart
1125 East 8th Street
York, NE 68467
402.363.5684
FAX: 402.363.5733
Email: edehart@york.edu

X - Endorsement program offered for all levels. † - Indicates new program offering beginning in 2023-2024. Endorsements listed in BOLD were recently reviewed by NCTE.

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PROPOSED AGENDA ITEM RATIONALE

DATE: May 19, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Vicky Muñoz, Ph.D.
Assistant Administrator & Director of Accountability

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

Lane Carr
Administrator, Office of Policy & Strategic Initiatives

PROPOSED AGENDA ITEM: Approve the amendment for Section 4 of Nebraska's Every Student Succeeds Act (ESSA) Plan.

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

RATIONALE/BACKGROUND INFORMATION: As a result of the COVID-19 pandemic, states were afforded flexibilities through an addendum to their current state ESSA plans. The NDE successfully applied for an addendum in April 2022 and implemented the transition accountability system in the fall of 2022 with the designation of CSI, ATSI, and TSI schools. One stipulation with the approval of the addendum was a formal amendment to the ESSA plan. Additionally, when the NDE applied for the addendum, cohorts of designated schools shifted, and these changes must be accounted for in the state plan. As such, the state adjusted the federal accountability system, including modifying or removing specific indicators, and now must update the plan to make those changes.

The amendment captures adjustments made to the filter process, chronic absenteeism, inclusion of science proficiency, and shifts in designation timelines. The amendment was available for public comment from May 8, 2023, through May 23, 2023. This final amendment captures appropriate feedback provided.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: NA

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
- New or Renewal:



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- 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 02.07.2023*



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STATE BOARD OF EDUCATION RULES AND REGULATIONS COMMITTEE REPORT

Date: June 1, 2023

The Rules and Regulations Committee reports on the June 1, 2023, meeting of the committee.

The Report on Rules is attached in Sparq for board member review.

NDE Staff provided a summary of the Rule 20 revisions and received a summary of the hearing. The committee recommends approval of the Rule 20 revisions.

NDE Staff provided a summary of the Rule 21 revisions and received a summary of the hearing. The committee recommends approval of the Rule 21 revisions.

NDE Staff provided a summary of the Rule 24 revisions and received a summary of the hearing. The committee recommends approval of the Rule 24 revisions.

The committee reviewed the content test and passing score requirements for endorsements set forth in Rule 24. The committee recommends approval of this document.

NDE Staff provided a summary of Title 93 (Personnel Rules) revisions and received a summary of the hearing. The committee recommends approval of the Title 93 revisions.

NDE Staff presented on the 2023 legislative session and potential implications for the committee. Committee members discussed priorities for the next year. The committee reiterated the teacher shortage as a priority of the committee.

The committee members discussed having a meeting prior to the August meeting to receive information on potential revisions to Rule 59.

This concludes the Rules and Regulations Committee report.

Elizabeth Tegtmeier, Chair

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



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To: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

From: Tammy Barry
Legal Counsel III

Date: May 17, 2023

Subject: Report on Rules

Rule Repealed:

Title 92, Nebraska Administrative Code, Chapter 23, *Regulations for the Basic Skills Competency Testing of Teachers and Administrators*

Hearing Held:	January 31, 2023	Approved by Governor:	May 16, 2023
Approved by Board:	March 3, 2023	Filed with Secretary of State:	May 17, 2023
Approved by AGO:	March 20, 2023	Effective:	May 22, 2023

Rule Revisions Awaiting Approval by the Attorney General:

Title 92, Nebraska Administrative Code, Chapter 10, *Regulations and Procedures for the Accreditation of Schools*

Hearing Held: January 31, 2023
Approved by Board: March 3, 2023

Title 92, Nebraska Administrative Code, Chapter 14, *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*

Hearing Held: January 31, 2023
Approved by Board: March 3, 2023

Rule Revisions Awaiting Public Hearing on May 30, 2023, and Approval by the Board in June 2023:

Title 92, Nebraska Administrative Code, Chapter 20, *Regulations for the Approval of Educator Preparation Programs (formerly Regulations for Approval of Teacher Education Programs)*

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*

Title 92, Nebraska Administrative Code, Chapter 24, *Regulations for Certificate Endorsements*

Title 93, Nebraska Administrative Code, Chapters 1-16, *Personnel Rules*



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 22, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve proposed revisions to Rule 20 (92 NAC 20) Regulations for the Approval of Teacher Education Programs

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

RATIONALE/BACKGROUND INFORMATION: Rule 20 includes the regulations for the approval of educator preparation programs.

The current version of Rule 20 was last updated July 2, 2014. The purpose of the proposed revision to Rule 20 is to incorporate changes to educator preparation program requirements. Substantive changes contained in the draft rule revision include: (1) removal of the basic skills competency requirement for admission into an educator preparation program due to the passage of LB 1218 (2022), (2) the addition of educator preparation administrative program requirements, (3) the addition of a Pilot and Processes section, and (4) ensure the science of reading is included in educator preparation programs.

Updates to the Rules and Regulations Committee regarding the Rule 20 revisions were made May 5, 2022, August 4, 2022, October 6, 2022, and February 2, 2023. July 26, 2022 a public hearing on Rule 20 was held. Upon review of the hearing draft, the Nebraska Attorney General's office provided input, which resulted in the Department revising the hearing draft. In addition to addressing the Nebraska Attorney General's concerns, Department staff, in consultation with the Rule 20 workgroup, is working on ensuring the science of reading is included in the next proposed draft in efforts to align the revision work with the State Board of Education's Nebraska Ready: PK-12 Policy Priorities, Priority 1, regulatory and agency priorities.

PROPOSED BOARD MEETING (MONTH/YEAR):

June 2023

ESTIMATED COST:

N/A

FOR CONTRACTS AND GRANTS:

N/A



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FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

N/A

FOR GRANT SUBAWARDS:

N/A

**Updated 02.07.2023*

NEBRASKA DEPARTMENT
OF EDUCATION

RULE 20

REGULATIONS FOR THE APPROVAL OF EDUCATOR PREPARATION
TEACHER EDUCATION PROGRAMS

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 20

HEARING DRAFT
APRIL 25, 2023

State of Nebraska
Department of Education
500 S. 84th Street
Lincoln, Nebraska 68510



TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
 CHAPTER 20 - APPROVAL OF EDUCATOR PREPARATION ~~TEACHER EDUCATION~~
 PROGRAMS

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Requirements for <u>Educator Preparation</u> Teacher Education Program Approval	79-318	003
Professional <u>Educator Preparation</u> Teacher Education Program Requirements	79-318, <u>79-814.01</u>	004
<u>Teacher Initial Preparation Academic</u> Program Coursework Requirements	79-318	005
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TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
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Administrator Preparation Academic Program Requirements		
Definition of Terms	79-318, <u>79-807</u>	002
<u>Educator Preparation Program Requirements</u>	<u>79-318, 79-814.01</u>	<u>004</u>
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General Information	79-318	001
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Professional Teacher Education Program Requirements	79-318	004
Program Quality Indicators	79-318	007
Provisions for Notice and Hearing	79-318	008
Requirements for <u>Educator Preparation</u> Teacher Education Program Approval	79-318	003
<u>Teacher Preparation Academic Program Requirements</u>	<u>79-318</u>	<u>005</u>

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
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001 General Information.

001.01 Statutory Authority. This chapter is adopted pursuant to Neb. Rev. Stat. § Section 79-318 ~~of the Revised Statutes of Nebraska (R.R.S.).~~

001.02 Scope and Application. This chapter provides procedures for the approval of educator preparation ~~teacher education~~ programs conducted in Nebraska standard institutions of higher education ~~colleges and universities~~ and designed for the purpose of certifying teachers and administrators and other professional school personnel requiring certification.

001.03 Related Regulations. Throughout this chapter reference is made to other Department of Education regulations relating to teachers and administrators. Procedures for the issuance of certificates to teach, counsel, or supervise in Nebraska schools are contained in Title 92, Nebraska Administrative Code (NAC), Chapter 21. ~~92 NAC 23 contains regulations concerning the basic skills competence testing of teachers.~~ 92 NAC 24 contains regulations regarding the issuance of endorsements on teaching, administrative, or special services certificates in Nebraska. 92 NAC 27 contains regulations and standards for professional practices criteria. Electronic access to Copies ~~of~~ these regulations is ~~are~~ available from the Department at <https://www.education.ne.gov/legal/current-nde-rules-regulations/> ~~https://www.education.ne.gov/LEGAL/~~.

001.04 Implementation Date. The implementation date of this chapter will be August 1, 2014 the effective date of approval, ~~whichever is later. Institutions must meet these requirements after this date. Prior to that implementation date, the provisions of this chapter, as approved with an effective date of January 19, 2008, shall remain in effect.~~

002 Definition of Terms. As used in this chapter:

002.01 Academic year ~~means shall mean~~ a school year which consists of two (2) regular consecutive semesters that occur from fall through spring.

002.02 Accreditation ~~means shall mean~~ the status of public recognition that an accrediting agency grants to an educational institution and is recognized by the United States Department of Education.

002.03 ~~002.02~~ Advanced program ~~means shall mean~~ a program at the postbaccalaureate level for (a) educators who have previously completed initial preparation or (b) the preparation of other school professionals.

002.04 ~~002.03~~ Board ~~means shall mean~~ the State Board of Education.

002.05 ~~002.04~~ Candidate ~~means shall mean~~ an individual admitted to, or enrolled in, a program for the initial or advanced preparation or the continuing professional development of educators.

002.06 ~~002.05~~ Certificate ~~means shall mean~~ a teaching, administrative, or special services certificate issued by the Department pursuant to 92 NAC 21.

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~~002.07~~ ~~002.06~~ Clinical practice ~~means shall mean~~ a culminating, supervised experience that provides a candidate with opportunities to demonstrate competence in the professional role for which the candidate is preparing and that includes student teaching or an internship.

~~002.08~~ ~~002.07~~ Commissioner ~~means shall mean~~ the State Commissioner of Education.

~~002.08~~ Content test ~~shall mean a Praxis or School Leadership Series test published by the Educational Testing Service (ETS) of Princeton, NJ.~~

~~002.09~~ Cooperating educator ~~means shall mean~~ an educator employed in a setting utilized for a clinical practice who has the appropriate certification and experience to perform observation, coaching, mentoring, and/or evaluation of a candidate.

~~002.10~~ Coursework ~~means shall mean~~ the experiences required to complete the preparation program and may include class instruction, field experiences, or other required activities.

~~002.11~~ Credit hour ~~means shall mean~~ the equivalent of fifteen (15) instructional class periods of fifty (50) minutes or more.

~~002.12~~ Department ~~means shall mean~~ the State Department of Education, which is comprised of the Board and the Commissioner.

~~002.13~~ Diversity ~~means shall mean~~ differences among groups of people and individuals based on ethnicity, race, socioeconomic status, gender, exceptionalities, language, religion, sexual orientation, and/or geographical areas.

~~002.14~~ Educator ~~means shall mean~~ a holder of a teaching, administrative or special services certificate.

~~002.15~~ Educator certificate ~~means shall mean~~ a certificate issued pursuant to standards comparable and equivalent to those in 92 NAC 21.

~~002.16~~ Educator preparation program ~~means the system of procedures, coursework, and activities in a college, school, or department of an approved standard institution of higher education that result in the initial or advanced preparation of teachers, administrators, and other school professionals.~~

~~002.17~~ ~~002.16~~ Endorsement ~~means shall mean~~ an area of specialization indicated on a certificate issued pursuant to 92 NAC 21 signifying that the individual has met specific content preparation requirements contained in 92 NAC 24.

~~002.18~~ Exceptional expertise requirement ~~means documented scholarship, skill, or experience in the priorities set by the educator preparation program, such as content specialization, diversity, assessment, or technology.~~

~~002.19~~ ~~002.17~~ Faculty ~~means shall mean~~ all professional education faculty, including adjunct faculty and graduate students, employed by a standard institution of higher education who teach one or more courses in professional education and/or supervise field experiences.

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002.20 ~~002.18~~ Field experience ~~means shall mean~~ an opportunity for candidates to observe, assist, tutor, instruct, and/or conduct research to develop professional education knowledge, skills, and dispositions. Field experiences include practicum and clinical practice requirements. Field experiences are designed and implemented through collaboration with school partners and faculty and occur in school systems or other settings serving students.

002.21 Human relations requirement has the same meaning as human relations training in Neb. Rev. Stat. § 79-807 and as required by Neb. Rev. Stat. § 79-808.

002.22 ~~002.19~~ Initial program ~~means shall mean~~ a program at the baccalaureate or postbaccalaureate level that prepares candidates for their first license-to-teach certificate. They include five-year programs, master's programs, and other postbaccalaureate and alternate route programs that prepare individuals for their first license-in-teacher certificate.

002.23 ~~002.20~~ Internship ~~means shall mean~~ a clinical practice in which candidates practice and demonstrate the knowledge, skills, and professional dispositions required for advanced programs.

002.24 ~~002.21~~ Practicum ~~means shall mean~~ a field experience completed prior to a culminating supervised candidate's clinical practice.

002.25 ~~002.22~~ Professional dispositions ~~means shall mean~~ candidate attitudes, values, and beliefs demonstrated in interactions with students, families, educators, and communities consistent with ethical performance criteria contained in 92 NAC 27.

002.26 ~~002.23~~ Professional education coursework ~~means shall mean~~ coursework, including field experience, designed to develop educator competencies, including, but not limited to, student development, learning differences, learning environments, content knowledge and its application, assessment, planning for instruction, instructional strategies, collaboration, and ethical practice.

~~002.24 Professional educator preparation program or unit shall mean the school, college, department or other administrative body within the institution that is primarily responsible for the preparation of teachers, administrators, and other school personnel.~~

~~002.25 Regional accreditation shall mean a voluntary process by which one (1) of several accrediting bodies, each serving one (1) of six (6) defined geographic areas of the country, accredits PK-12 schools, colleges, and universities. Nebraska institutions are served by the Higher Learning Commission.~~

002.27 ~~002.26~~ School partner ~~means shall mean~~ school systems and other education programs that collaborate with the educator preparation teacher education program in designing, developing, and implementing field experiences, delivery of instruction, and research.

002.28 ~~002.27~~ School system ~~means shall mean~~ an institution that is accredited or approved by the Department to provide instruction at any level PK-Grade 12, including an educational service unit accredited by the Department.

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~~002.29~~ ~~002.28~~ Special authorization means shall mean a process by which the Department ~~approval can be granted may grant approval~~ for a standard institution of higher education to offer a pilot endorsement program.

002.30 Special education requirement has the same meaning as special education training in Neb. Rev. Stat. § 79-807 and as required by Neb. Rev. Stat. § 79-809.

~~002.31~~ ~~002.29~~ Standard institution of higher education, or institution, shall mean any college or university whose teacher education programs are fully approved by the Board or by a comparable agency in any other state or country, has the same meaning as in Neb. Rev. Stat. § 79-807.

~~002.32~~ ~~002.30~~ Student teaching means shall mean a clinical practice in a school system which provides an initial preparation candidate with ~~a culminating supervised an experience~~ to demonstrate competence in the professional role for which the candidate is preparing.

~~002.31~~ Teacher education program shall mean the system of procedures, coursework and activities in a college, school, or department of an approved standard institution of higher education which result in the initial or advanced preparation of teachers, administrators, and other school professionals.

~~002.33~~ ~~002.32~~ Terminal degree means shall mean the highest degree available in a specific field of preparation or recognized by the profession.

003 Requirements for Educator Preparation Teacher Education Program Approval

003.01 Original Educator Preparation Teacher Education Program Approval

003.01A Letter of Application and Institutional Planning Report. Any Nebraska institution of higher education may apply for approval of its ~~educator teacher~~ preparation program by submitting a letter of intent to seek approval and an Institutional Planning Report (IPR) signed by the chief academic officer of the institution on behalf of the governing board of the institution. These documents must be received by the Commissioner on or before January 15 of the calendar year in which the institution seeks to begin the approval process.

003.01B Governing Board Approval. The IPR ~~must shall~~ include documentation that the governing board of the institution has approved the plans and a time table whereby the institution will meet each of the requirements to become a standard institution of higher education within four (4) years.

003.01C Chapter 20 Compliance. The IPR ~~must shall~~ include the procedures and time table for compliance with the requirements in Sections 004 through 007 of this chapter.

003.01D Collaboration and Support of School Systems. The IPR ~~must shall~~ contain statements of support from school systems documenting their collaboration and assistance in planning to provide field experiences which meet the requirements of ~~this chapter 92 NAC 20~~ and 92 NAC 24.

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003.01E The IPR must shall contain documentation that the institution is regionally accredited.

003.02 Initial Provisional Approval

003.02A The Commissioner, after receiving the institution's request to begin the process of becoming a standard institution of higher education, must shall appoint a team to visit the institution and report on the institution's ability to comply with the provisions of this chapter.

003.02A1 The team must shall schedule a visit to the institution within sixty (60) days after receiving the IPR.

003.02A2 The team must shall file a recommendation with the Commissioner within sixty (60) days after the scheduled visit to the institution.

003.02A3 Following a review of the institutional visit report, the Commissioner must shall file a recommendation with the Board regarding the application and shall notify the institution of the recommendations. Notification must shall be sent by certified mail to the chief academic officer of the institution. The institution will shall have thirty (30) days after receipt of the recommendation to request an opportunity for a hearing before the Board as provided in Section 008 of this chapter.

003.02A4 Following a review of the Commissioner's recommendation, and after giving the institution an opportunity for a hearing, if requested, the Board must shall either approve or deny the institution's implementation of the plan under provisional approval. Provisional approval permits the institution to phase in an educator preparation program, excluding clinical practice, over a period of time not to exceed three (3) years.

003.03 Continuing Provisional Approval

003.03A Provisional Approval Report. By March 1 of each year during provisional approval, the institution must shall file the Provisional Approval Report with the Commissioner which includes:

003.03A1 Documentation of that written notification made to all candidates taking education courses that the institution has provisional approval, but is not yet approved for recommending certification;

003.03A2 Statements of continuing participation by the school systems in which the institution is placing candidates for field experiences; and

003.03A3 Documentation of the degree to which the institution is in compliance with all applicable sections of this chapter 92-NAC-20, excluding clinical practice; 92 NAC 23; and 92 NAC 24. The Provisional Approval Report must also shall indicate how, in each succeeding year, the institution is progressing toward total compliance, excluding clinical practice.

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003.03B The Commissioner may respond each year with a scheduled visit by a team or staff, to the institution within sixty (60) days after receiving the Provisional Approval Report.

003.03C The team or staff conducting such a visit must shall file a recommendation with the Commissioner within thirty (30) days after a scheduled visit.

003.03D Following a review of the report, the Commissioner must shall file a recommendation with the Board regarding the application and ~~shall~~ notify the institution of the recommendations. Notification must shall be sent by certified mail to the chief academic officer of the institution. The institution will shall have thirty (30) days after receipt of the recommendation to request an opportunity for a hearing before the Board as provided in Section 008 of this chapter.

003.03E Following a review of the Commissioner's recommendation, and after giving the institution an opportunity for a hearing, if requested, the Board must shall either approve or deny continuation of provisional or recommend temporary approval.

003.04 Temporary Approval to Offer an Educator Preparation a Teacher Education ~~Program~~. If the Commissioner recommends and the Board concurs, the institution may be granted a one (1) year temporary approval. Temporary approval allows the institution to place candidates and to recommend graduates of the program to the Department for certification. Temporary approval may be renewed on a yearly basis for a maximum of three (3) years, using the process found in Sections 003.04A through 003.04F of this chapter for each of these years.

003.04A By March 1 of each year in which the institution is operating with temporary approval, the institution must shall file a Temporary Approval Report with the Commissioner. The Temporary Approval Report must shall document complete compliance with all applicable sections of this chapter 92-NAC-20, 92 NAC 23, and 92 NAC 24.

003.04B The Commissioner may respond with a scheduled visit by a team or staff, to the institution within sixty (60) days after receiving the Temporary Approval Report.

003.04C The team or staff conducting such a visit must shall file a recommendation with the Commissioner within thirty (30) days after the scheduled visit.

003.04D Following a review of the report, the Commissioner must shall file a recommendation with the Board regarding the application and ~~shall~~ notify the institution of the recommendations. Notification must shall be sent by certified mail to the chief academic officer of the institution. The institution will shall have thirty (30) days after receipt of the recommendation to request an opportunity for a hearing before the Board as provided in Section 008 of this chapter.

003.04E Following a review of the Commissioner's recommendation, and after giving the institution an opportunity for a hearing, if requested, the Board must shall exercise one of the following options: (a) approve the institution as a standard institution of higher

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education, (b) grant it temporary approval for another year, or (c) deny the institution further status as an educator preparation ~~a teacher education~~ program.

003.04F Once the Board has approved the institution as a standard institution of higher education, the institution is subject to the provisions in Section 003.05 of this chapter.

003.05 Continuing Approval of an Educator Preparation ~~a Teacher Education~~ Program. Continuing approval ~~will shall~~ be for the period of August 1 through July 31 of the next year and ~~will shall~~ be conditional upon the institution's compliance with the requirements in Sections 003 through 007 of this chapter. ~~The An~~ institution's failure to meet a numbered regulation ~~will shall~~ be considered a violation and will be subject to the provisions of Section 003.05C of this chapter.

003.05A Annual Board Approval. The institution ~~must shall~~ submit ~~the information a list of endorsements offered, program outcomes, assurance of compliance, and correction of areas of non-compliance, if applicable, requested in Sections 003.05A1 through 003.05A4 of this chapter~~ by May 15 of each year. Recommended forms may be found on the NDE Educator Preparation Teacher Education website.

~~003.05A1 Endorsements Offered. A written list of endorsements to be offered for the period of approval. For each endorsement, the institution must provide the Commissioner with a current list of required courses which also specifies alignment of the courses to the requirements in 92-NAC-24.~~

~~003.05A2 Program Outcomes. Information regarding program admission, program completion, graduate follow-up, and program changes made or planned in response to candidate or graduate performance, or changes made or planned in response to the needs of school systems.~~

~~003.05A3 Assurance of Compliance. The chief academic officer or designee for the institution shall indicate compliance or noncompliance status with the numbered provisions of 92-NAC-20.~~

~~003.05A4 Correction of Areas of Noncompliance. For any area of noncompliance identified in Section 003.05A3 of this chapter, a plan for correction must be provided. In addition, the annual report shall contain documentation of resolution/status of any areas of noncompliance reported in the previous annual report to the Board.~~

003.05B State Program Review. At least once every seven (7) years, the Commissioner ~~must shall~~ conduct a full review of the educator preparation ~~teacher education~~ program ~~to determine compliance, including both an offsite and an onsite component,~~ to determine compliance with all applicable provisions of this chapter 92-NAC-20 and 92 NAC 24. ~~The review includes both an offsite and an onsite component.~~

003.05B1 The state program review ~~must shall~~ be conducted by a state team, appointed by the Commissioner, which includes representation from the Nebraska Council on Teacher Education (NCTE), persons with content knowledge in the endorsement areas offered by the educator preparation ~~teacher education~~ program, and Department staff.

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003.05B2 For institutions participating in a national accreditation review of ~~educator education~~-preparation programs, the state program review ~~must shall~~ be conducted to coordinate with the national accreditation process.

003.05B3 Offsite Review

003.05B3a Institutional Report. Qualitative and quantitative information regarding compliance with the requirements of Sections 004 through 007 of this chapter ~~must shall~~ be submitted on a schedule established by the Commissioner. Recommended forms may be found on the NDE ~~Educator Preparation Teacher Education~~ website.

003.05B3b Endorsement Program Folios. Information regarding each endorsement program offered by the institution ~~must shall~~ be submitted on a schedule established by the Commissioner. Recommended forms may be found on the NDE ~~Educator Preparation Teacher Education~~ website. Folio information ~~will must~~ include:

003.05B3b1 Documentation of compliance with the endorsement requirements in 92 NAC 24;

003.05B3b2 Quantitative and qualitative candidate assessment and performance information; and

003.05B3b3 Changes made in response to data regarding candidate or graduate performance and/or in response to the needs of school systems.

003.05B4 Onsite Review. An onsite review ~~must shall~~ be conducted to validate information submitted by the institution in response to Section 003.05B3 of this chapter or to acquire additional information to determine compliance with the provisions of ~~this chapter 92 NAC 20~~ and 92 NAC 24.

003.05B5 Results of the state program review ~~must shall~~ be reported to the Board during the annual approval meeting.

003.05C Correction of Areas of Noncompliance. The institution ~~will shall~~ have until May 1 of the year following the Board's annual approval decision to correct areas of noncompliance identified in Section 003.05 of this chapter.

003.05C1 Approval on Probation. The Commissioner may recommend to the Board approval on probation for an institution with uncorrected areas of noncompliance as of May 1 of the first year following the Board's annual approval decision.

003.05C2 Denial of Approval. The Commissioner may recommend to the Board denial of approval for an institution with uncorrected areas of noncompliance as of May 1 of the year following designation of approval on probation.

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003.05C3 Notification and Appeal. The Commissioner ~~must shall~~ notify the chief academic officer of the institution of a recommendation for probation or denial of approval in writing by certified mail. The institution ~~will shall~~ have thirty (30) days after receipt of the recommendation to request an opportunity for a hearing as provided in Section 008 of this chapter.

003.06 Special Endorsement Authorization. A Nebraska standard institution of higher education may apply for approval of a special authorization to offer an endorsement program ~~that is~~ not included in 92 NAC 24.

003.06A Application for Approval. An application must be received by the Commissioner on or before January 15 of the calendar year in which the institution seeks to begin the new endorsement program.

003.06A1 The application must include justification of interest and need for the proposed new endorsement program, educator competencies appropriate for the proposed new endorsement program, a list of the required courses that will address the competencies and accompanying syllabi, and the timetable for candidates' completion of the proposed new endorsement program.

003.06A2 The application ~~must shall~~ contain statements of support from school systems documenting the school systems' collaboration and assistance in planning to provide field experience placements which meet the requirements of ~~this chapter 92 NAC 20~~ and 92 NAC 24.

003.06A3 Within thirty (30) days from receipt of the application, the Commissioner ~~must shall~~ assign a team to assess the information provided in the application, which may include a visit to the institution. The team must include members representing the Nebraska Council on Teacher Education (NCTE) and persons with content knowledge in the proposed endorsement area.

003.06A4 The team ~~must shall~~ file a recommendation with the Commissioner for denial of the application or provisional approval.

003.06A5 The Commissioner ~~must shall~~ provide written notification by certified mail of the decision to the chief academic officer of the institution by May 1. The institution ~~will shall~~ have thirty (30) days after receipt of the notification to request a meeting with the Commissioner if the decision is to deny approval. Following the meeting, the Commissioner ~~must shall~~ inform the institution in writing if the decision to deny is upheld.

003.06B Provisional Approval of a Special Endorsement Authorization.

003.06B1 Following provisional approval by the Commissioner, the institution may phase in the new endorsement program, excluding clinical practice, over a period of time not to exceed three (3) years, ~~excluding clinical practice~~.

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003.06B2 By March 1 of each year following provisional approval, the institution must shall file a written progress report on the program with the Commissioner which must shall include:

003.06B2a Enrollment data and documentation of written notification to the candidates stating that the institution has provisional approval, ~~including candidate recourse if the program is eliminated~~ and describing candidate recourse if the program is eliminated;

003.06B2b Statements of continuing participation from school systems for placement of candidates for field experiences; and

003.06B2c Reaffirmation or updated information regarding elements in Sections 003.06A1 and 003.06A2 of this chapter.

003.06B3 The review team identified in Section 003.06A3 of this chapter must shall review the progress report, which may include an onsite visit, and file a recommendation of denial, continued provisional approval, or temporary approval with the Commissioner within thirty (30) days following the review.

003.06B4 The Commissioner must shall provide written notification by certified mail of the decision to the chief academic officer of the institution by May 1. The institution will shall have thirty (30) days after receipt of the notification to request a meeting with the Commissioner if the decision is to deny approval. Following the meeting, the Commissioner must shall inform the institution in writing if the subsequent decision to deny is upheld.

003.06C Temporary Approval of a Special Endorsement Authorization.

003.06C1 Following temporary approval by the Commissioner, the endorsement program may place candidates and recommend completers graduates of the program for certification by the Department.

003.06C2 By March 1 of each year following temporary approval, the institution must shall file a written progress report on the program with the Commissioner, ~~which shall include:~~ The progress report must include:

003.06C2a Enrollment data and documentation of written notification to the candidates stating that that the institution has temporary approval and describing candidate recourse if the program is eliminated;

003.06C2b Statements of continuing participation from school systems for placement of candidates for field experiences; and

003.06C2c Reaffirmation or updated information regarding elements in Sections 003.06A1 and 003.06A2 of this chapter.

003.06C3 The review team identified in Section 003.06A3 of this chapter must will review the progress report, which may include an onsite visit, and file a

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recommendation with the Commissioner to (a) continue temporary approval until the endorsement is placed in 92 NAC 24, (b) return to provisional status, or (c) deny any further approval.

003.06C4 By May 1, the Commissioner ~~must~~ ~~shall~~ consider the team's recommendation and provide written notification by certified mail to the chief academic officer of the institution of the decision to (a) renew temporary approval for a period not to exceed three (3) years, (b) return the endorsement to provisional status, (c) deny further approval and the reasons for the decision, or (d) recommend the special authorization be moved forward for inclusion in 92 NAC 24.

003.06C5 The institution ~~will~~ ~~shall~~ have thirty (30) days after receipt of the notification to request a meeting with the Commissioner if the decision is to deny approval. Following the meeting, the Commissioner ~~must~~ ~~shall~~ inform the institution in writing if the ~~subsequent~~ decision to deny is upheld.

004 Educator Preparation Professional Teacher Education Program Requirements.

004.01 General Policy Statements. The institution ~~must~~ ~~shall~~ have a written policy stating its ~~philosophy and~~ objectives which delineates its goals and commitment to the preparation of educators. Not all of the programs for the preparation of school personnel need to be administratively located within the educator preparation program unit; however all professional education programs ~~must be~~ ~~are~~ organized and coordinated by the educator preparation program unit.

004.02 Personnel Requirements.

004.02A Program Unit Administrator. The institution ~~must~~ ~~shall~~ designate an individual to administer the professional ~~teacher education~~ educator preparation program ~~or unit~~. This individual ~~is required to~~ ~~shall~~ hold, qualify for, or have held an educator certificate.

004.02B Certification Officer. The institution ~~must~~ ~~shall~~ designate a faculty or staff member to receive correspondence regarding this chapter and to oversee the submission of certified records, transcripts, reports, and/or recommendations to the Department for the purpose of certification and/or endorsement.

004.02C Field Experience Coordinator. The institution ~~must~~ ~~shall~~ designate a faculty or staff member to coordinate field experience requirements contained in this chapter.

004.02D Cooperating Educators. The institution ~~must~~ ~~shall~~ ensure that cooperating educators employed by school systems or other field-based settings ~~shall~~ have a minimum of three (3) years of education employment experience and hold an appropriate certificate with an endorsement in the area or level they are supervising.

004.03 ~~Educator Preparation Professional Teacher Education~~ Program Faculty Requirements.

004.03A Minimum Required Faculty

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004.03A1 Undergraduate faculty. There ~~must shall~~ be a minimum of three (3) full-time professional education faculty.

004.03A2 Graduate faculty. Each advanced degree program leading to the doctorate must have at least three (3) full-time professional education faculty members who have earned the doctorate in the field of specialization for which the degree is offered.

004.03B Faculty Qualifications

004.03B1 All professional education faculty ~~must shall~~ hold a ~~master's graduate degree or a professional degree from a college or university accredited by an accrediting organization recognized by the United States Department of Education.~~

004.03B2 The preparation, research, and experience of each faculty member ~~must shall~~ be in the field in which ~~he or she~~ the faculty member teaches.

004.03B3 All professional education faculty, hired after July 1, 1994, ~~must shall~~ have two (2) years of PK-12 teaching experience in ~~state approved or accredited~~ elementary or secondary schools ~~approved or accredited by a state~~ or ~~in~~ similarly constituted and governed schools in a state where non-public schools are not recognized by the state.

Faculty who do not possess two (2) years of PK-12 teaching experience must meet the exceptional expertise requirement. ~~defined as documented scholarship, skill, or experience in the priorities of the teacher education program such as content specialization, diversity, assessment or technology.~~

004.03B4 At least one-third of the full-time undergraduate faculty ~~must shall~~ hold a terminal degree.

004.03B5 At least one-half of full-time graduate faculty ~~must shall~~ hold a terminal degree.

004.03B6 All faculty in programs which grant the sixth year specialist's certificate or doctorate degree ~~must shall~~ hold the doctorate and have two (2) years of teaching or school administration experience.

~~004.03B7~~ Faculty who do not possess a terminal degree must meet the exceptional expertise requirement.

~~004.03B8~~ ~~004.03B7~~ Adjunct faculty utilized for clinical experience supervision must hold or have held appropriate certification for the area ~~and/or~~ level which they are supervising.

004.03C Faculty Load

004.03C1 For undergraduate faculty, assignments for teaching, supervision of clinical experience, and administration ~~must shall~~ not exceed twenty-four (24) credit hours within the same academic year for a full-time equivalent undergraduate faculty member except as provided in Section 004.03C3 of this chapter.

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004.03C2 For graduate faculty, assignments for teaching, supervision of clinical experience, and administration must shall not exceed eighteen (18) credit hours within the same academic year for a full-time equivalent graduate faculty member with the exception stated in Section 004.03C3 of this chapter.

004.03C3 For faculty teaching a combination of undergraduate and graduate assignments, the load may be a proration of nine (9) undergraduate and twelve (12) graduate credit hours, with total hours assigned within the same academic year not to exceed twenty-one (21) hours.

004.03C4 Supervision of clinical experiences must shall not exceed a ratio of eighteen (18) full-time equivalent candidates to one (1) full-time equivalent faculty member within one (1) semester.

~~004.03C5 Advising for advanced program candidates shall be assigned to advanced program faculty.~~

004.04 Minimum Endorsement Offering Requirements. The institution must shall offer courses for a minimum of eight (8) approved subject and/or field endorsements contained in 92 NAC 24 and have on file a plan of study which documentsing that required courses are offered on a schedule to enable candidates access to the coursework in a four (4) year period.

004.05 Library Requirements. Library holdings, curriculum materials, and related technology resources must shall provide adequate scope, breadth, and currency to support education candidates and faculty. The institution must shall employ staff to work collaboratively with the educator preparation program unit to acquire relevant and current resources and to provide support services for material utilization.

004.06 Policies for Program Admission, Progression, and Completion. The institution must have on file, and systematically communicate to all candidates, specific requirements regarding candidate admission, progression, and completion of the educator preparation ~~teacher education~~ program, including:

004.06A Disclosure. The institution must shall require the prospective candidate to disclose all criminal convictions, except traffic offenses.

004.06B Notice Regarding Convictions. The institution must shall inform all persons who apply for admission to its program that persons who have felony convictions or misdemeanor convictions involving abuse, neglect, or sexual misconduct, as ~~defined in Section 004.06D of this chapter, are automatically rejected by the Department for certification, and may only be considered for certification, or participation in field experiences, with the approval of the Department.~~ outlined in 92 NAC 21, Section 003.12, may only be considered for certification, or participation in field experiences, with the approval of the Department. A person with a felony conviction ~~as defined in Section 004.06D of this chapter may request approval~~ or a misdemeanor conviction involving abuse, neglect, or sexual misconduct may request the approval of the Department using the procedures set forth in 92 NAC 21, Sections 009.02 through 009.04.

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004.06C Criminal Background Check. The institution ~~must shall~~ conduct or verify an official criminal background check on candidates prior to admission to an initial teacher educator preparation teacher education-program. ~~and again prior to clinical practice.~~

004.06D Convictions

~~004.06D1 For purposes of this chapter, a felony conviction means any felony offense under the laws of any jurisdiction, including misdemeanor convictions in other jurisdictions that would constitute a felony if committed in Nebraska.~~

~~004.06D2 For purposes of this chapter, a misdemeanor conviction involving abuse, neglect, or sexual misconduct means an offense under the laws of any jurisdiction, which, if committed in Nebraska, would constitute one of the following misdemeanors (with the applicable sections of the Revised Statutes of Nebraska in parentheses):~~

- ~~004.06D2a — Assault (third degree) (28-310)~~
- ~~004.06D2b — Child Enticement (28-311)~~
- ~~004.06D2c — Stalking (28-311.03)~~
- ~~004.06D2d — Hazing (28-311.06)~~
- ~~004.06D2e — Unlawful Intrusion (28-311.08)~~
- ~~004.06D2f — Violating a Harassment Protection Order (28-311.09)~~
- ~~004.06D2g — False Imprisonment (28-315)~~
- ~~004.06D2h — Sexual Assault (third degree) (28-320)~~
- ~~004.06D2i — Domestic Assault (28-323)~~
- ~~004.06D2j — Child/Vulnerable Adult Contact with Methamphetamine (28-457)~~
- ~~004.06D2k — Abandonment of Spouse or Child (28-705)~~
- ~~004.06D2l — Child Abuse (28-707)~~
- ~~004.06D2m — Contributing to the Delinquency of a Child (28-709)~~
- ~~004.06D2n — Prostitution (28-801)~~
- ~~004.06D2o — Keeping a Place of Prostitution (28-804)~~
- ~~004.06D2p — Debauching a Minor (28-805)~~
- ~~004.06D2q — Public Indecency (28-806)~~
- ~~004.06D2r — Sale of Obscene Material to Minor (28-808)~~
- ~~004.06D2s — Obscene Motion Picture Show, Admitting Minor (28-809)~~
- ~~004.06D2t — Obscene Literature Distribution (28-813)~~
- ~~004.06D2u — Sexually Explicit Conduct (28-813.01)~~
- ~~004.06D2v — Resisting Arrest (28-904(1)(a)), when the conviction involves use or threat of physical force or violence against a police officer~~
- ~~004.06D2w — Indecency with an Animal (28-1010)~~
- ~~004.06D2x — Intimidation by Phone Call (28-1310)~~
- ~~004.06D2y — Violating a Protection Order (42-924(4))~~

~~004.06D3 For purposes of this chapter, in addition to the offenses listed above, felony convictions, and misdemeanor convictions involving abuse, neglect, or sexual misconduct shall also include convictions related to such crimes, including: (with the applicable sections of the Revised Statutes of Nebraska in parentheses)~~

- ~~004.06D3a — Attempt to Commit A Crime (28-201)~~
- ~~004.06D3b — Criminal Conspiracy (28-202)~~

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~~004.06D3c Accessory to a Felony (28-204)~~

~~004.06D3d Aiding, Abetting, Procuring, or Causing Another to Commit an
Offense (28-206)~~

~~004.06D4 Convictions which have been set aside, nullified, expunged, or pardoned shall not be considered convictions for purposes of this chapter, unless the laws of the jurisdiction of the conviction would allow the conviction to be used as the basis for denial of permission to teach or participate in classroom or field experiences, or for denial of a certificate to teach, counsel, supervise, administer, or provide special services in schools. However, such convictions shall be listed by the candidate as required in Section 004.06A of this chapter.~~

004.06D 004.06E Grade Point Average.

~~004.06D1 004.06E1 Candidates must hold a cumulative GPA, as measured by the institution, of 2.5 on a 4.0 scale or its equivalent for admission to an educator preparation a teacher education program.~~

~~004.06D2 004.06E2 Candidates for admission to clinical practice must hold a cumulative GPA, as measured by the institution, of at least 2.75 on a 4.0 scale or its equivalent.~~

~~004.06F Basic Skills Test. Prior to admission to a teacher education program, the candidate must have achieved a satisfactory score on an examination as specified in 92 NAC 23.~~

~~004.06E 004.06G Application. Candidates for admission to an educator preparation a teacher education program must shall complete an application process which includes consideration of components identified in Section 004.06 of this chapter and other institution-determined criteria for selection, such as recommendations from professional educators, interviews, or essays.~~

~~004.06F 004.06H Performance Assessments. The institution must identify the performance standards and assessments for successful progression and completion of the education programs offered by the educator preparation program unit.~~

005 Teacher Initial Preparation Academic Program Coursework Requirements.

~~005.01 General Education Requirements Coursework. The institution must shall require that all undergraduate candidates meet the institution's general education course requirements. These courses which may also be used to meet endorsement requirements. General education course requirements are established by the institution for all students.~~

~~005.02 Professional Education Requirements Coursework. At least one-sixth of the total credit hour requirement established by the institution for the completion of a degree shall be professional education coursework which may include practicum experiences, but shall not include clinical experiences.~~

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The educator preparation program must ~~The institution shall~~ identify required coursework and/or competency leading to candidate ~~development and competency~~ demonstration of the following:

005.02A Student Development. The candidate understands how students grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences_{;-}

005.02B Learning Differences. The candidate uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each student to meet high standards_{;-}

005.02C Learning Environments. The candidate works with others to create environments supporting that support individual and collaborative learning, and encouraging that encourage positive social interaction, active engagement in learning, and self-motivation_{;-}

005.02D Content Knowledge. The candidate understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make these aspects of the discipline accessible and meaningful for students to assure mastery of the content, including the ability to integrate the Nebraska Content Standards (92 NAC 10 Appendices A-D) into instruction;

005.02E Application of Content. The candidate understands how to connect concepts and use differing perspectives to engage students in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues_{;-}

005.02F Assessment. The candidate understands and uses multiple methods of assessment to engage students in their own growth, to monitor student progress, and to guide the candidate's and student's decision making_{;-}

005.02G Planning for Instruction. The candidate plans instruction supporting that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, technology, and pedagogy, as well as knowledge of the student and the community context_{;-}

005.02H Instructional Strategies. The candidate understands and uses a variety of instructional strategies to encourage students to develop deep understanding of content areas and their connections, build reading and writing skills through the application of the science of reading, and to apply knowledge in meaningful ways. This includes developing competency for utilizing technology for instruction, assessment, and communication_{;-}

005.02I Professional Learning and Ethical Practice. The candidate engages in ongoing professional learning, models ethical professional practice, and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (students, families, other professionals, and the community), and adapts practice to meet the needs of each student_{;-}

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005.02J Leadership and Collaboration. The candidate seeks opportunities to take responsibility for student learning, to collaborate with students, families, colleagues, other school professionals, and community members to ensure student growth, and to advance the profession.;

005.02K Human Relations. ~~The institution shall candidate has met the human relations requirement; and offer training integrated into a required course or combination of required courses which shall be designed to lead to the following skills~~79-807(6) R.R.S.:

~~005.02K1 An awareness and understanding of the values, lifestyles, contributions, and history of a pluralistic society;~~

~~005.02K2 The ability to recognize and deal with dehumanizing biases, including, but not limited to, sexism, racism, prejudice, and discrimination, and an awareness of the impact such biases have on interpersonal relations;~~

~~005.02K3 The ability to translate knowledge of human relations into attitudes, skills, and techniques which result in favorable experiences for students;~~

~~005.02K4 The ability to recognize the ways in which dehumanizing biases may be reflected in instructional materials;~~

~~005.02K5 Respect for human dignity and individual rights; and~~

~~005.02K6 The ability to relate effectively to other individuals and to groups in a pluralistic society other than the applicant's own.~~

005.02L Special Education. ~~The candidate has met the special education requirement. The institution will require one (1) or more courses which provide candidates with systematic and continuing opportunities to develop knowledge, skills, and professional dispositions for teaching students with disabilities, including the areas enumerated by Section 79-807(7) R.R.S.:~~

~~005.02L1 Knowledge of the exceptional educational needs of the disabilities defined by Section 79-1118.01 R.R.S.;~~

~~005.02L2 Knowledge of the major characteristics of each disability defined by Section 79-1118.01 R.R.S. in order to recognize its existence in children;~~

~~005.02L3 Knowledge of various alternatives for providing the least restrictive environment for children with disabilities;~~

~~005.02L4 Knowledge of methods of teaching children with disabilities in the regular classroom; and~~

~~005.02L5 Knowledge of prereferral alternatives, referral systems, multidisciplinary team responsibilities, the individualized education plan process, and the placement process.~~

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005.03 Field Experience. ~~Coursework.~~ The educator preparation program institution must shall require practicum and clinical experiences that provide candidates opportunities to work with students and school partners to develop knowledge, skills, and professional dispositions. ~~When viewed as a whole, Field field~~ experiences are central to candidate preparation and must shall provide opportunities to work with diverse students which may include, but is not limited to, differences based on ethnicity, race, socioeconomic status, gender, exceptionalities, and language. These experiences range from candidate interaction with students to assuming responsibility for instructional planning and implementation, and assessment of student learning.

~~005.03A Initial Program Field Experience. These experiences shall range from candidate interaction with students to assuming responsibility for instructional planning and implementation, and assessment of student learning.~~

005.03A 005.03A1 Practicum experience consists of a minimum of one hundred (100) clock hours of contact with students. Field-based practicum experiences are completed prior to clinical practice and provide opportunities for candidates to observe, assist, tutor, instruct, or conduct research. Practicum experiences may occur in settings such as school systems, or other settings serving students.

005.03B 005.03A2 Clinical Practice. The educator preparation program institution must shall require a clinical practice experience for initial teacher certification in which candidates demonstrate knowledge, skills, and professional dispositions by assuming responsibility for whole class instruction in the area of the endorsement and within the grade level for which they are preparing.

005.03B1 005.03A2a The educator preparation program must institution shall have a clear statement of policies and procedures relating to clinical practice ~~which shall be made~~ available, together with the Standards for Professional Practices Criteria in 92 NAC 27, to all persons involved in the clinical practice experience.

005.03B2 005.03A2b All clinical practice must shall be conducted in a Nebraska school system, or in an approved, accredited, or otherwise legally operated school in another state or ~~an English-speaking school in another~~ country where teachers and administrators in the school are required by law or regulation to be certificated by the state or nation's educational authority.

005.03B3 005.03A2c The educator preparation program must institution shall engage with school partners on a regular and ongoing basis to develop and communicate the roles and responsibilities of candidates, college supervisors, cooperating educators, and other school personnel; to provide opportunities for school partners to provide input to the program regarding candidate placements, candidate performance, and program improvement; and to develop opportunities for faculty and school-based educators to work collaboratively to enhance candidate development.

005.03B3a 005.03A2c1 The educator preparation program must institution shall negotiate written agreements delineating the roles and responsibilities of candidates in clinical practice, college supervisors, and the cooperating educators.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
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PROGRAMS

005.03B4 005.03A2d The educator preparation program must ~~institution shall~~ require a clinical practice experience equivalent to:

005.03B4a 005.03A2d1 A minimum of one (1) semester (at least fourteen (14) full-day weeks) for one (1) field endorsement; one (1) field endorsement and one (1) subject endorsement which is a content area specified in the field endorsement and is at the same grade level; or up to two (2) subject endorsements at the same grade level;

005.03B4b 005.03A2d2 A minimum of eighteen (18) full-day weeks for two (2) field endorsements; one (1) field endorsement and one (1) subject endorsement which is not a content area specified in the field endorsement; one (1) field endorsement and one (1) subject endorsement which is a content area specified in the field endorsement but is not at the same grade level; or two (2) subject endorsements which are not at the same grade level; and

005.03B4c 005.03A2d3 A minimum of an additional nine (9) full-day weeks for each field or subject endorsement added to those described in Section 005.03A2d1 005.03B4a or Section 005.03A2d2 005.03B4b of this chapter.

005.03B5 005.03A2e The educator preparation program must ~~institution shall~~ ensure that a minimum of five (5) formal observations by faculty ~~shall be~~ are conducted during clinical practice for candidates preparing for initial level teaching certification. Two (2) Three (3) observations must be onsite and three (3) two (2) of the observations may be conducted utilizing technology which allows for visual contact between the parties.

005.03C 005.03B Speech Language Pathology and School Psychologist Preparation Programs at the Initial Teacher Certification Level Field Experience. The educator preparation program must ~~institution shall~~ ensure that a minimum of three (3) formal onsite observations by faculty are conducted.

006 Administrator Program Academic Requirements.

006.01 Education Preparation Administrative Academic Program Requirements. The educator preparation program must identify required coursework and/or competency leading to candidate demonstration of the following:

006.01A Mission, Vision and Core Values. The candidate develops, advocates, and enacts the shared mission, vision, and core values of high-quality education, academic success, and the well-being of each student.

006.01B Ethics and Professional Norms. The candidate acts ethically and according to professional norms to promote each student's academic success and well-being.

006.01C Equity and Cultural Responsiveness. The candidate strives for equity of educational opportunity and culturally responsive practices to promote each student's academic success and well-being.

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006.01D Curriculum, Instruction, and Assessment. The candidate develops and supports intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each student's academic success and well-being.

006.01E Community of Care and Support for Students. The candidate develops and supports intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each student's academic success and well-being.

006.01F Professional Capacity of School Personnel. The candidate develops the professional capacity and practice of school personnel to promote each student's academic success and well-being.

006.01G Professional Community for Teachers and Staff. The candidate fosters a professional community of teachers and other professional staff to promote each student's academic success and well-being.

006.01H Meaningful Engagement of Family and Community. The candidate engages families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being.

006.01I Operations and Management. The candidate manages school operations and resources to promote each student's academic success and well-being.

006.01J School Improvement. The candidate acts as an agent of continuous improvement to promote each student's academic success and well-being.

006.02 ~~006~~-Advanced Program Field Experience.

006.02A ~~006.01~~ The educator preparation program must ~~institution shall~~ have a clear statement of policies and procedures relating to field experiences which shall be made available, together with the Standards for Professional Practices Criteria in 92 NAC 27, to all persons involved in the field experience.

006.02B ~~006.02~~ The educator preparation program must ~~Institutions shall~~ require field experiences for advanced certification programs.

006.02C ~~006.03~~ All clinical practice ~~must shall~~ be conducted in a Nebraska school system, or in an approved, accredited or otherwise legally operated school in another state or an English-speaking school in another country where teachers and administrators in the school are required by law or regulation to be certificated by the state or nation's educational authority.

006.02D ~~006.04~~ The educator preparation program must ~~institution shall~~ engage with school partners on a regular and ongoing basis to develop and communicate the roles and responsibilities of candidates, college supervisors, cooperating educators, and other school personnel; to provide opportunities for school partners to provide input to the program regarding candidate placements, candidate performance, and program improvement; and to develop the skills of faculty and school-based educators to work collaboratively to enhance candidate development.

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007 Program Quality Indicators. The educator preparation program must institution shall establish a systematic process to address and document the following program quality indicators:-

007.01 Candidate Admission and Completion. The educator preparation program institution utilizes information related to candidate admission, progression, completion, and graduate employment to document the institution's continuing and purposeful expectations for candidate quality:-

007.02 Content Knowledge. The educator preparation program institution utilizes candidate performance information from content tests, as set forth in 92 NAC 24, to determine potential areas for improvement in content knowledge preparation of candidates:-

007.03 Program Completer Follow-up. Graduate follow-up. The educator preparation program institution utilizes a graduate follow-up process to obtain program completer input regarding satisfaction, relevance and effectiveness of their preparation for professional roles and responsibilities:-

007.04 Employer Follow-up. The educator preparation program institution utilizes a process for collecting information from employers regarding satisfaction with the program and program completers:-

007.05 Program Completer Graduate Support. The educator preparation program institution makes resources available to support its completers graduates who are within new to the education teaching profession; and.

007.06 Continuous Program Improvement. The educator preparation program institution initiates continuous program improvement strategies based on regular analysis of data, current research, and/or as the result of engagement with PK-12 education partners regarding initiatives and challenges of PK-12 education.

008 Provisions for Notice and Hearing.

008.01 When the Commissioner makes a recommendation to the Board for an institution to be placed on probation or for the denial of continuing approval, notice of the recommendation and of the right to request a hearing within thirty (30) days after receipt must shall be given to the institution by certified mail. Copies must shall be sent to the certification officer and the chief executive officer, if known. This notice must shall specify the basis for the recommendation and the tentative date ~~that~~ the Board will consider the recommendation unless a formal hearing is requested.

008.02 If the institution files a request for a formal hearing within thirty (30) days after receipt of the recommendation, the Board must shall schedule a hearing date. If no formal hearing is requested, the recommendation must shall be considered by the Board and adopted or modified by order of the Board.

008.03 All hearings arising under this chapter must shall be conducted in accordance with the hearing procedures of Chapter 61 of Title 92 of the Nebraska Administrative Code.

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009 Pilot Programs and Processes. An educator preparation program may submit a request to the Board for a pilot program or process to provide flexibility related to one or more regulations found in Sections 004.01 to 004.05, 004.06D to 004.06F, 005, and 006 of this chapter.

009.01 The rationale for a request for a pilot program or process may be to:

009.01A Better meet local goals;

009.01B Create an innovative solution to an unmet need; or

009.01C Respond to extenuating circumstances that cause the educator preparation program to be unable to meet one or more requirement of any section of this chapter.

009.02 The request for a pilot program or process must include at least the following:

009.02A An explanation of the circumstances leading to the request;

009.02B A description of how the pilot program or process will substitute for one or more existing regulations;

009.02C An explanation of how the program or process will provide equivalent or improved opportunities for candidates;

009.02D If appropriate, how resources will be reallocated or used differently to provide programs or services;

009.02E The length of time, not to exceed three (3) years, requested for the pilot program or process; and

009.02F Procedures for providing an annual progress report to the Board.

009.03 The Board may approve the requested pilot program or process for up three (3) years if the plan demonstrates a high likelihood that the requested flexibility related to applicable regulations of this Chapter will promote quality learning, equity, and/or accountability. The Board must reject the pilot program or process if the plan does not demonstrate a high likelihood that the requested flexibility will not promote quality learning, equity, and/or accountability.

009.04 At the end of the approved time period for the pilot program or process, the educator preparation program may request, and be granted, Board approval to continue the pilot program for a period of up to three (3) additional years if the educator preparation program demonstrates that the pilot program or process is meeting the objectives for which flexibility related to applicable regulations of this Chapter was granted.

Summary of Changes to Rule 20

The following is a short synopsis of the revisions to Title 92, Nebraska Administrative Code, Chapter 20: Regulations for the Approval of Teacher Education Programs:

- 004.06F Basic Skills Test. Prior to admission to a teacher education program, the candidate must have achieved a satisfactory score on an examination as specified in 92 NAC 23.
 - Basic skills competency mandate for admission into an educator preparation program removed due to passage of LB1218
- 005.02H Instructional Strategies
 - The science of reading was added per the State Board of Education Priority 1: Adapt Rule 20 to ensure the science of reading (e.g. phonemic awareness, phonics,
 - vocabulary, comprehension, fluency, and background knowledge) is included as a
 - requirement in educator preparation program accreditation
- 006.01 Administrative Program Academic Requirements.
 - Added in administrative program academic requirements for administrative endorsement programs as previous version of Rule only contained requirements for teachers
- 009 Pilot Programs and Processes. Educator preparation programs within institutions of higher education, to better meet local goals, may submit a request for a pilot program or process to provide flexibility related to one or more regulations found in Sections 004, 005, and 006 of this Chapter. A pilot program or process may be requested in response to extenuating circumstances where an Educator Preparation Program is unable to meet the requirements in Rule 20 Regulations for the Approval of Educator Preparation Programs. A pilot program or process may also be requested if an Educator Preparation Program creates an innovative solution to an unmet need.
 - Added in pilot program or processes section to provide educator preparation programs the ability to innovate in response to extenuating circumstances.
- Other changes include technical edits for brevity and clarity within Rule such as changing the term “teacher education” program to “educator preparation” program, changing the term “master’s “ degree to “professional degree from a college or university accredited by an accrediting organization recognized by the United States Department of Education”, and changing the term “graduate” to “program completer”.



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From: Tamra L. Walz, General Counsel

Date: May 31, 2023

Re: Summary of rulemaking hearing on proposed revision of 92 NAC 20

On May 30, 2023, a hearing on the revision of 92, Nebraska Administrative Code, Chapter 20, *Regulations for the Approval of Educator Preparation Programs - formerly Regulations for Approval of Teacher Education Programs*, was held virtually over Zoom in conjunction with hearings on revisions to Rules 21 and 24 and Title 93. Public notice was published in the Omaha World Herald on April 27, 2023. Tamra Walz was 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 20

Tamra Walz called the hearing to order, introduced herself, introduced the subjects of the hearing, read into the record information about the legal notice of the hearing, and outlined the procedures for the hearing before receiving testimony on the proposed revision of Rule 20. Ms. Walz introduced Kelly Heineke, Director of Educator Preparation Program Approval at the Nebraska Department of Education to summarize the proposed changes to Rule 20.

Ms. Heineke presented a synopsis of the proposed changes to Rule 20:

- The basic skills testing requirement is removed in response to the passage of LB 1218
- The science of reading is added in instructional strategy requirements to address a priority of the State Board of Education
- Academic program requirements are added for administrators
- Pilot programs are authorized to allow flexibility for educator preparation programs to meet needs with innovative approaches
- Technical edits update terminology

Dr. Sherri Jones, Dean of College of Education and Human Sciences at the University of Nebraska-Lincoln, testified in support of the revisions as they provide additional and updated guidance. The adjustment to student teacher supervision adds necessary flexibility. The college supports the administrator academic requirements, which are already being met. The opportunity to use pilot programs provides flexibility to meet the needs of the changing workforce environment with quality control. She does suggest that if a pilot program is successful for 6 years, the program should be allowed to be permanent. She thanked the State Board. She appreciates the dedication to ensuring the rules require high quality programming that is current, reasonable, and flexible.

Mark Lenihan, Superintendent of Wayne Community Schools, and President of the Nebraska Council on Teacher Education (NCTE), testified in support of the added flexibility with quality controls to fulfill teacher shortage gaps.

Kelly Heineke did not provide any closing comments except to thank the testifiers.

Ms. Walz concluded the testimony on Rule 20 before beginning to take testimony on Rule 21.

Summary of Written Testimony on the Proposed Revisions to 92 NAC 20

Kelly Heineke provided a written copy of her oral testimony.

STATE BOARD OF EDUCATION RULE-MAKING HEARING
REVISIONS to Title 92, Nebraska Administrative Code, Chapter 20

Regulations for the Approval of Teacher Education Programs

Tuesday, May 30, 2023 1:30 p.m. (Central Time)

Nebraska Department of Education, 500 S 84th St, 2nd Floor, State Board Meeting Room,
Lincoln, NE

My Name is Kelly Heineke, I am the Director of Educator Preparation Program Approval at the Nebraska Department of Education.

The following is a short synopsis of the revisions to Title 92, Nebraska Administrative Code, Chapter 20: Regulations for the Approval of Teacher Education Programs:

- 004.06F Basic Skills Test. Prior to admission to a teacher education program, the candidate must have achieved a satisfactory score on an examination as specified in 92 NAC 23.
 - Basic skills competency mandate for admission into an educator preparation program removed due to passage of LB1218
- 005.02H Instructional Strategies. The candidate understands and uses a variety of instructional strategies to encourage students to develop deep understanding of content areas and their connections, build reading and writing skills **through the application of the science of reading**, and to apply knowledge in meaningful ways. This includes developing competency for utilizing technology for instruction, assessment, and communication;.
 - The science of reading was added to address the State Board of Education Priority 1: Adapt Rule 20 to ensure the science of reading (e.g. phonemic awareness, phonics, vocabulary, comprehension, fluency, and background knowledge) is included as a requirement in educator preparation program accreditation
- 006.01 Administrative Program Academic Requirements.
 - Added in administrative program academic requirements for administrative endorsement programs as previous version of Rule only contained requirements for teachers
- 009 Pilot Programs and Processes. Educator preparation programs within institutions of higher education, to better meet local goals, may submit a request for a pilot program or process to provide flexibility related to one or more regulations found in Sections 004, 005, and 006 of this Chapter. A pilot program or process may be requested in response to extenuating circumstances where an Educator Preparation Program is unable to meet the requirements in Rule 20 Regulations for the Approval of Educator Preparation Programs. A pilot program or process may also be requested if an Educator Preparation Program creates an innovative solution to an unmet need.
 - Added in pilot program or processes section to provide educator preparation programs the ability to innovate in response to extenuating circumstances.

- Other changes include technical edits for brevity and clarity within Rule such as changing the term “teacher education” program to “educator preparation” program, changing the term “master’s “ degree to “professional degree from a college or university accredited by an accrediting organization recognized by the United States Department of Education”, and changing the term “graduate” to “program completer”.



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Approve proposed revisions to Rule 21 (92 NAC 21) *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*

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

RATIONALE/BACKGROUND INFORMATION: Rule 21 includes the regulations for the issuance of educator certificates and permits.

The current version of Rule 21 was last updated October 20, 2020. The purpose of the proposed revision to Rule 21 is to incorporate state statute changes from LB 389 (2021) and LB 1218 (2022) and include revisions in line with the Nebraska State Board of Educations regulatory priorities. Proposed revisions include changes to the military permit, alternative program teaching permit, conditional permit, local substitute permit, creation of the Nebraska entry permit, provide clarity to existing language, technical edits, and other changes as seen in the public hearing draft. Stakeholder input was gathered in developing the proposed revisions in effort to address educator shortage issues while maintaining high standards for educators.

Updates to the Rules and Regulations Committee regarding the Rule 21 revisions were made April 7, 2022, October 6, 2022, and February 2, 2023. The Rules and Regulations Committee had discussion regarding Rule 21 revisions during the March committee meeting. A public hearing was held on May 30, 2023.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$650.00

FOR CONTRACTS AND GRANTS:

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



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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 02.07.2023*

**NEBRASKA DEPARTMENT
OF EDUCATION**

RULE 21

**REGULATIONS FOR THE ISSUANCE OF CERTIFICATES AND PERMITS
TO TEACH, PROVIDE SPECIAL SERVICES, AND ADMINISTER IN
NEBRASKA SCHOOLS**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 21**

**HEARING DRAFT
APRIL 25, 2023**

**State of Nebraska
Department of Education
500 S. 84th Street
Lincoln, Nebraska 68510**



TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
 CHAPTER 21 - ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH, PROVIDE
 SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA SCHOOLS

ALPHABETICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
Administrative Certificates and Permits	79-318, 79-808, <u>79-814.01</u>	004
Appeals Procedure	79-318, 84-913	009
Conditional Permits	79-808, <u>79-814.01</u> , 79-814.02	<u>007.008</u>
Definitions	79-318, 79-807 79-808	002
General Provisions	79-318, 79-808	003
<u>Military Permits</u>	<u>79-318, 79-808, 79-813</u>	<u>008</u>
Scope and Authority	79-318, 79-808	001
Special Services Certificates and Permits	79-318, 79-808, <u>79-814.01</u>	<u>006.007</u>
Teaching Certificates and Permits	79-318, 79-808, <u>79-814.01, 79-8,145</u>	005
Temporary Certificates	79-318, 79-808	006

APPENDICES:

Appendix A – *Application for a Nebraska Educator Certificate or Permit*

Appendix B – *Criminal Charges Self-Reporting Form*

Appendix C – *United States Citizenship Attestation Form*

~~Appendix D – Courses Required for Completion of an Approved Program (CRC)~~

Appendix D ~~E~~ – *Alternative Program Teaching Permit*

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
 CHAPTER 21 - ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH, PROVIDE
 SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA SCHOOLS

NUMERICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
Scope and Authority	79-318, 79-808	001
Definitions	79-318, 79-807 79-808	002
General Provisions	79-318, 79-808	003
Administrative Certificates and Permits	79-318, 79-808, <u>79-814.01</u>	004
Teaching Certificates and Permits	79-318, 79-808, <u>79-814.01, 79-8,145</u>	005
Temporary Certificates	79-318, 79-808	006
Special Services Certificates and Permits	79-318, 79-808, <u>79-814.01</u>	<u>006</u> 007
Conditional Permits	79-808, <u>79-814.01</u> , 79-814.02	<u>007</u> 008
<u>Military Permits</u>	<u>79-318, 79-808, 79-813</u>	<u>008</u>
Appeals Procedure	79-318, 84-913	009

APPENDICES:

Appendix A – *Application for a Nebraska Educator Certificate or Permit*

Appendix B – *Criminal Charges Self-Reporting Form*

Appendix C – *United States Citizenship Attestation Form*

~~Appendix D – *Courses Required for Completion of an Approved Program (CRC)*~~

Appendix D ~~E~~ – *Alternative Program ~~Teaching~~ Permit*

TITLE 92
CHAPTER 21

001 Scope and Authority

001.01 Statutory Authority. This chapter is adopted pursuant to ~~Neb. Rev. Stat. §§ 79-318, 79-806 through 79-815, and 79-8,145 Sections 79-318, and 79-806 through 79-815 of the Revised Statutes of Nebraska (R.R.S.).~~

001.02 Scope and Application. This chapter provides procedures for the issuance of Teaching, Administrative, and Special Services certificates and permits for use in accredited or approved Nebraska school systems.

001.03 Related Chapters. Throughout this chapter, reference is made to other Nebraska Department of Education regulations that relate to certification. Title 92, Nebraska Administrative Code, Chapter 20 (92 NAC 20), contains regulations for teacher education program approval. Title 92, Nebraska Administrative Code, Chapter 22 (92 NAC 22), contains regulations for the approval of credentialing organizations for teachers. ~~Title 92, Nebraska Administrative Code, Chapter 23 (92 NAC 23), contains regulations relating to basic skills competency testing.~~ Title 92, Nebraska Administrative Code, Chapter 24 (92 NAC 24), contains regulations relating to endorsements.

002 Definitions. As used in this chapter:

002.01 Administer means to manage or direct one or more of the offices, departments, or services of a Nebraska school system, or a comparable school system in another state;:

002.02 Application means, ~~unless otherwise required by the context,~~ the *Application for a Nebraska Educator Certificate or Permit form Form*, found in Appendix A ~~of this chapter~~, which is properly signed by the applicant, all professional conduct and professional fitness questions are completed with answers that allow the issuance of a Nebraska certificate or permit under this chapter, is accompanied by the payment of the prescribed certification fee as provided in Section 003.05 of this chapter, and is filed and recorded by the Department;:

002.03 Approved program means a teacher education or educator preparation program approved pursuant to 92 NAC 20, approved in another state or country pursuant to standards which are comparable and equivalent to 92 NAC 20, or a program capable of meeting such standards;:

~~002.04 Basic skills competency means either (a) proficiency in (i) the written use of the English language, (ii) reading, comprehending, and interpreting professional writing and other written materials, and (iii) working with fundamental mathematical computations as demonstrated by successful completion of an examination designated by the Board in 92 NAC 23 or (b) successful employment experiences of two (2) or more consecutive years in an approved, accredited or otherwise legally operated school in another state (i) while holding or qualifying to hold a regular Initial, Standard, or Professional certificate or a comparable certificate based on the completion of an approved program; or (ii) holding current credentials from a credentialing organization approved pursuant to 92 NAC 22 (master teacher Program) as referenced in this chapter;:~~

002.04 ~~002.05~~ Board means the Nebraska State Board of Education;:

002.05 ~~002.06~~ Certificate ~~has the same meaning as in Neb. Rev. Stat. § 79-807; means authorization issued by the Commissioner to an individual who meets the qualifications to engage in teaching, administration, or providing of special services as required by law.~~

002.06 ~~002.07~~ Certification Officer means an employee designated by the chief academic officer or

TITLE 92
CHAPTER 21

unit administrator of each standard institution of higher education with an approved program to receive correspondence regarding this chapter from the Department and to provide certified records, transcripts, reports, and/or recommendations to the Department, as required, for the purpose of certification and/or endorsement;:-

~~002.07~~ ~~002.08~~ Commissioner means the Nebraska ~~State~~ Commissioner of Education;:-

~~002.08~~ ~~002.09~~ Comparable and equivalent certificate means a certificate issued by another state, by the U. S. Department of Defense, or by a foreign country pursuant to standards comparable and equivalent to those in this chapter 92-NAC-21. The certificate, for the purpose of supporting or justifying the initial issuance of a Nebraska certificate or permit, will be given the same consideration as if it were a Nebraska certificate;:-

~~002.09~~ ~~002.10~~ Content area means college coursework taken by an individual for the purpose of gaining a college recommended endorsement on their Administrative, Teaching or Special Services certificate or permit;:-

~~002.10~~ ~~002.11~~ Department means the Nebraska State Department of Education, which is comprised of the Board and the Commissioner;:-

~~002.11~~ ~~002.12~~ Education-related coursework means any education preparation course from a standard institution of higher education, ~~or~~ coursework in an applicant's content area, or human relations training;:-

~~002.12~~ ~~002.13~~ Employment experiences means work by an individual as an employee (a) in an approved, accredited, or otherwise legally operated school while holding or qualifying to hold a regular certificate issued by another state, by the U. S. Department of Defense, or by a foreign country based upon the successful completion of an approved program; (b) in postsecondary education; or (c) in a community organization or agency that provides services to students;:-

~~002.13~~ ~~002.14~~ Endorsement means an area of specialization indicated on a certificate issued pursuant to this chapter signifying that the individual has met specific requirements contained in 92 NAC 24;:-

~~002.15~~ Entry Level Certificate ~~means the first regular certificate acquired in Nebraska by an applicant.~~

~~002.14~~ ~~002.16~~ Faculty member means a person who is employed ~~half-time or more~~ to teach professional education courses in an approved program;:-

~~002.15~~ ~~002.17~~ Governing body means the school board of a public school district, a board elected or appointed to provide direction to a nonpublic school, or an individual or corporate owner of a nonpublic school;:-

~~002.16~~ ~~002.18~~ Human relations training ~~has the same meaning as in Neb. Rev. Stat. § 79-807; means coursework or employment experiences that lead to (a) an awareness and understanding of the values, lifestyles, contributions, and history of a pluralistic society; (b) the ability to recognize and deal with dehumanizing biases, including, but not limited to, sexism, racism, prejudice, and discrimination, and an awareness of the impact such biases have on interpersonal relations; (c) the ability to translate knowledge of human relations into attitudes, skills, and techniques which result in favorable experiences for students; (d) the ability to recognize the ways in which dehumanizing biases may be reflected in instructional materials; (e) respect for human dignity and individual rights; and (f) the ability to relate effectively to other individuals and to groups in a pluralistic society other than the~~

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CHAPTER 21

~~applicant's own.~~

~~002.19 Local Substitute Teaching Consortium means a group of school systems that have an agreement for the purpose of managing the placement of a group of Local Substitute Teaching Certificate or permit holders. A list of the school systems included in the consortium shall be provided to the Teacher Certification office when applications for Local Substitute Teaching certificates or permits are submitted for use in the consortium.~~

~~002.17 002.20 Nebraska school system means an institution that is accredited or approved by the Department to provide instruction at any grade level prekindergarten through grade twelve (12), an educational service unit accredited by the Department, or a special education service agency approved by the Department.~~

~~002.18 002.21 Permit means restricted authorization issued by the Commissioner to an individual who does not yet meet the qualifications for a regular certificate to engage in teaching, administration, or providing of special services as required by this chapter.~~

~~002.19 002.22 Postsecondary educational entity means a community college, a state college or university, or a regionally accredited nonprofit private postsecondary educational institution.~~

~~002.20 002.23 Regular certificate means an Initial, Standard, or Professional Nebraska certificate, or a comparable and equivalent certificate from another state.~~

~~002.21 002.24 Resident means an individual who has established a home where the individual is habitually present and to which having departed therefrom, intends to return.~~

~~002.22 Service provider means an individual or service agency, excluding a school district or approved cooperative, provisionally approved by the Nebraska Department of Education or similar entity in another state.~~

~~002.23 002.25 Special education training has the same meaning as in Neb. Rev. Stat. § 79-807; means coursework or employment experiences that provide an individual with the knowledge of (a) the exceptional needs of the disabilities defined under the Special Education Act; (b) the major characteristics of each disability in order to recognize its existence in children; (c) the various alternatives for providing the least restrictive environment for children with disabilities; (d) methods of teaching children with disabilities in the regular classroom; and (e) pre-referral alternatives, referral systems, multidisciplinary team responsibilities, the individualized education plan process, and the placement process.~~

~~002.24 002.26 Standard institution of higher education has the same meaning as in Neb. Rev. Stat. § 79-807; means any college or university whose educator preparation program is fully approved by the Board, or by a comparable agency in any other state or country.~~

~~002.25 002.27 Teaching means, but is not limited to, the following responsibilities: (a) The organization and management of the classroom or the physical area in which the learning experiences of pupils take place; (b) the assessment and diagnosis of the individual educational needs of the pupils; (c) the planning, selecting, organizing, prescribing, and directing of the learning experiences of pupils; (d) the planning of teaching strategies and the selection of available materials and equipment to be used; and (e) the evaluation and reporting of student progress; and.~~

~~002.26 002.28 Teach or Administer full-time day means any day during which more than three (3)~~

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hours is spent teaching or in administration.

~~002.27~~ ~~002.29~~ Teach or Administer half-time day means any day during which three (3) hours or less is spent teaching or in administration. For computation under this chapter, two (2) half-time days equal one (1) full-time day.

003 General Provisions

003.01 Transcripts. All transcripts submitted pursuant to certification or renewal requirements must be sufficiently legible so that microfilm copies of them are readable.

003.02 Armed Forces Extension. Upon application, the Commissioner may extend the term of any certificate or permit of any person who has served in the armed forces of the United States ~~and whose certificate or permit was in force on the day of induction~~ or the spouse of such person as provided in Neb. Rev. Stat. § 79-803. ~~This extension shall be equal in length of time to the total number of months which intervene between the date of entrance into military service and the date of discharge therefrom. Each person applying for an extension of the term of a certificate or shall furnish the Commissioner with proper evidence of service in the armed forces and of sound physical and mental health at the time the person applies for such extension.~~

003.03 False Information. Failure by an applicant to submit accurate information in support of an application ~~for certification or renewal~~ is cause for denial or revocation of such certificate or permit.

003.04 Conversion of Certificates. Any person holding a certificate or permit valid only in Nebraska nonpublic school systems may convert such certificate or permit to one valid in all Nebraska school systems, both public and nonpublic, upon request and payment of a ~~fifty five (55) dollar~~ fee ~~to the Department~~. ~~Alternatively Alternately~~, a certificate or permit valid in both public and nonpublic Nebraska school systems may be converted to a certificate or permit valid only in Nebraska nonpublic school systems upon request and payment of a ~~forty (40) dollar~~ fee ~~to the Department~~. In either case, the expiration date of the converted certificate or permit is the same as that of the original certificate or permit.

003.05 Fees. Applicants for a certificate or permit must pay the fees as set by the Commissioner ~~valid only in nonpublic schools must pay a forty (40) dollar fee. Applicants for a certificate or permit valid in all schools, public and nonpublic, must pay a fifty five (55) dollar fee. Applicants requesting to add an endorsement to a valid certificate or permit shall pay a forty (40) dollar fee. Applicants requesting a duplicate of their certificate or permit pay a thirty (30) dollar fee. Changes to a certificate or permit that are the result of errors by the Department, and written requests by an applicant to change a name or address on a certificate or permit are made at no charge to an applicant.~~

003.06 Statement Signed by Certification Officer. A statement signed by a certification officer on forms provided by the Department may be accepted as evidence of completion of the academic requirements for issuance of a certificate or permit pursuant to ~~this chapter 92-NAC-21~~ or of an endorsement pursuant to 92 NAC 24. A recommended form (Institutional Verification) is available on the Educator Certification Teacher Certification ~~website~~.

003.07 Certificates Issued on The Basis of Equivalency. The Commissioner may issue any certificate or permit provided for herein to an applicant who files with the office of the Commissioner evidence ~~of possession~~ of the required qualifications or of education and experience equivalent to the required qualifications.

003.08 Life or Permanent Certificates. For purposes of Nebraska certification, Life or Permanent

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certificates issued in another state will be considered to have expired five (5) years after the date of the applicant's last regular employment as a teacher or administrator under that certificate. The holder of a Life or Permanent certificate issued by the Department that submits an application seeking additional endorsement(s) shall have the Life or Permanent certificate converted to a Professional certificate with an expiration date of August 31 in the tenth year following the issuance of the converted certificate.

003.09 Master of Arts in Teaching. The Master of Arts in Teaching (MAT) will be accorded equivalence with a baccalaureate degree when used for initial certification purposes in this chapter.

003.10 Mental Fitness. ~~To be issued a certificate or permit, an applicant~~ All applicants must not have an emotional or mental incapacity to practice the profession as evidenced by a legal adjudication or determination thereof by other lawful means. Such evidence shall be any of the following:

003.10A ~~The applicant~~ Such person is, at the time of the consideration of the applicant's person's fitness to hold a certificate or permit, a mentally ill and dangerous person under Neb. Rev. Stat. § 71-908 Section 83-1009 R.R.S. as evidenced by a declaration or order to that effect by a mental health board of this state, or as evidenced by a similar finding by a similar body of another state.

003.10B ~~The applicant~~ Such person is, at the time of the consideration of the applicant's person's fitness to hold a certificate or permit, a mentally ill individual as defined in Neb. Rev. Stat. § 20-162 Section 20-164 R.R.S., (~~"an individual who has a significant mental illness or emotional impairment as determined by a mental health professional qualified under the laws, rules and regulations of this state and who is an inpatient or resident in a facility for mentally ill individuals."~~), or a similar determination has been made by similarly qualified mental health professional(s) of another state.

003.10C ~~The applicant~~ Such person has been declared by a court as mentally incompetent in relation to standing trial for a criminal charge pursuant to Neb. Rev. Stat. §§ Sections 29-1822 or 29-1823 R.R.S., or similar laws of another state, and has not been found by a court to have recovered from such incompetency.

003.10D ~~The applicant~~ Such person has been acquitted of a criminal charge on the basis of a finding of insanity under Neb. Rev. Stat. § Section 29-2203 R.R.S. or similar laws of another state, unless a court, subsequent to such an acquittal, has found that the applicant such person is not dangerous to himself, herself, or others by reason of mental illness or defect and has released such person from court ordered treatment pursuant to Neb. Rev. Stat. §§ Sections 29-3702 and 29-3703 R.R.S., or similar laws of another state.

003.10E A court has found the applicant such person to be an incapacitated person in need of a court appointed guardian pursuant to Neb. Rev. Stat. §§ Sections 30-2601 and 30-2620 R.R.S., or similar laws of another state, and no court order has been entered that the applicant's such person's incapacity has terminated.

003.10F A court has appointed a conservator or made other protective order(s) in relation to the estate and property affairs of the applicant due to a court's finding that such person is unable to manage his or her property and property affairs effectively for reasons which include any of the following: (i) mental illness; (ii) mental deficiency; (iii) chronic use of drugs; and (iv) chronic intoxication; pursuant to Neb. Rev. Stat. § Section 30-2630 R.R.S. or similar laws of another state, and no court order has been entered that the disability of the applicant person has ceased.

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003.11 Felony Convictions. For purposes of this chapter, felony conviction means any felony offense under the laws of any jurisdiction, including misdemeanor convictions in other jurisdictions that would constitute a felony if committed in Nebraska.

003.12 Misdemeanor Convictions. For purposes of this chapter, a misdemeanor conviction involving abuse, neglect, or sexual misconduct means an offense under the laws of any jurisdiction, which, if committed in Nebraska, would constitute one of the following misdemeanors (with the applicable sections of the Revised Statutes of Nebraska in parentheses):

- 003.12A Abandonment; cruel neglect; harassment of a police animal (28-1009);
- 003.12B Abandonment of Spouse, ~~or~~ Child, or Dependent Stepchild (28-705);
- 003.12C Assault (third degree) (28-310);
- 003.12D Child Abuse (28-707);
- ~~003.12E Child Enticement (28-311)~~
- 003.12E ~~003.12F~~ Child/Vulnerable Adult Contact with Methamphetamine (28-457);
- 003.12F ~~003.12G~~ Contributing to the Delinquency of a Child (28-709);
- 003.12G ~~003.12H~~ Debauching a Minor (28-805);
- 003.12H ~~003.12I~~ Domestic Assault (28-323);
- 003.12I ~~Failure to Report Child Abuse/Neglect (28-717);~~
- 003.12J False Imprisonment (28-315);
- 003.12K Hazing (28-311.06);
- 003.12L Indecency with an Animal (28-1010);
- 003.12M Intimidation by Phone Call (28-1310);
- ~~003.12N Keeping a Place of Prostitution (28-804)~~
- 003.12N ~~003.12O~~ Obscene Literature Distribution (28-813);
- 003.12O ~~003.12P~~ Obscene Motion Picture Show, Admitting Minor (28-809);
- ~~003.12Q Pandering (28-802)~~
- 003.12P ~~003.12R~~ Prostitution (28-801);
- 003.12Q ~~003.12S~~ Public Indecency (28-806);
- 003.12R ~~003.12T~~ Resisting Arrest (28-904), when the conviction involves use or threat of physical force or violence against a police officer;
- 003.12S ~~003.12U~~ Sale of Obscene Material to Minor (28-808);
- 003.12T ~~003.12V~~ Sexual Assault (third degree) (28-320);
- 003.12U ~~003.12W~~ Sexually Explicit Conduct (28-813.01);
- 003.12V ~~003.12X~~ Solicitation of Prostitution (28-801.01);
- 003.12W ~~003.12Y~~ Stalking (28-311.03);
- 003.12X ~~003.12Z~~ Unlawful Intrusion (28-311.08);
- 003.12Y ~~003.12AA~~ Violating a Harassment Protection Order (28-311.09);
- 003.12Z ~~003.12BB~~ Violating a Protection Order (42-924); and
- 003.12AA ~~003.12CC~~ Violence on a Service Animal (28-1009.01).

003.13 Other Convictions. For purposes of this chapter, in addition to the offenses listed above, felony convictions, and misdemeanor convictions involving abuse, neglect, or sexual misconduct will also include convictions related to such crimes, including ~~–~~ (with the applicable sections of the Revised Statutes of Nebraska in parentheses):

- 003.13A Accessory to a Felony (28-204);
- 003.13B Aiding, Abetting, Procuring, or Causing Another to Commit an Offense (28-206);
- 003.13C Attempt to Commit a A Crime (28-201); and
- 003.13D Criminal Conspiracy (28-202).

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003.14 Pardons or Convictions Set Aside. Convictions which have been set aside, nullified, expunged, or pardoned are not to be considered convictions for purposes of this chapter, unless the laws of the jurisdiction of the conviction would allow the conviction to be used as the basis for denial of a certificate or permit to teach, administer, or provide special services in schools. However, the applicant must report such convictions on the *Criminal Charges Self-Reporting Form*, found in Appendix B of this chapter, as part of his or her application filed with the Department.

003.15 Withdrawal of Application. An applicant may request in writing that his or her application ~~for a certificate or permit~~ be withdrawn without refund of any fees submitted. The Department must notify the applicant in writing if the request will be granted. Any request granted by the Department ends consideration of that application, and will not be subject to appeal pursuant to this chapter.

003.16 Expiration Dates. The expiration date on a valid certificate or permit that was issued by the Department prior to January 1, 1964, is subject to the provisions of Neb. Rev. Stat. § 79-815 the effective date of this chapter remains in effect, unless otherwise suspended or revoked as provided by law, or converted as provided in Section 003.08 of this chapter.

004 Administrative Certificates and Permits

004.01 Administrative Certificates and Permits, Types, General Requirements. The Department may issue Standard or Professional Administrative certificates, and Alternative Program or Nebraska Entry Administrative permits a Provisional Administrative permit. Each applicant for any such Administrative certificate or permit may, depending on the type of certificate or permit, be required to:

004.01A Complete the application, ~~found in Appendix A,~~ and meet the requirements of lawful presence in the United States as set forth in Neb. Rev. Stat. §§ Sections 4-108 through 4-114 4-112 R.R.S. including completion of the *United States Citizenship Attestation Form*, found in Appendix C of this chapter;

004.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of this chapter 92-NAC-21;

004.01C Pay the prescribed fee as provided in Section 003.05 of this chapter;

004.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14 of this chapter;

004.01E Qualify for or hold a Nebraska Standard or Professional teaching certificate or a comparable and equivalent certificate;

004.01F Be of good moral character;

004.01G Not have an emotional or mental incapacity to practice the profession as defined in Section 003.10 of this chapter;

004.01H Submit verified evidence of two (2) years of teaching experience or employment as an administrator, school counselor or school psychologist in an approved, ~~or~~ accredited, ~~or~~ otherwise legally operated prekindergarten through grade twelve (12) school;

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004.01I Submit evidence of human relations training as defined by this chapter;

~~004.01J Submit evidence of basic skills competency if applying for a Nebraska Administrative certificate or permit after July 31, 1989;~~

~~004.01J~~ 004.01K Submit evidence of special education training as defined in this chapter ~~if applying for an entry level Nebraska Administrative certificate or permit after September 1, 1992;~~

004.01K ~~004.01L~~ Submit a complete, legible set of the applicant's fingerprints and pay ~~the prescribed a fee established by the Board of fifty (50) dollars~~ to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate or permit and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application; and

~~004.01L~~ 004.01M Qualify for or be eligible to have ~~placed on a a Provisional Administrative permit or on a regular Administrative certificate,~~ one or more endorsements to administer pursuant to 92 NAC 24.

004.02 Standard Administrative Certificate. ~~A~~ The Standard Administrative certificate is valid for teaching and administration in all Nebraska school systems, except that such certificate is valid for the position of superintendent of schools only if so endorsed. If requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each~~ The Standard Administrative certificate expires August 31 in the fifth year following the year of issuance or renewal.

004.03 Standard Administrative Certificate Requirements. Each applicant for a first Nebraska Standard Administrative certificate must:

004.03A Fulfill the requirements in Section 004.01 of this chapter;

004.03B Have received a Master's degree in Educational Administration or Educational Leadership, or received a subject area Master's degree with completion of additional coursework in an approved program in the area(s) of endorsement sought by the applicant; and

004.03C Within five (5) years prior to the date of application;

004.03C1 ~~Have~~ have received six (6) semester hours of graduate credit for coursework recognized in 92 NAC 24 as meeting all or part of the requirements for an Administrative endorsement; however, if the applicant has never held a regular Administrative certificate in any state and applies more than five (5) years after completion of an approved program, then the applicant meets this requirement with fifteen (15) semester hours of graduate credit as described in this chapter; or

~~004.03C2~~ ~~004.03D~~ ~~Have~~ Within five (5) years prior to the date of application, ~~have~~ administered half-time or more for two (2) consecutive school years in the same accredited, approved, or otherwise legally operated school or educational service unit in another state wherein the applicant qualified for or held a Standard Administrative certificate or its equivalent.

004.04 Professional Administrative Certificate. ~~A~~ The Professional Administrative certificate is valid for teaching and administration in all Nebraska school systems, except that such certificate is valid for the position of superintendent of schools only if so endorsed. If so requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each~~ The

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Professional Administrative certificate expires August 31 in the tenth year following the year of issuance or renewal.

004.05 Professional Administrative Certificate Requirements. Each applicant for a Professional Administrative certificate must:

004.05A Fulfill the requirements in Section 004.01 of this chapter;

004.05B Hold a Master's Degree;

004.05C Qualify for or hold a Standard Nebraska Teaching Certificate;

004.05D Qualify for or hold a Standard Nebraska Administrative Certificate;

004.05E Complete:

004.05E1 ~~A~~ a minimum of sixty (60) graduate hours in an approved Educational Administration or Educational Leadership program; ~~or~~

004.05E2 ~~An~~ an Educational Specialist or doctorate program; or

004.05E3 ~~A~~ a state approved program for the preparation of a Superintendent; and

004.05F Within five (5) years prior to the date of application;~~;~~

004.05F1 ~~Have~~ have received six (6) semester hours of graduate credit for coursework recognized in 92 NAC 24 as meeting all or part of the requirements for an Administrative endorsement; or

004.05F2 ~~004.05G~~ ~~Have~~ ~~Within five (5) years prior to the date of application,~~ have for two (2) consecutive school years:

004.05F2a ~~004.05G1~~ ~~Administered~~ administered half time or more in the same accredited, approved, or otherwise legally operated school system or educational service unit; ~~or~~

004.05F2b ~~004.05G2~~ ~~Been~~ been employed as a faculty member in the educator preparation program of a standard institution of higher education as ~~defined~~ stated in Section ~~002 of this chapter~~ ~~002.16~~ with employment verified by a written statement from the administrator of the teacher education preparation program; or

004.05F2c ~~004.05G3~~ ~~Been~~ been employed in the Department.

004.06 Standard and Professional Administrative Certificates. Renewal Prior to Expiration or Less Than Five (5) Years After Expiration. Requirements. Each applicant for renewal of a Standard or Professional Administrative certificate prior to or less than five (5) years after the date of expiration of such certificate must:

004.06A Fulfill the requirements in subsections 004.01A through 004.01G, of this chapter;

004.06B Hold or have held a Nebraska Standard or Professional Administrative certificate which has not expired or which expired less than five (5) years prior to the date of application; and

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004.06C Within five (5) years prior to the date of application:

004.06C1 ~~Have~~ have administered half-time or more for one (1) school year:

004.06C1a ~~004.06C1-In in~~ a Nebraska school system;

004.06C1b ~~004.06C2-In in~~ a pre-kindergarten early childhood program which is required by law to employ certificated teachers;

004.06C1c ~~004.06C3-In in~~ an accredited, approved, or otherwise legally operated school in another state; or

004.06C1d ~~004.06C4-In in~~ a U.S. Department of Defense school system; ~~or~~

004.06C2 ~~004.06D-Within five (5) years prior to the date of application,~~ have been employed as a faculty member in the educator preparation program of a standard institution of higher education as ~~defined~~ stated in Section 002 of this chapter ~~002.16~~ with employment verified by a written statement from the administrator of the teacher education preparation program; ~~or~~

004.06C3 ~~004.06E-Within five (5) years prior to the date of application,~~ have been employed in the Department; or

004.06C4 ~~004.06F-Within five (5) years prior to the date of application,~~ have received six (6) semester hours of graduate credit in areas related to Educational Administration or Educational Leadership from a standard institution of higher education taken after the completion of the baccalaureate degree.

004.07 Standard and Professional Administrative Certificates. Renewal Five (5) or More Years After Expiration. Requirements. Each applicant for renewal of a Standard or Professional Administrative certificate five (5) or more years after the date of expiration of such certificate must:

004.07A Fulfill the requirements in subsections 004.01A through 004.01G, of this chapter;

004.07B Have qualified for or held a Standard or Professional Administrative certificate which has expired five (5) or more years prior to the date of application; and

004.07C Either:

004.07C1 Hold a current Administrative certificate from another state and have administered one (1) year within the past five (5) years; or

004.07C2 ~~004.07D~~ Within five (5) years prior to the date of application, received fifteen (15) semester hours of graduate coursework in areas related to Educational Administration or Educational Leadership.

004.08 Alternative Program Provisional Administrative Permit. An Alternative Program The Provisional Administrative permit is valid for teaching and administration in all Nebraska school systems, except that such certificate is valid for the position of superintendent of schools only if so endorsed. If requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. Each Alternative Program administration only in the Nebraska school system

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~~requesting the issuance of such permit and only in the area of administrative endorsement for which qualifications are described in 92-NAC-24. The Provisional~~ Administrative permit expires August 31 in the second year following the year of issuance. ~~An Alternative Program The Provisional~~ Administrative permit may not be renewed.

004.09 Alternative Program Provisional Administrative Permit Requirements. Each applicant for an Alternative Program a Provisional Administrative permit must:

004.09A Fulfill the requirements in ~~subsections Section~~ 004.01A through 004.01K 004.01L of this chapter;

004.09B Submit a written request for the issuance of such permit from the superintendent of schools or the governing body of the Nebraska school system in which the applicant intends to administer;

~~004.09C-004.09D~~ Submit a signed and dated Alternative Program Permit Form Courses Required for Completion of an Approved Teacher or Administrator Program (CRC) Form, found in Appendix D of this chapter, to fulfill the remaining requirements needed for issuance of a regular certificate.

004.09D Fulfill the requirements of one of the following pathways:

004.09D1 For pathway one, the applicant must have:

~~004.09D1a004.09C~~ Completed at least fifty (50) percent of the credit hours required for Completion of an approved program for the endorsement of curriculum supervisor or principal, or seventy five (75) percent of an approved program for an endorsement as superintendent sought by the applicant; or

004.09D2 For pathway two, the applicant must have:

004.09D2a Completed an approved program at a standard institution of higher education; and

004.09D2b Held a regular administrative certificate that has not been expired more than five (5) years; and

004.09D2c Prior to the expiration of the Alternative permit, submit an official transcript showing the completion of six (6) semester hours of graduate coursework in the areas of Educational Administration or Educational Leadership from a standard institution of higher education taken after the completion of the baccalaureate as outlined in subsection 004.06C4; or

004.09D3 For pathway three, the applicant must have:

004.09D3a Completed an approved program at a standard institution of higher education; and

004.09D3b Held a regular administrative certificate that has been expired more than five (5) years; and

004.09D3c Prior to the expiration of the Alternative permit, submit an official transcript

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showing the completion of fifteen (15) semester hours of graduate coursework in the areas of Educational Administration or Educational Leadership from a standard institution of higher education taken after the completion of the baccalaureate as outlined in subsection 004.07C2.

004.10 Nebraska Entry Administrative Permits. A Nebraska Entry Administrative Permit is valid for administration in the school system, public or private, that requests the issuance of the permit. Each Nebraska Entry Administrative Permit expires on August 31 in the third year following the year of issuance and may not be renewed. No individual may hold a Nebraska Entry Administrative Permit for a cumulative total of more than three school years. A Nebraska Entry Administrative Permit may be transferred to a different school system pursuant to Sections 004.13 and 004.14 of this chapter.

004.11 Nebraska Entry administrative Permit Requirements. Each applicant for a Nebraska Entry Administrative Permit must:

004.11A Fulfill the requirements in subsections 004.01A through 004.01H and 004.01L of this chapter;

004.11B Have received a Master's degree in Educational Administration or Educational Leadership, or received a subject matter Master's degree with completion of additional coursework in an approve program in the area(s) of endorsement sought by the applicant;

004.11C Hold a valid certificate or permit to administer that:

004.11C1 Is currently in force in another state; and

004.11C2 Has been held by the applicant for at least one (1) year;

004.11D Not have any pending investigations or complaints against any certificate or permit to teach or administer held by the applicant;

004.11E Submit a statement signed by a certification officer, or the equivalent in another state, as evidence of completion of the academic requirements for issuance of the applicant's certificate or permit to administer in another state. A recommended form (Institutional Verification) is available on the Educator Certification website; and

004.11F Submit a written request for the issuance of a Nebraska Entry Administrative Permit to the applicant from the superintendent of schools or the governing body of the school system in which the applicant intends to administer.

004.12 Nebraska Entry Administrative Permit Holder Requirements to Qualify for a Regular Certificate. To qualify for a regular (Standard, or Professional) administrative certificate at the expiration of a Nebraska Entry Administrative Permit, a permit holder must:

004.12A Fulfill the requirements in subsections 004.01A through 004.01G of this chapter;

004.12B If the permit holder had two or more years of verified administrative experience prior to the issuance of the Nebraska Entry Administrative Permit, submit evidence of:

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004.12B1 The verified administrative experience that occurred prior to the issuance of the permit; and

004.12B2 Either:

004.12B2a Half-time or more employment as an administrator for three (3) consecutive years while holding a Nebraska Entry Administrative Permit in the school system that requested the issuance of the permit; or

004.12B2a Completion of fifteen (15) semester hours of graduate level coursework in the areas related to Educational Administration or Educational Leadership while holding the Nebraska Entry Administrative Permit;

004.12C If the permit holder did not have two or more years of verified administrative experience prior to the issuance of the Nebraska Entry Administrative Permit, submit evidence of:

004.12C1 Fulfillment of the requirements in subsection 004.01L of this chapter; and

004.12C2 Completion of fifteen (15) semester hours of graduate level coursework in the areas related to Educational Administration or Educational Leadership while holding the Nebraska Entry Administrative Permit.

004.13 Nebraska Entry Administrative Permit Holder Transfer to Another School System. A Nebraska Entry Administrative Permit holder may apply to transfer the permit to another school system. The transfer of a Nebraska Entry Administrative Permit does not change the permit's expiration date or any requirements for a permit holder to subsequently qualify for a standard certificate.

004.14 Nebraska Entry Administrative Permit Holder Transfer to Another School System Requirements. Each Nebraska Entry Administrative Permit holder applying to transfer the permit to another school system must:

004.14A Fulfill the requirements in subsections 004.01A through 004.01G of this chapter;

004.14B Submit a statement of assurance signed by the permit holder that the permit holder will not abrogate any contract with the original school system if the transfer of the permit is granted; and

004.14C Submit a written request for the transfer of the applicant's Nebraska Entry Administrative Permit from the superintendent of schools or the governing body of the school system to which the permit would be transferred and in which the applicant intends to administer.

005 Teaching Certificates and Permits

005.01 Teaching Certificates and Permits. Types. General Requirements. The Department may issue Initial, Standard, and Professional teaching certificates. The Department may also issue Alternative Program, ~~Postsecondary, Provisional,~~ Career Education, ~~Postsecondary,~~ State Substitute, Local Substitute, Military, and ~~Nebraska Entry Transitional~~ teaching permits. Each applicant for any such teaching certificate or permit may, depending on the type of certificate or permit, be required to:

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005.01A Complete the application, ~~found in Appendix A,~~ and meet the requirements of lawful presence in the United States as set forth in ~~Neb. Rev. Stat. §§ Sections 4-108 through 4-114 4-112 R.R.S.~~ including completion of the *United States Citizenship Attestation Form* if necessary, found in Appendix C of this chapter;

005.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of this chapter 92-NAC-21;

005.01C Pay the prescribed fee as provided in Section 003.05 of this chapter;

005.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14 of this chapter;

005.01E Be of good moral character;

005.01F Not have an emotional or mental incapacity to practice the profession as defined in Section 003.10 of this chapter;

005.01G Submit a complete, legible set of the applicant's fingerprints and pay the prescribed a fee established by the Board of fifty (50) dollars to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate or permit and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application;

005.01H Submit evidence of human relations training as defined by this chapter;

~~005.01I Submit evidence of basic skills competency if applying for an entry level Nebraska teaching certificate or permit after July 31, 1989;~~

~~005.01I 005.01J~~ Submit evidence of special education training ~~if applying for an entry level teaching certificate or permit after September 1, 1992~~; and

~~005.01J 005.01K~~ Submit evidence of qualifying for or be eligible to have placed on a certificate or permit one (1) or more endorsements pursuant to 92 NAC 24.

005.02 Initial Teaching Certificate. ~~An The~~ Initial teaching certificate is valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each The~~ Initial teaching certificate expires August 31 in the fifth year following the year of issuance or renewal.

005.03 Initial Teaching Certificate Requirements. Each applicant for an Initial teaching certificate shall:

005.03A Fulfill the requirements in Section 005.01 of this chapter;

005.03B Have received a baccalaureate degree;

005.03C Have completed the academic program requirements of an approved program; and

005.03D Either:

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005.03D1 Within five (5) years prior to the date of application, have:

005.03D1a ~~005.03D1~~ Taught for one (1) school year in an accredited, approved, or otherwise legally operated school or service provider in any state; ~~or~~

005.03D1b ~~005.03D2~~ Received six (6) semester hours of college credit in education-related coursework; or

005.03D1c ~~005.03D3~~ Received fifteen (15) semester hours of college credit as set forth in subsection 005.10C3 ~~Section 005.10D~~ of this chapter if the applicant, more than five (5) years after completion of an approved program, has never held a regular teaching certificate and verified employment in another state; or

005.03D2 ~~005.03E~~ Be a person participating in an approved teacher exchange program.

005.04 Initial Teaching Certificate. Renewal Prior to Expiration or Less than Five (5) Years after Expiration. Requirements. Each applicant for renewal of an Initial teaching certificate prior to the date of expiration or less than five (5) years after the date of expiration of such certificate must:

005.04A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.04B Hold or have held a Nebraska Initial teaching certificate which has not expired or expired less than five (5) years prior to the date of application; and

005.04C Either:

005.04C1 Have taught or held a position requiring a certificate half time or more for one (1) school year in an accredited, approved, or otherwise legally operated school or service provider during the past five (5) years; or as a faculty member in a postsecondary educational entity; or

005.04C2 ~~005.04D~~ Within five (5) years prior to the date of application, have received six (6) semester hours of credit from a standard institution of higher education in education-related coursework.

005.05 Standard Teaching Certificate. ~~A The~~ Standard teaching certificate is valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each The~~ Standard teaching certificate expires August 31 in the fifth year following the year of issuance.

005.06 Standard Teaching Certificate Requirements. Each applicant for a Standard teaching certificate must:

005.06A Fulfill the requirements in Section 005.01 of this chapter;

005.06B Qualify for or hold a Nebraska Initial teaching certificate or a comparable and equivalent certificate; and

005.06C Within five (5) years prior to the date of application, have:-

005.06C1 Taught ~~have taught~~ half-time or more for two (2) consecutive school years while

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holding a regular certificate:

~~005.06C1a 005.06C1~~ In a Nebraska school system or service provider;

~~005.06C1b 005.06C2~~ In an accredited, approved, or otherwise legally operated school or service provider in another state;

~~005.06C1c 005.06C3~~ In a U.S. Department of Defense school system;

~~005.06C1d 005.06C4~~ As a faculty member in a postsecondary educational entity;

~~005.06C1e 005.06C5~~ In a pre-kindergarten early childhood program which is required by law to employ certificated teachers or which requires its teachers to hold a certificate; or

~~005.06C1f 005.06C6~~ As a Nebraska certified teacher providing distance learning or dual enrollment instruction to students in a Nebraska school system as defined in Neb. Rev. Stat. § 79-1201.01, pursuant to Section 79-1201 (1) and (2) R.R.S.; or

~~005.06C2 005.06D-Taught Within five (5) years prior to the date of application, have taught~~ half-time or more for two (2) consecutive school years in a nonpublic school in a state that does not require certification of nonpublic school teachers; or

~~005.06C3 005.06E Been Within five (5) years prior to the date of application, have been~~ employed by the Department.

005.07 Professional Teaching Certificate. ~~A The~~ Professional teaching certificate is valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each The~~ Professional teaching certificate expires August 31 in the tenth year following the year of issuance or renewal, except that Professional teaching certificates issued prior to July 11, 1977, are valid for the life of the holder unless otherwise converted as provided in Section 003.08 of this chapter.

005.08 Professional Teaching Certificates Requirements. Each applicant for a Professional teaching certificate must:

005.08A Fulfill the requirements in Section 005.01 of this chapter;

005.08B Qualify for or hold a Nebraska Standard teaching certificate, or a comparable and equivalent certificate, or verify having taught half-time or more for two (2) consecutive years during the period of validity of a regular certificate; and

005.08C Either:

~~005.08C1~~ Within ten (10) years prior to the date of application, have received a Master's degree from an approved standard institution of higher education in Curriculum and Instruction, Educational Technology, Special Education, or in the applicant's content area; ~~or~~

~~005.08C2 005.08D~~ Hold current credentials from a credentialing organization approved by the Department pursuant to 92 NAC 22; or

~~005.08C3 005.08E~~ Have received a six (6) year specialist's certificate or a doctorate degree from

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a standard institution of higher education in an area related to the applicant's content area completed at the Master's degree level.

005.09 Standard and Professional Teaching Certificates. Renewal Prior to Expiration or Less than Five (5) Years after Expiration. Requirements. Each applicant for renewal of a Standard or Professional teaching certificate prior to or less than five (5) years after the date of expiration must:

005.09A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.09B Hold or have held a Nebraska Standard or Professional teaching certificate or a comparable and equivalent certificate which shall not have expired or which expired less than five (5) years prior to date of application; and

005.09C Within five (5) years prior to the date of application, have:

005.09C1 ~~Been~~ been employed to teach or administer half-time or more for one (1) school year:

005.09C1a ~~005.09C1~~ In a Nebraska school system or service provider;

005.09C1b ~~005.09C2~~ In an accredited, approved, or otherwise legally operated school or service provider in another state;

005.09C1c ~~005.09C3~~ In a nonpublic school in a state that does not require certification of nonpublic school teachers;

005.09C1d ~~005.09C4~~ In a U.S. Department of Defense school system;

005.09C1e ~~005.09C5~~ As a faculty member in the educator preparation program of a standard institution of higher education with employment verified by a written statement from the administrator of the teacher preparation program;

005.09C1f ~~005.09C6~~ In a pre-kindergarten early childhood program which is by law required to employ certificated teachers or which requires its teachers to hold a certificate; ~~or~~

005.09C1g ~~005.09C7~~ As a Nebraska certified teacher providing distance learning or dual enrollment instruction to students in a Nebraska school system as defined in Neb. Rev. Stat. § 79-1201.01, pursuant to Section 79-1201 (1) and (2) R.R.S.; or

005.09C1h As a Nebraska certified teacher employed by a service provider;

005.09C2 ~~005.09D~~ Been ~~Within five (5) years prior to the date of application, have been~~ employed or contracted by the Department; or

005.09C3 ~~005.09E~~ Received ~~Within five (5) years prior to the date of application, have received~~ six (6) semester hours of credit in education-related coursework from a standard institution of higher education.

005.10 Initial, Standard, and Professional Teaching Certificate. Renewal Five (5) or More Years After Expiration. Requirements. Each applicant for renewal of an Initial, Standard, or Professional certificate five (5) or more years after the date of expiration of such certificate must:

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005.10A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.10B Have held a Nebraska Initial, Standard, or Professional teaching certificate which expired five (5) or more years prior to the date of application; and

005.10C Either:

005.10C1 Hold a current regular ~~Teaching~~ certificate from another state and have taught for one (1) year out of the past five (5) years; ~~in an accredited, approved or otherwise legally operated school in another state; or~~

005.10C1a In an accredited, approved, or otherwise legally operated school or service provider in another state;

005.10C1b In a U.S. Department of Defense school system; or

005.10C1c In a prekindergarten early childhood program which is, by law, required to employ certificated teachers or which requires its teachers to hold a certificate;

005.10C2 Within five (5) years prior to the date of application, have been employed to teach or administer half-time or more for one (1) school year as a faculty member in the educator preparation program of a standard institution of higher education with employment verified by a written statement from the administrator of the teacher preparation program; or

005.10C3 ~~005.10D~~ Within the five (5) years prior to the date of application, have received fifteen (15) semester hours of education-related coursework taken after completion of the baccalaureate degree which includes (a) a course in instructional techniques; (b) a field experience consisting of one hundred (100) or more clock hours of contact with students in the classroom setting, fifty (50) percent of which shall consist of performing instructional duties; (c) a course or courses which address current issues in education, including but not limited to, special education, gifted education, reading and writing in the content area, and school law; and (d) the remaining course work be directly related to the applicant's content area on the expired certificate.

005.11 Alternative Program Teaching Permit. ~~An~~ ~~The~~ Alternative Program teaching permit is issued to applicants who do not meet all requirements for a regular certificate and is valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such permit is valid only in Nebraska nonpublic school systems. Each only in the Nebraska school system requesting the issuance of such permit. ~~The~~ Alternative Program teaching permit expires August 31 in the second year following the year of issuance. ~~The Alternative Program teaching permit may not be renewed.~~

005.12 Alternative Program Teaching Permit Requirements. Each applicant for an Alternative Program teaching permit must:

005.12A Fulfill the requirements in subsections 005.01A through ~~005.01G~~ ~~005.01H~~ of this chapter;

005.12B Submit a written request for the issuance of such permit from the superintendent of schools or the governing body of the school system in which the applicant intends to teach;

005.12C Have received a baccalaureate degree;

005.12D Submit a signed and dated *Alternative Program Teaching Permit* Form, found in Appendix D E of this chapter, to fulfill the remaining requirements needed for issuance of a regular certificate; and

005.12E Fulfill the requirements of one of the following pathways:

005.12E1 For pathway one, the applicant must have:

005.12E1a ~~005.12E~~ Completed ~~Have completed~~ at least one half ~~one-half~~ of the pre student ~~pre-student~~ teaching requirements, including a course in teaching methods, of an approved program; and

005.12E1b ~~005.12E1~~ Fulfilled ~~Have fulfilled~~ at least three fourths ~~three-fourths~~ of the requirements for at least one subject or field endorsement pursuant to 92 NAC 24; ~~or~~

005.12E2 For pathway two, the applicant must have:

005.12E2a ~~005.12F~~ Completed ~~Have completed~~ a state approved alternative program for teaching, which includes some education related coursework;

005.12E2b ~~005.12F1~~ Hold a current regular teaching certificate in another state; and

005.12E2c ~~005.12F2~~ Submit evidence of employment of at least one year of teaching experience in the last five years in an approved, accredited or otherwise legally operated school in another state. A recommended form (*Verification of Employment Experience*) is available on the Educator ~~Teacher~~ Certification website;:-

005.12E3 For pathway three, the applicant must have:

005.12E3a Completed a teacher education program at a standard institution of higher education; and

005.12E3b Currently possess a certificate to teach in good standing from another state;

005.12E4 For pathway four, the applicant must have:

005.12E4a Earned and been awarded a baccalaureate degree, graduate degree, or professional degree from a college or university accredited by an accrediting organization recognized by the U. S. Department of Education; and

005.12E4b Passed any appropriate subject area examination as designated by the Board;

005.12E5 For pathway five, the applicant must have:

005.12E5a A baccalaureate degree which includes at least three fourths of the course requirements for preparation in the endorsement area, pursuant to 92 NAC 24, that addresses the teacher position to be filled by the applicant; and

005.12E5b Submitted a written plan from the school system for mentoring and supervision of the applicant;

005.12E5c Completed a pre-teaching seminar offered by an educational service unit or standard institution of higher education that includes information and skill development in the areas of diversity, classroom management, curriculum planning, and instructional strategies; and

005.12E5d Submitted a written agreement with an educator preparation program from a Nebraska standard institution of higher education to complete the program for an Initial teaching certificate which includes a commitment by the standard institution of higher education to provide at least one (1) supervisory visit each semester to the school system and classroom of the applicant; or

005.12E6 For pathway six, the applicant must have:

005.12E6a Completed an approved program at a standard institution of higher education; and

005.12E6b Held a regular teaching or administrative certificate that has not been expired for more than five (5) years; and

005.12E6c Prior to the expiration of the Alternative permit, submit an official transcript showing the completion of six (6) semester hours of education-related coursework from a standard institution of higher education taken after the completion of the baccalaureate as outlined in subsection 005.09C3; or

005.12E7 For pathway seven, the applicant must have:

005.12E7a Completed an approved program at a standard institution of higher education; and

005.12E7b Held a regular teaching or administrative certificate that has been expired for more than five (5) years; and

005.12E7c Prior to the expiration of the Alternative permit, submit an official transcript showing the completion of fifteen (15) semester hours of education-related coursework from a standard institution of higher education taken after the completion of the baccalaureate as outlined in subsection 005.10C3.

005.13 Alternative Program Teacher Permit Renewal Requirements. Each applicant for renewal of an Alternative Program teacher permit must:

005.13A Fulfill the requirements in Section 005.12 of this chapter;

005.13B Submit a transcript documenting completion of at least fifteen (15) semester hours towards completion of a program outlined in subsection 005.12D of this chapter for the current Alternative Program teacher permit; and

005.13C Submit evidence of human relations training as required in section 005.01H of this chapter.

005.13 Provisional Teaching Permit. The Provisional teaching permit may be issued to applicants who

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~~do not meet all the recent college credit or employment experience requirements for a regular certificate. A Provisional teaching permit is valid in all Nebraska school systems, except that if requested by the applicant at the time of application, such permit is valid only in Nebraska nonpublic school systems. The Provisional teaching permit expires August 31 in the second year following the year of issuance. The Provisional teaching permit may not be renewed.~~

~~005.14 Provisional Teaching Permit Requirements. Each applicant for a Provisional teaching permit must:~~

~~005.14A Fulfill the requirements in subsections 005.01A through 005.01H and 005.01K of this chapter;~~

~~005.14B Have received a baccalaureate degree;~~

~~005.14C Have completed an approved program at a standard institution of higher education; and~~

~~005.14D Submit a signed and dated CRC Form, found in Appendix D of this chapter, to fulfill the requirements for issuance of a regular certificate.~~

~~005.14 005.15 Career Education Teaching Permit. ~~A~~ The Career Education teaching permit may ~~be issued~~ ~~be issued~~ to ~~an applicant~~ ~~applicants~~ who ~~does~~ ~~do~~ not meet the Nebraska requirements for a regular certificate and shall be valid only in the Nebraska school system requesting the issuance of such permit and only in the career education endorsement areas described in 92 NAC 24. ~~Each~~ ~~The~~ Career Education teaching permit expires August 31 in the third year following the year of issuance.~~

~~005.15 005.16 Career Education Teaching Permit Requirements. Each applicant for a Career Education teaching permit must:~~

~~005.15A 005.16A Fulfill the requirements in subsections 005.01A through 005.01H and 005.01J 005.01K of this chapter; and,~~

~~005.15B 005.16B Submit verification from the Superintendent of Schools or the governing body of a school system in which the applicant intends to teach. The recommended form (*Career Education Permit Verification*) is available on the Educator ~~Teacher~~ Certification website.~~

~~005.16 005.17 Career Education Teaching Permit Renewal Requirements. Each applicant for renewal of a Career Education teaching permit must:~~

~~005.16A 005.17A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;~~

~~005.16B 005.17B Submit verification for the renewal of such permit from the Superintendent of Schools or the governing body of the school system in which the applicant intends to teach. A recommended form (*Career Education Permit Verification*) is available on the Educator ~~Teacher~~ Certification website; and~~

~~005.16C 005.17C Hold or have held a Nebraska Career Education teaching certificate or permit.~~

~~005.17 005.18 Postsecondary Teaching Permit. ~~A~~ ~~The~~ Postsecondary teaching permit is valid only for teaching courses for college credit offered by a Nebraska postsecondary educational entity that have also been approved for high school credit in Nebraska school systems requesting the delivery of such~~

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courses and only in the applicant's postsecondary subject area. ~~Each~~ The Postsecondary teaching permit expires August 31 in the third year following the year of issuance.

005.18 ~~005.19~~ Postsecondary Teaching Permit Requirements. Each applicant for a Postsecondary teaching permit must:

005.18A ~~005.19A~~ Fulfill the requirements in subsections 005.01A through 005.01H of this chapter; and

005.18B ~~005.19B~~ Be eligible to teach courses for college credit offered by a Nebraska postsecondary educational entity that have also been approved for high school credit in Nebraska school systems requesting the delivery of such courses as documented by the Nebraska postsecondary educational entity. A recommended form (Employment Verification for a Postsecondary Permit-~~Verification~~) is available on the Educator-~~Teacher~~ Certification website.

005.19 ~~005.20~~ Postsecondary Teaching Permit Renewal Requirements. Each applicant for renewal of a Postsecondary teaching permit must:

005.19A ~~005.20A~~ Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.19B ~~005.20B~~ Hold or have held a Postsecondary teaching permit;

005.19C ~~005.20C~~ Continue to be eligible to teach courses for college credit offered by a Nebraska postsecondary educational entity that have also been approved for high school credit in Nebraska school systems requesting the delivery of such courses as documented by the Nebraska postsecondary educational entity. A recommended form (Employment Verification for a Postsecondary Permit-~~Employment Verification~~) is available on the Educator-~~Teacher~~ Certification website; and

005.19D ~~005.20C1~~ Within three (3) years prior to the date of application, have:

005.19D1 ~~Taught~~ ~~taught~~ one (1) or more courses that generate college credit and have been approved for high school credit in Nebraska school systems requesting the delivery of such; or

005.19D2 ~~005.20C2~~ ~~Received~~ ~~Within three (3) years prior to the date of application, have~~ ~~received~~ three (3) semester hours of graduate credit in the applicant's postsecondary content area.

005.20 ~~005.21~~ State Substitute Teaching Permit. ~~A~~ ~~The~~ State Substitute teaching permit is valid for teaching in all teaching endorsement areas in all Nebraska school systems. ~~A~~ ~~The~~ State Substitute permit holder may be employed to teach by a school system only on a non-contractual basis. If requested by the applicant at the time of application, such permit is valid only in Nebraska nonpublic school systems. ~~Each~~ ~~The~~ State Substitute teaching permit expires August 31 in the fifth year following the year of issuance.

005.21 ~~005.22~~ State Substitute Teaching Permit Requirements. Each applicant for a State Substitute teaching permit must:

005.21A ~~005.22A~~ Fulfill the requirements in subsections 005.01A through 005.01H of this chapter; and

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~~005.21B~~ ~~005.22B~~ Have held a Nebraska regular teaching certificate or a comparable and equivalent certificate in another state that has expired, or qualify for or hold a comparable and equivalent certificate.

005.22 ~~005.23~~ State Substitute Teaching Permit Renewal Requirements. Each applicant for renewal of a State Substitute teaching permit must:

~~005.22A~~ ~~005.23A~~ Fulfill the requirements in subsections 005.01A through 005.01F of this chapter; and

~~005.22B~~ ~~005.23B~~ Within five (5) years prior to the date of application, have taught in one (1) or more school systems for at least fifty (50) full-time days; or

~~005.22C~~ ~~005.23C~~ Within five (5) years prior to the date of application, have received three (3) semester hours of education related coursework.

005.23 ~~005.24~~ Local Substitute Teaching Permit. The Local Substitute teaching permit is valid for substitute teaching in all Nebraska school systems. ninety (90) full-time days per school year only in the Nebraska school system or Local Substitute Teacher Consortium requesting the issuance of such permit. The permit holder may substitute teach no more than ninety (90) full-time days in the same school system ~~regardless of the number of Local Substitute permits held.~~ Additional days may be authorized by the Commissioner upon written request from the Nebraska school system that demonstrates a need for additional days. The permit expires August 31 in the fifth ~~third~~ year following the year of issuance of the permit.

005.24 ~~005.25~~ Local Substitute Teaching Permit Requirements. Each applicant for a Local Substitute teaching permit must:

~~005.24A~~ ~~005.25A~~ Fulfill the requirements in subsections 005.01A through 005.01H of this chapter; and

~~005.24B~~ ~~005.25B~~ Have at least sixty (60) semester hours of college credit with credit in education-related coursework; and

~~005.24C~~ ~~005.25C~~ Submit a written request for the issuance of such permit from the superintendent or the governing body of the school system or Local Substitute Teacher Consortium in which the applicant intends to substitute teach.

005.25 ~~005.26~~ Local Substitute Teaching Permit Renewal Requirements. The Local Substitute teaching permit can be renewed upon meeting the requirements in Section 005.24 ~~005.25~~ of this chapter.

~~005.27~~ Transitional Teaching Permit. ~~The Transitional teaching permit is valid for teaching only in the Nebraska school system requesting the issuance of such permit. The Transitional teaching permit expires August 31 of the year following issuance.~~

~~005.28~~ Transitional Teaching Permit Requirements. ~~Each applicant for a Transitional teaching permit must:~~

~~005.28A~~ Fulfill the requirements in subsections 005.01A through 005.01H of this chapter;

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~~005.28B~~ Submit a written request for the issuance of such permit from the superintendent of schools or the governing body of the school system in which the applicant intends to teach;

~~005.28C~~ Have a baccalaureate degree which includes at least three-fourths of the course requirements for preparation in the endorsement area, pursuant to 92 NAC 24, that addresses the teaching position to be filled by the applicant;

~~005.28D~~ Have an assessment of his/her transcripts completed by a certification officer in a standard institution of higher education and submit a signed and dated CRC Form, found in Appendix D of this chapter, outlining a plan developed for completion of an approved Initial teacher certification program;

~~005.28E~~ Submit a written plan from the school system for mentoring and supervision of the applicant;

~~005.28F~~ Complete a pre-teaching seminar offered by an educational service unit or standard institution of higher education that includes information and skill development in the areas of diversity, classroom management, curriculum planning, and instructional strategies prior to assuming responsibility for the classroom; and

~~005.28G~~ Submit a written agreement with an educator preparation program from a Nebraska standard institution of higher education to complete the program for an Initial teaching certificate which includes a commitment by the standard institution to provide at least one (1) supervisory visit each semester to the school system and classroom of the applicant.

~~005.29~~ Transitional Teaching Permit Renewal Requirements. Each applicant for renewal of a Transitional teaching permit must fulfill the requirements in subsections 005.01A through 005.01F of this chapter and submit a transcript documenting completion of at least six (6) semester hours annually towards completion of the plan identified in subsection 005.28G of this chapter. A Transitional teaching permit may be renewed for a maximum of four (4) years provided the applicant makes sufficient progress as provided by this section.

~~005.30~~ Military Teaching Permit. The Military Teaching Permit is valid for teaching in the Nebraska School system requesting the issuance of such permit and expires August 31 of the third year following the year of issuance. The Military Teaching Permit cannot be renewed.

~~005.31~~ Military Teaching Permit Requirements. Each applicant for a Military Teaching Permit must:

~~005.31A~~ Fulfill the requirements in subsection 005.01A through 005.01H of this chapter.

~~005.31B~~ Hold or have held a teaching certificate or permit in another state;

~~005.31C~~ Submit evidence of employment of at least two years teaching experience in an approved, accredited or otherwise legally operated school in another state, by the U.S. Department of Defense or by a foreign country pursuant to standards comparable and equivalent to those in 92 NAC 21;

~~005.31D~~ Submit verification of employment from the Superintendent of Schools or the governing body of a school system in which the applicant intends to teach in Nebraska. The recommended form (Military Teaching Permit Verification Form) is available on the Teacher Certification website and;

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~~005.31E Submit evidence of current service in the armed forces of the United States, or evidence of having retired from such service within five (5) years of the date of application. If the applicant for a Military Teaching Permit is the spouse of active or retired military personnel, the applicant must present the same evidence pertaining to his or her spouse.~~

005.26 Nebraska Entry Teaching Permit. A Nebraska Entry Teaching Permit is valid for teaching in the school system, public or private, that requests the issuance of the permit. Each Nebraska Entry Teaching Permit expires on August 31 in the third year following the year of issuance and may not be renewed. No individual may hold a Nebraska Entry Teaching Permit for a cumulative total of more than three school years. A Nebraska Entry Teaching Permit may be transferred to a different school system pursuant to Sections 005.29 and 005.30 of this chapter.

005.27 Nebraska Entry Teaching Permit Requirements. Each applicant for a Nebraska Entry Teaching Permit must:

005.27A Fulfill the requirements in subsections 005.01A through 005.01G and 005.01J of this chapter;

005.27B Have received a baccalaureate degree;

005.27C Hold a valid certificate or permit to teach or administer that:

005.27C1 Is currently in force in another state; and

005.27C2 Has been held by the applicant for at least one (1) year;

005.27D Not have any pending investigations or complaints against any certificate or permit to teach or administer held by the applicant;

005.27E Submit a statement signed by a certification officer, or the equivalent in another state, as evidence of completion of the academic requirements for issuance of the applicant's certificate or permit to teach in another state. A recommended form (Institutional Verification) is available on the Educator Certification website; and

005.27F Submit a written request for the issuance of a Nebraska Entry Teaching Permit to the applicant from the superintendent of schools or the governing body of the school system in which the applicant intends to teach.

005.28 Nebraska Entry Teaching Permit Holder Requirements to Qualify for a Regular Certificate. To qualify for a regular (Initial, Standard, or Professional) teaching certificate at the expiration of a Nebraska Entry Teaching Permit, a permit holder must:

005.28A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.28B If the permit holder had two or more years of verified teaching experience prior to the issuance of the Nebraska Entry Teaching Permit, submit evidence of:

005.28B1 The verified teaching experience that occurred prior to the issuance of the permit; and

005.28B2 Either:

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005.28B2a Half-time or more employment as a teacher for three (3) consecutive years while holding a Nebraska Entry Teaching Permit in the school system that requested the issuance of the permit; or

005.28B2b While holding the permit, completion of fifteen (15) semester hours of education-related coursework taken after the completion of the baccalaureate degree that includes (i) a course in instructional techniques; (ii) a field experience consisting of one hundred (100) or more clock hours of contact with students in the classroom setting, fifty (50) percent of which must consist of performing instructional duties; and (iii) a course or courses which address current issues in education, including but not limited to, special education, gifted education, reading and writing in the content area, and school law, with the remaining coursework directly related to the applicant's content area on the permit;

005.28C If the permit holder did not have two or more years of verified teaching experience prior to the issuance of the Nebraska Entry Teaching Permit, submit evidence of:

005.28C1 Fulfillment of the requirements in subsection 005.01J of this chapter; and

005.28C While holding the permit, completion of fifteen (15) semester hours of education-related coursework taken after the completion of the baccalaureate degree that includes (i) a course in instructional techniques; (ii) a field experience consisting of one hundred (100) or more clock hours of contact with students in the classroom setting, fifty (50) percent of which must consist of performing instructional duties; and (iii) a course or courses which address current issues in education, including but not limited to, special education, gifted education, reading and writing in the content area, and school law, with the remaining coursework directly related to the applicant's content area on the permit.

005.29 Nebraska Entry Teaching Permit Holder Transfer to Another School System. A Nebraska Entry Teaching Permit holder may apply to transfer the permit to another school system. The transfer of a Nebraska Entry Teaching Permit does not change the permit's expiration date or any requirements for a permit holder to subsequently qualify for a regular certificate.

005.30 Nebraska Entry Teaching Permit Holder Transfer to Another School System Requirements. Each Nebraska Entry Teaching Permit holder applying to transfer the permit to another school system must:

005.30A Fulfill the requirements in subsections 005.01A through 005.01F of this chapter;

005.30B Submit a statement of assurance signed by the permit holder that the permit holder will not abrogate any contract with the original school system if the transfer of the permit is granted; and

005.30C Submit a written request for the transfer of the applicant's Nebraska Entry Permit from the superintendent of schools or the governing body of the school system to which the permit would be transferred and in which the applicant intends to teach.

006 Temporary Certificates

006.01 Temporary Teaching, Special Services, or Administrative Certificates Validity Restrictions. The Department may issue a Temporary certificate to allow the applicant time to complete the Human

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~~Relations requirement. This certificate is valid in all Nebraska school systems. The Temporary certificate expires one hundred eighty (180) days after the date of issuance. The Temporary certificate is not renewable.~~

~~006.02 Temporary Teaching, Special Services, or Administrative Certificate Requirements. Each applicant for a temporary certificate must:~~

~~006.02A Complete the application, found in Appendix A, and meet the requirements of lawful presence in the United States as set forth in Sections 4-108 through 4-112 R.R.S. including completion of the United States Citizenship Attestation Form if necessary, found in Appendix C; and~~

~~006.02B Meet all the requirements for an Administrative, Special Services, or teaching certificate or permit pursuant to this chapter, except the requirement for human relations training as specified in this chapter.~~

006 007 Special Services Certificates and Permits

006.01 007.01 Special Services Certificates and Permits, Types, General Requirements. The Department may issue Standard Special Services certificates, Special Services permits and Provisional Special Services permits. Each applicant for any such Special Services certificate or permit must ~~is required to:~~

006.01A 007.01A Complete the application, ~~found in Appendix A,~~ and meet the requirements of lawful presence in the United States as set forth in Neb. Rev. Stat. §§ Sections 4-108 through 4-114 4-112 R.R.S. including completion of the *United States Citizenship Attestation Form* if necessary, found in Appendix C of this chapter;

006.01B 007.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of this chapter 92-NAC-21;

006.01C 007.01C Pay the prescribed fee as provided in Section 003.05 of this chapter;

006.01D 007.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14 of this chapter;

006.01E 007.01E Be of good moral character;

006.01F 007.01F Not have an emotional or mental incapacity to practice the profession as defined by Section 003.10 of this chapter;

006.01G 007.01G Submit a complete, legible set of the applicant's fingerprints and pay the prescribed fee a fee established by the Board of fifty (50) dollars to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate or permit and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application; and

006.01H 007.01H Submit evidence of human relations training as defined by this chapter.

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006.02 ~~007.02~~ Standard Special Services Certificate. ~~A~~ ~~The~~ Standard Special Services certificate is valid for working in all Nebraska school systems only in the area of Special Services Endorsements for Audiologist and School Nurse described in 92 NAC 24. If requested by the applicant at the time of application, such certificate is valid only in Nebraska nonpublic school systems. ~~Each~~ ~~The~~ Standard Special Services certificate expires August 31 in the fifth year following the year of issuance or renewal.

006.03 ~~007.03~~ Standard Special Services Certificate Requirements. Each applicant for a Standard Special Services certificate shall:

006.03A ~~007.03A~~ Fulfill the requirements in Section 006.01 of this chapter ~~007.01~~; and

006.03B ~~007.03B~~ Have completed the program requirements for an Audiologist or School Nurse endorsement in 92 NAC 24.

006.04 ~~007.04~~ Standard Special Services Certificates Renewal Requirements. Each applicant for the renewal of a Standard Special Services certificate must:

006.04A ~~007.04A~~ Fulfill the requirements in subsections 006.01A ~~subsection 007.01A~~ through 006.01F ~~007.01F~~ of this chapter.

006.05 ~~007.05~~ Special Services Permit. ~~A~~ ~~The~~ Special Services permit is valid for coaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such permit is valid only in Nebraska nonpublic school systems. ~~Each~~ ~~The~~ Special Services permit expires August 31 in the fifth year following the year of issuance.

006.06 ~~007.06~~ Special Services Permit Requirements. Each applicant for a Special Services permit must:

006.06A ~~007.06A~~ Fulfill the requirements in Section 006.01 of this chapter ~~007.01~~; and

006.06B ~~007.06B~~ Submit evidence of meeting the requirements for a Special Services Coaching endorsement in 92 NAC 24.

006.07 ~~007.07~~ Special Services Permit Renewal Requirements. Each applicant for the renewal of a Special Services permit must:

006.07A ~~007.07A~~ Fulfill the requirements in Section 006.01 ~~007.01~~ of this chapter;

006.07B ~~007.07B~~ Hold or have held a Standard Special Services certificate with a Coaching endorsement or a Special Services permit; and

006.07C ~~Either:~~

006.07C1 ~~007.07C~~ Within five (5) years prior to the date of application ~~for renewal~~, have been employed as a coach for at least one (1) year ~~in the past five (5) years~~ in a Nebraska school system while holding a Standard Special Services certificate with a Coaching endorsement or a Special Services permit; or

006.07C2 ~~007.07D~~ Within two (2) years prior to the application for renewal, have completed coursework in first aid, health and safety for coaches, and fundamentals of coaching as set forth in the Special Services Coaching endorsement in 92 NAC 24.

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006.08 ~~007.08~~ Provisional Special Services Permit. ~~A~~ The Provisional Special Services permit is valid for working only in the Nebraska school system requesting the issuance of such permit and only in the area of the Speech Language Technician endorsement described in 92 NAC 24. ~~Each~~ The Provisional Special Services permit expires August 31 of the year following issuance. ~~A~~ The Provisional Special Services permit may be renewed twice for an individual for a total of three (3) years.

006.09 ~~007.09~~ Provisional Special Services Permit Requirements. Each applicant for a Provisional Special Services permit must:

006.09A ~~007.09A~~ Fulfill the requirements in Section 006.01 ~~007.01~~ of this chapter;

006.09B ~~007.09B~~ Submit a written request for the issuance of such permit from the superintendent of schools or the governing body of the school system in which the applicant intends to work;

006.09C ~~007.09C~~ Have a bachelor's degree in Speech Communication Disorders or Speech Language Pathology; and

006.09D ~~007.09D~~ Submit a signed and dated statement of intent to pursue admission into a Master's Speech Language pathology program during the period in which such permit is valid.

006.10 ~~007.10~~ Provisional Special Services Permit Renewal Requirements. Each applicant for renewal of a Provisional Special Services certificate must:

006.10A ~~007.10A~~ First Renewal. Each applicant for a first renewal of a Provisional Special Services permit must shall:

006.10A1 ~~007.10A1~~ Fulfill the requirements in Section 006.01 ~~007.01~~ of this chapter;

006.10A2 ~~007.10A2~~ Hold or have held a Nebraska Provisional Special Services certificate or permit; and

006.10A3 ~~007.10A3~~ Submit a signed and dated statement from the institution verifying that the applicant has been admitted into an approved Master's Speech Language Pathology program.

006.10B ~~007.10B~~ Second and subsequent renewal. Each applicant for a second or subsequent renewal of a Provisional Special Services permit must:

006.10B1 ~~007.10B1~~ Fulfill the requirements in Section 006.01 ~~007.01~~ of this chapter;

006.10B2 ~~007.10B2~~ Hold or have held a Nebraska Provisional Special Services certificate or permit; and

006.10B3 ~~007.10B3~~ Submit a signed and dated statement from the institution of the remaining requirements leading to the issuance of a regular endorsement and a transcript documenting six (6) hours completed in the past year in a Master's Speech Language Pathology program.

007 ~~008~~ Conditional Permits

007.01 ~~008.01~~ Conditional Permits. A conditional permit is a temporary authorization to teach, provide

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special services, or administer. A conditional permit is valid for up to one (1) year from the date of issuance unless otherwise voided as provided by Section 007.04 ~~008.04~~ of this chapter.

007.02 ~~008.02~~ Conditional Permit Issuance Requirements. A conditional permit may be issued while the application ~~for a certificate or permit~~ is being processed by the Department if the Nebraska school system requests, and the Commissioner determines that the documents and information submitted by the applicant would allow for the issuance of a certificate or permit sought by the applicant pending receipt of any additional documentation or to allow the applicant time to complete the human relations training requirement.

007.03 ~~008.03~~ Conditional Permits Issuance Requirements When a Criminal History Check is Required and All Other Certification Requirements Have Been Met. An applicant for a certificate or permit who is required to submit a complete, legible set of fingerprints is issued a conditional permit prior to receipt, by the Commissioner, of the criminal history record information check if:

007.03A ~~008.03A~~ The *Criminal Charges Self-Reporting Form*, found in Appendix B of this chapter, identifies all crimes of which the applicant has been convicted; and

007.03B ~~008.03B~~ The Commissioner determines the applicant has good moral character and meets all other requirements for certification.

007.04 ~~008.04~~ Voiding of Conditional Permits. The applicant's conditional permit is void upon the issuance of a certificate or permit to the applicant or upon a final determination that the applicant does not meet the requirements for issuance of a certificate or permit. For purposes of this chapter, a determination is final upon expiration of the time for which the applicant may appeal a denial as provided in Section 009 of this chapter or upon issuance of a final order by the Board regarding an appeal by an applicant.

008 Military Permit

008.01 Military Permit. A Military Permit is valid for either teaching, administering, or providing special services in all Nebraska school systems, except if requested by the applicant at the time of application, such permit will be valid only for Nebraska nonpublic school systems. Each Military Permit expires August 31 of the third year following the year of issuance.

008.02 Military Permit Requirements. Each applicant for a Military Permit must:

008.02A Fulfill the requirements as provided in Neb. Rev. Stat. § 79-813;

008.02B Submit a complete, legible set of the applicant's fingerprints and pay the prescribed a fee established by the Board to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate or permit and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application;

008.02C Submit evidence of current service in the armed forces of the United States, or evidence of having retired from such service within five (5) years of the date of application. If the applicant for a Military Permit is the spouse of active or retired military personnel, the applicant must present the same evidence pertaining to his or her spouse; and

008.02D Submit a U.S. Department of Defense Dependent Identification and Privilege Card establishing the applicant's status as a spouse of a person who is serving on active duty if the

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applicant is not a current service member in the armed forces of the United States or retired from such service within five (5) years of the date of application.

009 Appeals Procedure

009.01 Notice. The Department notifies in writing an applicant for a certificate, permit, or endorsement if the Department intends to deny an application and provide the reason(s) for the denial.

009.02 Request for Review. The applicant may request in writing a review by the Commissioner within twenty calendar (20) days after receipt of the written notice provided for in Section 009.01 of this chapter. Failure of an applicant to request a review by the Commissioner within twenty (20) calendar days after receipt of the notice will shall be a waiver of any further appeal by the applicant and results in a denial of the certificate, permit, or endorsement. After receipt of the request for review, the The Commissioner must:

009.02A Notify the applicant that the Department will issue the certificate, permit, or endorsement being sought;

009.02B Notify the applicant that the application for a certificate, permit, or endorsement is denied; or

009.02C Notify the applicant that the application for a certificate, permit, or endorsement is denied for the reason(s) set forth in the notice and that, as a result of the applicant's failure to request a review pursuant to Section 009.02 of this chapter, the applicant has waived any further appeal to the Board regarding the current application.

009.03 Hearings. Within twenty (20) calendar days of receipt of the notice of the Commissioner's denial of the certificate, permit, or endorsement pursuant to subsection 009.02B of this chapter, the applicant may appeal the Commissioner's decision pursuant to 92 NAC 61. If the Board finds that the requirements in this or related chapters have been improperly applied to the applicant or in the case of an applicant whom who the Commissioner has rejected due to criminal convictions, that the applicant has good moral character and possesses the moral fitness for teaching, then the Board may direct the Commissioner to issue a certificate or permit to the applicant.

009.04 Guidelines for Review. In considering whether to deny, not issue, or not renew a certificate or permit of an applicant based upon criminal convictions, the Commissioner and the Board shall take into account the following factors in determining moral character and moral fitness to teach:

009.04A The nature of the crime, the facts and circumstances surrounding the applicant's conviction including whether the conduct of the applicant would constitute a crime in Nebraska, the sentence received, and whether the sentence was commuted, set aside, or pardoned;

009.04B The applicant's age at the time of the conduct;

009.04C The recency of the conduct;

009.04D The applicant's positive social contributions since the conduct; and

009.04E The reliability of the information concerning the conduct.

009.05 Applicants who have failed to request a review pursuant to Section 009.02 of this chapter are

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prohibited from re-applying for any certificate or permit for one year from the date the Commissioner denied the application.

009.06 Applicants who have appealed a denial pursuant to Section 009.03 of this chapter and the denial was affirmed by the State Board are prohibited from re-applying for any certificate or permit for one year from the State Board's order.

Educator-Teacher Certification • Nebraska Department of Education • ~~500 South 84th Street 301 Centennial Mall South~~ • P.O. Box 94987 Lincoln, NE 68509-4987 •
Phone: (402) 471-0739 • Fax: (402) ~~471-0117 742-2359~~ • www.education.ne.gov/tcert • nde.tcertweb@nebraska.gov • Twitter: @nde_tcert

PERSONAL INFORMATION

Social Security Number*: _____ Birth Date: _____
M M – D D – Y Y Y Y

Name: _____
Last First Middle Former Name(s)

Address: _____
Street or Box Number City State Zip Code (9 Digit)

Daytime Phone: __ (____) _____ Home Phone: __ (____) _____

Email Address: _____ Fax Number: __ (____) _____

Gender: Male Female Undeclared

FIRST TIME APPLICANT

(Mark one in each column below)

OR
↓

- Teaching
- Administrative
- Special Services

- Certificate with no deficiencies
- ~~Alternative Program Provisional Permit (deficiencies)~~
- ~~Nebraska Entry Transitional Permit~~
- ~~State Substitute Permit~~

RENEWAL

(Mark one in each column below)

OR
↓

- Teaching
- Administrative
- Special Services

- Certificate with no deficiencies
- ~~Alternative Program Transitional Permit~~
- ~~State Substitute Permit~~

OTHER

(Mark one below)

- ~~Alternative Program Teaching Permit~~
- ~~Local Substitute Permit~~
- Special Services Coaching Permit
- Postsecondary Permit
- Career Education Permit
- Duplicate (no charge)
- Added Endorsement
- Name Change (no charge)

ACADEMIC RECORD

List Colleges/Universities attended. Submit "Official Transcripts" of all college credit not currently on file at NDE.
If additional space is needed, please use a separate piece of paper indicating colleges attended.

College/University	Month/Year	Semester Hours Completed	Degree Earned

ENDORSEMENTS

Areas completed for a teacher, administrator or special services program: (Example: Math ~~67~~-12)

*The requirement that a certificate or permit applicant provide a his/her social security number is contained in Neb. Rev. Stat. 79-810. ~~The uses will be made of this number are criminal background checks prior to issuance of a certificate or permit and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate and permit holders.~~

Name: _____ Social Security Number*: _____

FINGERPRINTING REQUIREMENT

CHECK ONLY ONE

- A. I am exempt from the criminal record history check because I now hold, or at some time in the past did hold, a Nebraska educator certificate or permit. (If you checked this box proceed to Personal and Professional Fitness Section.)
- B. I have not held a Nebraska certificate or permit so I am submitting a record of my residences during the past five years on the Record of Residence Form in the forms section of the Applicant Manual or on a separate sheet of paper signed and dated. I have included the dates of residence (from month/year to month/year) with each address. Since the record demonstrates that I have been a continuous "resident" of Nebraska for five (5) or more years from the filing date of my application form with the Nebraska Department of Education, I am exempt from the criminal record history check.
"Resident" shall mean an individual who has established a home where the individual is habitually present and to which having departed therefrom, intends to return. 92 NAC 21 S002.24 48
- C. I have not lived in Nebraska continuously for the five (5) years immediately prior to filing this application with the Nebraska Department of Education; therefore, I am submitting two (2) complete and legible sets of my fingerprints on two (2) fingerprint cards provided by the Nebraska Department of Education. I am also submitting the fingerprint processing fee in addition to any certification processing fee.

PERSONAL AND PROFESSIONAL FITNESS

- 1. Have you ever had a professional license, certificate, permit, credential, or other document authorizing the practice of a profession suspended, revoked, voided, denied, rejected, or voluntarily surrendered? Yes No
If yes, attach a written statement that fully explains the facts and where this occurred.
- 2. Are you currently the subject of any inquiry or investigation by any law enforcement agency, prosecutor's office, governmental body, or licensing agency? Yes No
If yes, attach a written statement that fully explains the facts and where this is occurring.
- 3. Is any action currently pending against you by any law enforcement agency, prosecutor's office, governmental body, or licensing agency? Yes No
If yes, attach a written statement that fully explains the facts and where this is occurring.
- 4. Have you ever been found guilty of a felony or misdemeanor or entered a plea of guilty or no contest to a felony or misdemeanor in any criminal, drug, or juvenile court? Minor traffic infractions and misdemeanor convictions for Driving Under the Influence or Minor in Possession of Alcohol need not be reported. Yes No
If yes, complete Criminal Charges Self-Reporting Form. This form can be found on the supporting forms page of the Teacher Certification website at www.education.ne.gov/TCERT/
- 5. Is an order or determination currently in effect by a court or any other governmental body which finds you to be any of the following: a mentally ill and dangerous person; mentally incompetent to stand trial; acquitted of criminal charges because of insanity; an incapacitated person in need of a guardian; or unable to manage your property due to mental illness, mental deficiency, chronic use of drugs or chronic intoxication? Yes No
If yes, attach a copy of the order and a written statement that fully explains the facts and where this occurred.
- 6. Are you currently an inpatient or resident in a mental health facility due to a determination by a qualified mental health professional? Yes No
If yes, please attach a written statement that fully explains the facts and where this is occurring.
- 7. Are you a U.S. Citizen? Yes No

DECLARATION, AUTHORIZATION AND SIGNATURE

I declare that the information furnished herein is true, correct, and complete to the best of my knowledge. I hereby grant the permission and authorize the release of any information that would otherwise be confidential to the Nebraska Department of Education to verify all responses contained herein, including but not limited to verification with any mental health facility, hospital or other facility that provides psychiatric or professional mental health services, including records from any commitment by any board of mental health or other agency authorized by law to order mental health commitment, or governmental agency ~~to obtain and review all and records maintained by any criminal justice agency,~~ including a criminal history record information check, regarding any of my criminal charges or convictions, and to contact previous employers for information regarding the term of my employment. I hereby release, discharge, and exonerate the Nebraska Department of Education, its employees, and any person so furnishing information from any and all liability to every nature and kind arising out of the furnishing of such records and information. I understand that any material submitted in connection with this application will become the property of the State of Nebraska, will be considered a public record and will not be returned. I further understand that application status information, including application denial and underlying reason for a denial may be provided to personnel of any school district where I have applied for, being considered for employment or are currently employed by. I understand that inaccurate information submitted in support of an application shall be cause for denial or revocation of such certificate or permit.

_____, 20____
Date

Signature of Applicant

Name: _____ Social Security Number*: _____

EXPERIENCE AS AN EDUCATION PROFESSIONAL DURING THE PAST FIVE YEARS

Send copies of ALL out-of-state certificates

School Years – From/To	School System Name and Location	Job Description
_____	_____	_____
_____	_____	_____
_____	_____	_____

NON-REFUNDABLE FEES

CHECK ONLY ONE

All School Certificate or Permit (valid in public and nonpublic schools)	<input type="checkbox"/> \$755.00	All School Certificate or Permit plus Fingerprint Fee (valid in public and nonpublic schools)	<input type="checkbox"/> \$12590.00
Nonpublic School Certificate or Permit (valid in nonpublic schools ONLY)	<input type="checkbox"/> \$5540.00	Nonpublic School Certificate or Permit plus Fingerprint Fee (valid in nonpublic schools ONLY)	<input type="checkbox"/> \$10575.00
Added Endorsement	<input type="checkbox"/> \$5540.00		
Added Endorsement plus Renewal for All School Certificate	<input type="checkbox"/> \$7555.00		
Added Endorsement plus Renewal for Nonpublic School	<input type="checkbox"/> \$5540.00	Duplicate or Name Change	<input type="checkbox"/> NO CHARGE \$30.00
		NAME CHANGE DOES NOT REQUIRE A FEE	

The Nebraska Department of Education prefers that applicants complete the application and pay all fees on-line. ~~Issuance of the certificate or permit will generally take six to eight weeks.~~ Payment on-line will expedite the application process.

If a check or money order is mailed, please send to:

NEBRASKA DEPARTMENT OF EDUCATION
~~EDUCATOR~~ ~~TEACHER~~ CERTIFICATION
P O BOX 94987
LINCOLN NE 68509-4987

DISCLAIMER

The Nebraska Teacher Certification Office does not communicate with applicants after receiving individual pieces of the required application materials; however, you may be contacted if all material have not been received in a timely manner. It is the applicant's responsibility to check with educational agencies to guarantee that transcripts, institutional verifications, Praxis scores, agreement statements and other necessary materials have been sent to the Teacher Certification Office. It is the applicant's responsibility to submit two sets of legible fingerprint cards or complete the Record of Residence form. Any fingerprints submitted by an applicant will be used to check the criminal history records of the Federal Bureau of Investigations (FBI). Applicants wanting to obtain a change, correction, or updating of an FBI identification record may follow the procedures as set forth in 28 CFR 16.34. All Nebraska educational certified personnel in public or non-public schools must have a valid certificate or permit by September 1st of the current school year. Failure to complete the process is not a valid reason for maintaining your employment after September 1st.

CANDIDATE APPLICATION STATUS

Applicants can check the status of their application by logging on to their TEACH dashboard at <https://teach.education.ne.gov>, going on-line at www.education.ne.gov/tcert and clicking "Current Application Status." If it no longer appears, click "Current Certificates and HR Training Lookup" on the TC website to see your new certificate.

Please read and understand your application before submitting, as application fees are non-refundable.



CRIMINAL CHARGES SELF-REPORTING FORM

THIS FORM MUST BE COMPLETED IF YOU ANSWERED "YES" TO QUESTION 4
UNDER THE PERSONAL AND PROFESSIONAL FITNESS SECTION OF THE APPLICATION FORM

COMPLETE A SEPARATE FORM FOR EACH CHARGE. YOU MAY PHOTOCOPY THIS FORM

SIGN AT THE BOTTOM OF THIS FORM.

Please print

Name _____ Social Security Number*: _____

Criminal Charge: _____

Date of Offense: _____

Name of arresting party (Police or Sheriff's Office): _____

Court of Jurisdiction: _____

Plea and conditions of probation, if any: _____

Details of the incident: _____

You may attach any further explanation of the incident.

**YOU MUST ATTACH A COPY OF YOUR COURT RECORDS(S) RELATED TO THIS CHARGE.
IF COURT RECORDS ARE NO LONGER AVAILABLE, CONTACT THE OFFICE OF GENERAL COUNSEL AT THE
NEBRASKA DEPARTMENT OF EDUCATION FOR FURTHER INSTRUCTIONS.**

I declare under penalty of perjury that the forgoing, including any attachment is true and correct. I hereby authorize the above-listed courts and law enforcement agencies to release any information concerning me to the Nebraska Department of Education.

Signature _____ Date _____

* The requirement that a certificate or permit applicant provide his/her social security number is contained in Neb. Rev. Stat. 79-810. ~~The uses that will be made of this number are criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate or permit holders.~~

Website: www.education.ne.gov/tcert
Email: nde.tcertweb@nebraska.gov
Twitter: @nde_tcert
Phone: 402-471-0739 Fax: (402) 742-2359

Teacher Certification
301 Centennial Mall South
PO Box 94987
Lincoln, NE 68509-4987

NDE 20-022 Revised ~~01-2023~~ 10-16



UNITED STATES CITIZENSHIP ATTESTATION FORM

Printed Name of Applicant

Social Security Number*

For the purpose of complying with Neb. Rev. Stat. §§4- 108 through 4-114, I attest as follows:

I am a citizen of the United States

OR

I am a qualified alien under the federal Immigration and Nationality Act, my immigration status, alien number and card expiration date are as follows:

and I am providing a legible copy of my United States Citizenship and Immigration Services documentation as part of this application.

DECLARATION, AUTHORIZATION AND SIGNATURE

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete and accurate and I understand that this information may be used to verify my lawful presence in the United States.

Dated this _____ day of _____, 20 _____

Signature of Applicant

* The requirement that a certificate or permit applicant provide his/her social security number is contained in Neb. Rev. Stat. 79-810. ~~The uses that will be made of this number are criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate or permit holders.~~



~~COURSES REQUIRED FOR COMPLETION
OF AN APPROVED TEACHER OR
ADMINISTRATIVE PROGRAM (GRG)
FOR A NEBRASKA PERMIT~~

~~NDE 20-007-
Revised 10-16~~

Name: _____ Social Security Number* _____

~~To the Applicant:~~ If you are applying for the ~~Provisional Teaching or Administrative Permit:~~ Contact the college Certification Officer to complete this form AND an Institutional Verification Form for the Provisional Administrative Permit.

~~To the Applicant:~~ If you are applying for the ~~Transitional Teaching Permit:~~ Contact the certification officer at the University of Nebraska-Kearney.

~~To the Certification Officer for the Provisional Teaching or Administrative Permit:~~ If the above named applicant has set up an approved program at your institution, complete this form AND the Institutional Verification Form. The approved program area is _____ and at the _____ grade level.

~~To the Certification Officer for the Transitional Teaching Permit:~~ Complete the list of courses the applicant is required to complete for the Transitional Plan leading to the regular teaching certificate. The approved program area is _____ and at the _____ grade level.

Submit this form, the District Agreement Statement, a completed application form, appropriate application fee, official transcripts, fingerprint cards and fee, if required, to the Nebraska Department of Education.

Department	Course Number	Title of Courses	Semester Hours
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signature of Authorized Certification Officer _____ Date _____

Institution Name and Address _____

~~* The requirement that a certificate or permit applicant provide his/her social security number is contained in Neb. Rev. Stat. 79-810. The uses that will be made of this number are criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate or permit holders.~~



NDE 20-070
Revised 01-2023 ~~10-16~~

ALTERNATIVE PROGRAM ~~TEACHING~~ PERMIT

Name _____ Social Security Number* _____

Employing District: _____ Endorsement Area Requested _____

School District Contact: _____

To the ~~NE~~ Certification Officer: After reviewing the applicant's submitted documents, please recommend coursework that would lead this person to gain a regular Nebraska certificate once that work is completed. Recommendations will be used by the Nebraska Department of Education NDE to format an applicant's deficiency plan. The approved program area is _____ and at the _____ grade level.

This applicant also has the following Nebraska requirements to complete before they may apply for their regular teaching certificate. Check all that apply.

Human Relations Training Basic Skills ~~CORE~~ Special Education Training SPED Content Test

<u>Department</u>	Course Number	Title of Course	Semester Hours
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total number of Semester Hours listed _____

Endorsement Recommended: _____

~~Nebraska Authorized~~ Signature of Certification Officer ~~Completing for NDE Consideration~~ _____ Date _____

Institution Name and Address: _____

* The requirement that a certificate or permit applicant provide his/her social security number is contained in Neb. Rev. Stat. 79-810. ~~The uses that will be made of this number are criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate or permit holders.~~



TEL 402.471.2295
FAX 402.471.0117



P.O. Box 94987
Lincoln, NE 68509-4987



education.ne.gov



May 26, 2023

Nebraska State Board of Education Members and Deputy Commissioner Frison
Nebraska Department of Education
500 S. 84th St., 2nd Floor
Lincoln, Nebraska 68510

Dear Nebraska State Board of Education Members and Deputy Commissioner Frison:

The following is a summary of the proposed revisions to 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:

- A request from the school system and need to possess multiple Local Substitute Permits would no longer be required. Also, the Local Substitute Permit will be valid for five years rather than three years.
 - The changes will provide for portability of the Local Substitute Permit by allowing permit holders to work in multiple school systems without applying for multiple permits or the need for a letter from each school system.
- Language has been added stating that an applicant would be prohibited from applying for one calendar year once an application has been denied.
- The certification process is complex in its current form and not inclusive to for out-of-state applicants. The following are included in the proposed changes to simplify the process:
 - The Transitional and Provisional Teaching Permits will be consolidated into the Alternative Program Teaching Permit as their requirements are similar.
 - The Temporary certificate and Conditional permit will be consolidated as their requirements are similar and the conditional permit is more flexible in nature.
 - The Nebraska Entry Permit will be formalized as it was added by the Nebraska Legislature with the passage of LB1218 (2022).
 - The Military Permit changes provided with the passage of LB389 (2021) have been added to formalize the permit type.

- Additional methods to renew a teaching certificate have been added for teaching certificate that have been expired for more than five (5) years to be consistent with renewal methods for certificate that have been expired for less than five (5) years.
 - Applicants working as service providers will be allowed to use their experience for certification renewal.
- Technical cleanup has been included throughout the update where state statute language was duplicated and references to Rule 23 (Basic Skills) have been removed. Typographical changes and renumbering are also included within the draft.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Clayton L. Waddle". The signature is written in a cursive style.

Clayton L. Waddle
Director – Educator Certification
Nebraska Department of Education



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education.ne.gov



From: Tamra L. Walz, General Counsel

Date: May 31, 2023

Re: Summary of rulemaking hearing on proposed revision of 92 NAC 21

On May 30, 2023, a hearing on the revision of 92, Nebraska Administrative Code, Chapter 21, *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*, was held virtually over Zoom in conjunction with hearings on revisions to Rules 20 and 24 and Title 93. Public notice was published in the Omaha World Herald on April 27, 2023. Tamra Walz was 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 21

Tamra Walz called the hearing to order, introduced herself, 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 received testimony on Rule 20 before receiving testimony on the proposed revision of Rule 21. Ms. Walz introduced Clayton Waddle, Director of Educator Certification at the Nebraska Department of Education to summarize the proposed changes to Rule 21.

Dr. Waddle presented a summary of the proposed changes to Rule 21:

- The Provisional Administrative Permit is eliminated, and the pathways are added to the Alternative Program Administrative Permit
- The Nebraska Entry Administrative Permit is added as the result of LB1218 (2022) to allow administrators licensed in another state for at least one year to become certified
- Methods are added for renewing a teaching certificate that has been expired 5 years or more to allow consistency with requirements for a certificate that has been expired less than 5 years
Renewal could be allowed if a teacher worked:
 - o For a school or service provider in another state;
 - o For a U.S. Department of Defense school system;
 - o For a prekindergarten program which requires teachers to hold a certificate; or
 - o As a faculty member in an educator preparation program
- Additional pathways have been added to the Alternative Permit in response to legislative action in 2021 while merging the Transitional Teaching Permit and Provisional Teaching Permit
- Local substitute permits are made portable by removing requirements for a request from a school district to issue a local substitute permit
- The Nebraska Entry Teaching Permit is added as the result of LB1218 (2022) to allow teachers certificated in another state for at least one year to become certificated
- Conditional Permits, instead of Temporary Permits, are allowed when missing Human Relations Training
- Human Relations Training and length of time an applicant needs to hold a certificate are removed from the eligibility requirements for a Military Permit in response to LB 389 (2021)

- Applicants for certificates and permits are required to wait one year after a denial to reapply
- Technical cleanup eliminates the duplication of statutory language and references to Rule 23

Amy Fraser testified as a former music education professor at York University who is moving back to teaching music in grades 6-12. She supports the changes to Rule 21 that allow teaching in an educator preparation program to count for the renewal of an expired certificate. She will personally benefit. She has supervised student teachers and taught some of the courses that she would otherwise need to take to be recertified.

Dr. Sara Skretta is the Senior Director of Accreditation, Placement, and Licensure for the College of Education & Human Sciences at the University of Nebraska – Lincoln and serves as the Certification Officer. During this severe educator shortage, it must be a priority to remove barriers to licensure while maintaining a commitment to quality. The expansion of alternative permit pathways is a positive step in providing more pathways. This will help schools fill vacancies with teachers that have training. She appreciates that the Human Relations requirement may be addressed in multiple ways throughout a candidate’s program but would like to see guidance from the Department. She also expressed support for the changes to the substitute permits. She concluded by thanking the State Board of Education for ensuring effective and efficient rules to guide educator certification, which positively impact the teacher shortage by allowing an efficient, flexible process that maintains quality.

Dr. Clayton Waddle did not have any further comments.

Ms. Walz closed the hearing on Rule 21, and then opened the hearing on Rule 24.

Summary of Written Testimony on the Proposed Revisions to 92 NAC 21

Dr. Clayton Waddle provided a written copy of his oral testimony.



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STATE BOARD OF EDUCATION RULE-MAKING HEARING REVISIONS to 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

Tuesday, May 30, 2023 1:30 p.m. (Central Time)

Nebraska Department of Education, 500 S 84th St, 2nd Floor, State Board Meeting Room,
Lincoln, NE

My name is Dr. Clayton Waddle and I am the Director of Educator Certification at the Nebraska Department of Education.

The following is a short summary of the revisions to 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:

- 004.09 Alternative Program Administrative Permit Requirements – Additional alternative pathways have been added to the permit type to include a six (6) hours renewal and fifteen (15) hour renewal.
 - The Provisional Administrative Permit has been eliminated and the pathways have been added to the Alternative Program Administrative Permit. The purpose is to merge similar permits into one and add clarity.
- 004.10 – 004.14 Nebraska Entry Administrative Permit – The permit allows for those who have held an administrative license in another state for at least one year but do not qualify for a regular administrative certificate in Nebraska to become certified.
 - The Nebraska Entry Administrative Permit was added as a result of LB1218 (2022).
- 005.10 Teaching Certificate Renewal Five (5) or More Years After Expiration – Four additional methods that can be used to renew a teaching certificate have been added. They include: working for a school or service provider in another state; for a U.S. Department of Defense school system; in a prekindergarten program which requires teachers to hold a certificate; and employment as a faculty member in an educator preparation program at a standard institution of higher education.
 - The methods for renewal are present if a certificate has been expired for less than five years and there was a need to be consistent with both renewal categories.

- 005.11 Alternative Program Teaching Permit – Additional pathways have been added to the Alternative Permit while merging the Transitional Teaching Permit and Provisional Teaching Permit.
 - The Nebraska Legislature added two pathways in 2021 which need to be added. The Transitional Teaching Permit and Provisional Teaching Permit were added as additional pathways due to their similarity to the Alternative Permit. The ability to renew the Alternative Permit was included as there are applicants who need more than the two-year timeframe to complete their program of study.

- 005.24 Local Substitute Permit – A request from the school district to issue a local substitute permit and need to possess more than one local substitute permit is no longer needed.
 - The changes will provide for portability of local substitute permits by allowing permit holders to work in multiple school systems without applying for multiple permits or the need for a letter from each school system.

- 005.27 – 005.30 Nebraska Entry Teaching Permit – The permit allows for those who have held a teaching certificate in another state for at least one year but do not qualify for a regular teaching certificate in Nebraska to become certified.
 - The Nebraska Entry Teaching Permit was added as a result of LB1218 (2022).

- 007.02 Conditional Permit Issuance Requirements – A provision was added to allow for the issuance of a Conditional Permit if an applicant is missing the Human Relations Training Course.
 - Currently, an applicant who is missing the Human Relations Requirement is only eligible for a Temporary Permit. Once a Temporary Permit is issued, an applicant would need to apply again for a certificate or permit to be issued without the deficiency of the Human Relations Requirement. The change means that the Temporary Permit would no longer be needed and would be removed.

- 008 Military Permit – The Military Permit requirements were changed in statute to remove Human Relations Training and length of time an applicant needs to hold a certificate to be eligible for a Military Permit.
 - With the passage of LB 389 (2021), changes were made to the existing Military Permit.

- 009.08 Reapply Following Denial – The addition of language stating that an applicant would be prohibited from applying for one calendar year once an application has been denied.
 - Language was added to clarify when someone was able to apply once an application has been denied.
- Technical cleanup has been included throughout the update where state statute language was duplicated and references to Rule 23 have been removed. Other clarifications were made to provide interpretive language. Typographical changes and renumbering are also included within the draft.



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 19, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Authorize the Deputy Commissioner to approve proposed revisions to Rule 24 (92 NAC 24) Regulations for Certification Endorsements

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

RATIONALE/BACKGROUND INFORMATION: The current version of Rule 24 was last updated November 9, 2020. Chapter 24 is adopted pursuant to 79-808 and 79-809 of the Nebraska Revised Statutes (R.R.S.). The purpose of the proposed revisions to Rule 24 is to incorporate changes to certificate endorsement requirements. Proposed revisions related to endorsements contained in the Rule include: (1) changes to the Elementary Education endorsement to remove redundancies with 92 NAC 20 (Rule 20) and for clarification of language, (2) revisions were made to the Social Studies endorsement to remove Anthropology from the endorsement as Nebraska has had zero Anthropology candidates in the last several years, (3) the World Languages endorsement was modified to add additional options to demonstrate proficiency, in addition to the Praxis content test. Additionally, upon demonstration of proficiency in the language of study, institutions may waive up to 30 of the required hours of language study, (4) changes were made to the English Language Arts and Secondary English endorsements to reflect current best practices in addressing foundational reading skills, (5) changes were added to allow out-of-state teachers to not take a content test if they have 2 or more years of teaching experience in their content area, as well as to allow educators who do not pass the content test, if hired by a school system, to teach for two years on a permit in their endorsement area to demonstrate content knowledge, 7) minor changes were made to the Principal, Provisional Special Education, and School Librarian endorsements for clarification of language and/or to use the most current terminology, and 8) Appendix C was deleted to remove any mention of specific testing companies, test numbers, or passing scores in rule and to allow the Board to set minimums outside of rule.

A revised Rule 24 draft was approved by the State Board of Education on August 5, 2021. The Governor received the revised copy of Rule 24 on December 10, 2021 after review by the Nebraska Attorney General. The Governor returned Rule 24 to the Department with a letter dated June 24, 2022 providing reasons for not approving the regulation. The Nebraska Department Education Rules and Regulations Committee was provided an update regarding Rule 24 on August 4, 2022 and October 6, 2022. A hearing was scheduled for December 15, 2022; however, it was cancelled due to notification paperwork not being received by the Secretary of State. A new hearing occurred on May 30, 2023.



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PROPOSED BOARD MEETING (MONTH/YEAR):

June 2023

ESTIMATED COST:

N/A

FOR CONTRACTS AND GRANTS:

N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

N/A

FOR GRANT SUBAWARDS:

N/A

**Updated 02.07.2023*

**NEBRASKA DEPARTMENT
OF EDUCATION**

RULE 24

REGULATIONS FOR CERTIFICATE ENDORSEMENTS

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 24**

**HEARING DRAFT
APRIL 25, 2023**

**State of Nebraska
Department of Education
500 S. 84th Street
Lincoln, Nebraska 68510**



TITLE 92 – NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 24 – CERTIFICATE ENDORSEMENTS

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TITLE 92 – NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 24 – CERTIFICATE ENDORSEMENTS

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TITLE 92 – NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 24 – CERTIFICATE ENDORSEMENTS

001 Alphabetical List of Endorsements Contained in this Chapter

ADMINISTRATIVE ENDORSEMENTS

Curriculum Supervisor (Issued prior to August 1, 2020)
Principal
Special Education Supervisor
Superintendent

TEACHING ENDORSEMENTS

Adapted Physical Education
Agricultural Education
American Sign Language (Subject)
American Sign Language (Supplemental)
Anthropology ([Issued prior to August 1, 2023](#))
Art
Assessment Leadership (Issued prior to August 1, 2020)
Basic Business (Issued prior to August 1, 2019)
Bilingual Education
Biology
Business, Marketing, and Information Technology (BMIT)
Career Education
Chemistry
Coaching
Driver Education
Early Childhood Education
Early Childhood Inclusive
Earth and Space Science
Economics
Elementary Education
English (Issued prior to August 1, 2015)
English As A Second Language
English Language Arts (formerly Language Arts)
Family and Consumer Sciences Occupational
Geography
Health Education
Health and Physical Education
Health Sciences Education (Field)
Health Sciences Education (Supplemental)
High Ability Education
History
Information Technology
Instructional Technology Leadership
Journalism and Media Education
Mathematics
Middle Level Education
Music
Orientation and Mobility (O & M) Specialist
Physical Education
Physics

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CHAPTER 24 – CERTIFICATE ENDORSEMENTS

Political Science
Psychology
Reading and Writing
Reading Specialist
Religious Education
Reserve Officer Training Corps (ROTC)
School Counselor
School Librarian
School Psychologist
Science
Secondary English
Secondary Transition Specialist
Skilled and Technical Sciences Education
Skilled and Technical Sciences Education – Skilled Specific
Social ~~Studies~~ Science
Sociology
Special Education Generalist (formerly Special Education)
Special Education Behavior Intervention Specialist
Special Education Deaf or Hard of Hearing
Special Education Early Childhood Special Education
Special Education Early Intervention Specialist
Special Education Functional Academic Skills and Independent Living Specialist
Special Education Inclusion and Collaborations Specialist
Special Education Visual Impairment
Special Program
Speech
Speech-Language Pathologist
Theatre
Vocal Music
Vocational Special Needs (Issued prior to August 1, 2018)
Work-Based Learning
World Language

SPECIAL SERVICES ENDORSEMENTS

Audiologist
School Nurse
Speech Language Technician
Special Services Coaching

Appendix A: Status of Endorsements no longer in Chapter 24

Appendix B: Affirmation of Eligibility Form

~~Appendix C: Nebraska Rule 24 Endorsements, Content Tests, and Passing Scores~~

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002 General Information

002.01 Statutory Authority. This chapter is adopted pursuant to Section 79-808 of the Nebraska Revised Statutes (R.R.S.).

002.02 Scope and Application. This chapter contains regulations for obtaining endorsements indicating grade levels and areas of specialization on Nebraska teaching, administrative, and special services certificates or permits.

002.03 Related Regulations. Throughout this chapter, reference is made to other Department regulations relating to teachers, administrators, and special services providers. Regulations for the issuance of certificates or permits to teach, administer, and provide special services in Nebraska schools are contained in Title 92, Nebraska Administrative Code, Chapter 21 (92 NAC 21). ~~Title 92, Nebraska Administrative Code, Chapter 23 (92 NAC 23) contains regulations concerning the basic skills competency testing of teacher education candidates.~~ Title 92, Nebraska Administrative Code, Chapter 20 (92 NAC 20) contains the rules for the approval of professional education programs in Nebraska. Copies of these rules are available from the Department. Content standards can be found at www.education.ne.gov/contentareastandards.

002.04 Implementation Date. Regardless of the effective date of the approval of this chapter, the implementation date will be August 1, ~~2023~~ ~~2020~~. Colleges and persons seeking endorsements must meet these requirements after this date. Prior to that implementation date, the provisions of this chapter, as approved with an effective date of ~~November 9, 2020~~ ~~July 15, 2018~~ will remain in effect.

003 Definition of Terms. As used in this chapter:

003.01 American Sign Language (ASL) means a natural language indigenous to members of the American Deaf Community, with its own culture, literature, and linguistic structure.

003.02 Approved Endorsement Program means endorsement programs approved pursuant to 92 NAC 20 or any endorsement program approved in any other state or country pursuant to standards comparable and equivalent to 92 NAC 20.

003.03 Board means the Nebraska State Board of Education.

003.04 Certification Officer means a faculty or staff member designated by the chief academic officer or unit administrator of each standard institution of higher education with an approved educator preparation program to receive correspondence regarding this chapter from the Department and to provide certified records, transcripts, reports and/or recommendations to the Department, as required, for the purpose of certification and/or endorsement.

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003.05 Clinical experiences means those that are characterized by careful planning, stipulated goals, required activities, projected performance levels and evaluation of growth. Examples of clinical experiences are microteaching clinics, unit teaching associated with a methodology class, and skill clinics. Activities not meeting the criteria for clinical experiences include general observations, voluntary community service, orientation visits, teacher aiding, and periodic visitations to educational settings.

003.06 Clinical practice means culminating supervised experiences which provide candidates with opportunities to demonstrate competence in the professional roles for which they are preparing, which includes student teaching and internships.

003.07 Commissioner means the Nebraska State Commissioner of Education.

003.08 Content Test means a Praxis Subject Assessment or School Leadership Series test published by the Educational Testing Service (ETS) of Princeton, NJ for which a passing score requirement has been established by the Department.

003.09 Credit hour means the equivalent of 15 instructional class periods of 50 minutes or more. Semester hour has the same meaning as credit hour.

003.10 Department means the State Department of Education, which is comprised of the Board and the Commissioner.

003.11 Endorsement means an area of specialization indicated on a certificate or permit issued pursuant to 92 NAC 21 signifying that the individual has met specific requirements contained in this chapter.

003.12 English as a Second Language (ESL) means a program designed to serve students whose dominant language is not English to become proficient in English through instruction predominantly provided in English to the students.

003.13 Field (used as a descriptor of an endorsement) means two or more subjects which, considered as a single area of study, represent a wider and broader scope than that of a subject.

003.14 Field experience means an opportunity for candidates to observe, assist, tutor, instruct, and/or conduct research to develop professional education knowledge, skills, and dispositions. Field experiences include practicum and clinical practice requirements. Field experiences are designed and implemented through collaboration with school partners and faculty and occur in school systems or other settings serving students.

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003.15 Internship means an experience supervised by a qualified professional who holds a certificate or permit or has qualifications comparable to that of a certificate or permit holder. The internship provides opportunities to practice and demonstrate the knowledge and skills of the specialization area in a setting that is similar to the setting in which the candidate intends to work. Internship differs from student teaching in that it is only applicable to graduate level and supplemental endorsements.

003.16 Passing Score means a scaled score on a Praxis Subject Assessment Series or School Leadership Series subject content test as established by the Department.

003.17 Practicum means a field experience completed prior to a culminating supervised clinical practice.

003.18 Prekindergarten means the preschool years for children beginning at age 3 prior to entering kindergarten.

003.19 Regular Certificate means an initial, standard or professional certificate as defined in 92 NAC 21.

003.20 Semester Hour means the equivalent of 15 instructional class periods of 50 minutes or more. Credit hour has the same meaning as semester hour.

003.21 Standard institution of higher education means any college or university, the teacher education programs of which are fully approved by the Board or approved in another state pursuant to standards which are comparable and equivalent to those set by the board.

003.22 Student teaching means a full time, directed teaching experience conducted in a school setting that provides supervised opportunities to practice and demonstrate over a continuous, extended time period (as required by 92 NAC 20) the unique knowledge and skills of teaching in the endorsement area(s).

003.23 Subject (used as a descriptor of an endorsement) means a specific course or narrow range of courses taught and offered in a school.

003.24 Supplemental (used as a descriptor of an endorsement) means an endorsement obtained by meeting the requirements of this chapter and which may be added to a certificate in the presence of other endorsements which may or may not be specified.

003.25 Teaching experience means employment as a certified employee for the instruction of students in an approved or accredited school.

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004 Application Procedures

004.01 Eligibility Criteria. Each applicant for an Initial, Standard, Professional, Alternative Program, Postsecondary, Career Education, State Substitute, Local Substitute, or Military teaching certificate or permit may be required to:

004.01A Submit evidence of qualifying for or be eligible to have placed on a certificate or permit one (1) or more endorsements pursuant to this Chapter, except that a content test will not be required for applicants who otherwise qualify for an endorsement in Nebraska and taught in the earned endorsed area for two years or more in another state while holding a comparable and equivalent certificate; or

004.01B Submit evidence that the applicant has completed two years of teaching experience in a Nebraska school system in the earned endorsement area after the completion of a Nebraska approved educator preparation program, and evidence that the individual has attempted the content test for the earned endorsed area unsuccessfully at least once.

004.02 004.01 Initial Endorsement. When an applicant applies for his or her teaching, administrative, or special services certificate or permit pursuant to 92 NAC 21, he or she will be required to file documentation, signed by a certification officer of a standard institution of higher education, indicating that he or she has met the requirements of this chapter for one or more endorsements (depending upon the requirements of 92 NAC 21 for the type of certificate or permit and the type of endorsements), to file an application and pay the fee provided for in 92 NAC 21. A recommended form (Institutional Verification) is available on the Teacher Certification website.

004.03 004.02 Additional Endorsements. Additional endorsements may be added to a certificate or permit at any time upon the payment of the fee provided for in 92 NAC 21 and documentation signed by a certification officer of a standard institution of higher education, that clearly show that the endorsement requirements and student teaching experience requirements, if applicable, of this chapter have been met in approved endorsement programs.

004.03A 004.02A Applicants applying for additional subject or field endorsements have no additional student teaching requirement if the endorsement is for the same grade level as endorsement(s) already held on the certificate. If it is for a different level, the applicant must meet half of the 14 week student teaching requirement through student teaching or internship.

004.04 004.03 Provisional Endorsements. Individuals holding a regular Nebraska certificate may apply to add one provisional endorsement as follows:

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004.04A ~~004.03A~~ Completing an application and payment of the statutory fee as required under 92 NAC 21; and

004.04B ~~004.03B~~ Submitting a document signed and dated by the certification officer of a Nebraska standard institution of higher education which verifies that the applicant has completed 50 percent of the endorsement credit hour requirement in an approved endorsement program and lists the remaining courses to be completed. A recommended form (Added Provisional Endorsement) is available on the Teacher Certification website.

This provisional endorsement cannot be renewed and will expire on August 31 of the third year following issuance.

004.05 ~~004.04~~ Interim Provisional Special Education Endorsement. Individuals holding a regular Nebraska certificate may apply to add an interim a provisional special education endorsement. The interim provisional special education endorsement will expire August 31 in the year following the year of issuance and may be renewed two (2) times.

004.05A ~~004.04A~~ Each applicant for an interim a provisional special education endorsement will:

004.05A1 ~~004.04A1~~ Complete an application and pay the statutory fee as required under 92 NAC 21;

004.05A2 ~~004.04A2~~ Submit the Affirmation of Eligibility form, a copy of which is attached as Appendix B and available on the Teacher Certification website, requesting the issuance of the interim provisional special education endorsement;

004.05A3 ~~004.04A3~~ Submit an official transcript from a standard institution of higher education that demonstrates at least six (6) semester hours of coursework has already been completed for the interim provisional special education endorsement; and

004.05A4 ~~004.04A4~~ Submit a document that is signed and dated by the certification officer from a Nebraska standard institution of higher education which verifies that the applicant has established a plan for completion of course work leading to a Special Education Generalist endorsement. A recommended form, Added Provisional Endorsement, is available on the Teacher Certification website.

004.05B ~~004.04B~~ Each applicant for renewal of an interim a provisional special education endorsement will:

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004.05B1 ~~004.04B1~~ Complete an application and pay the statutory fee as required under 92 NAC 21; and

004.05B2 ~~004.04B2~~ Submit an official transcript verifying completion of at least nine (9) semester hours of course work from the established plan for completion of course work leading to a Special Education Generalist endorsement.

004.06 ~~004.05~~ Duration of Endorsements

004.06A ~~004.05A~~ Endorsements, once granted, continue in effect so long as the holder maintains a certificate or permit in force, or until revoked or amended pursuant to state law or regulation.

004.06B ~~004.05B~~ Provisional endorsements continue for three (3) years.

004.06C ~~004.05C~~ Interim ~~Provisional~~ special education endorsements must be renewed annually.

004.06D ~~004.05D~~ If an endorsement is amended through changes to this chapter but the title remains the same, current holders of that endorsement will continue to have that endorsement in effect for their current and future certificates or permits. If an endorsement is no longer contained in this chapter because it has been repealed or the title and requirements have changed, the following provisions apply:

004.06D1 ~~004.05D1~~ If a comparable existing endorsement is listed for such former endorsement in Appendix A of this chapter, the certificate or permit holder will be considered to hold such comparable endorsement for purposes of determining school or school district compliance with approval or accreditation requirements under Chapters 10 or 14 of this Title, and for purposes of the requirements of any other chapter of this Title. At the time of future renewals, the new certificate or permit will carry the comparable endorsement.

004.06D2 ~~004.05D2~~ If an endorsement that was formerly designated as a subject or field endorsement is reclassified as a supplemental endorsement, the endorsement will continue to be placed on a certificate or permit as a subject or field endorsement if the subject or field endorsement appeared on a certificate or permit prior to the implementation date of the reclassification, or if the individual seeking the endorsement completes a program for which a standard institution of higher education makes recommendation for a subject or field endorsement within one year of the implementation date of the reclassification.

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004.06D3 ~~004.05D3~~ If no comparable endorsement is listed in Appendix A, the endorsement will be considered non-existent for purposes of Department regulations.

004.07 ~~004.06~~ Revocation of Endorsements. Endorsements will be revoked for any of the following reasons:

004.07A ~~004.06A~~ Revocation of the certificate or permit.

004.07B ~~004.06B~~ Fraud, misrepresentation, or error.

004.07C ~~004.06C~~ Written request by the endorsed person to the Commissioner and the Commissioner determines that the person has no employment experience and no college credit in the endorsed area within ten (10) years prior to the written request.

004.07D ~~004.06D~~ Elimination of the endorsement by the Board as shown in Appendix A.

004.07E ~~004.06E~~ Replacement of the endorsement by the Board with another endorsement as shown in Appendix A.

004.08 ~~004.07~~ Hearings and Appeals. All actions taken by the Department under the provisions of this chapter may be subject to appeal under the appeals procedure contained in 92 NAC 21.

004.09 ~~004.08~~ Certification of Completion of Endorsement Requirements. Certification officers will be required, as a condition of institution approval pursuant to 92 NAC 20, to certify for the Department the completion of endorsement requirements as specified in this chapter as part of endorsement applications.

005 Administrative Endorsements

005.01 Curriculum Supervisor

005.01A Grade Levels: PK-12

005.01B Endorsement Type: Field/Administrative

005.01C Persons with this endorsement may assist in or supervise the development of curriculum programs for students in prekindergarten through grade 12.

005.01D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement, or are recommended for the endorsement by a standard institution of higher

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education prior to August 1, 2020. Standard institutions of higher education will not be able to recommend this endorsement for placement on a certificate after August 1, 2020.

005.02 Principal

005.02A Grade Levels: PK-12, PK-8, or ~~6-12~~ 7-12

005.02B Endorsement Type: Field/Administrative

005.02C Persons with this endorsement may serve in all general administrative and supervisory capacities in Nebraska schools as a principal at the grade levels for which the program preparation was completed.

005.02D Certification Endorsement Requirements: This endorsement requires 36 ~~or 45~~ graduate semester hours of credit in an approved program in educational administration. Thirty-six (36) graduate semester hours are required for a principal endorsement when completing a PK-8 or 6-12 endorsement. if the principal endorsement is at the same level as the teaching endorsement. Those seeking a PK-12 principal endorsement ~~principal endorsement at a level different from their teaching endorsement~~ must complete a minimum of nine (9) additional credit hours or a total of forty-five (45) graduate semester hours. The focus of the additional nine (9) credit hours must be specific to the new level.

005.02D1 The applicant for this endorsement must have two (2) years of teaching experience in an approved/accredited elementary, middle, and/or secondary schools; and

005.02D2 Internship/Field Experiences: This endorsement requires 250 clock hours of internship/field experiences in approved or accredited elementary, middle, or secondary schools. These hours must be completed at each of the level(s) for the endorsement(s) being sought.

005.02E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

005.02F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

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005.03 Special Education Supervisor

005.03A Grade Levels: Birth through Grade 12

005.03B Endorsement Type: Field/Administrative

005.03C Persons with this endorsement may serve in all special education administrative and supervisory roles in Nebraska schools providing services for students with disabilities, birth through age 21.

005.03D Certification Endorsement Requirements: This endorsement requires a minimum of 36 graduate semester hours related to educational leadership and special education administration coursework, and includes an internship experience in special education supervision.

005.03D1 Additional requirements: For admission to the program of study leading to this endorsement, the applicant must have or be eligible to hold a valid regular teaching certificate with a special education endorsement; and

005.03D2 Have completed two (2) years of teaching in an approved or accredited school system.

005.03E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

005.03F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

005.04 Superintendent

005.04A Grade Levels: PK-12

005.04B Endorsement Type: Field/Administrative

005.04C Persons with this endorsement may serve in all general administrative and supervisory capacities in Nebraska schools as superintendent, principal, or other administrative roles at all levels.

005.04D Certification Endorsement Requirements: This endorsement requires a Master's degree and completion of an educational specialist,

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doctoral program, or other state-approved program for the preparation of a school superintendent with a minimum of 60 graduate hours in educational leadership or education administration, and a one-semester internship in an approved or accredited school system.

005.04D1 The applicant for this endorsement must qualify for a regular teaching certificate and an administrative certificate and have two (2) years of teaching experience.

005.04E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

005.04E1 The applicant may be admitted to the program of studies leading to this endorsement following a screening process which includes (1) a review of transcripts, (2) three letters of recommendation from people who know of the candidate's work, (3) successful completion of a qualifying examination as identified by the standard institution, and (4) a written statement from the candidate outlining his/her professional goals.

005.04F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006 Teaching Endorsements

006.01 Adapted Physical Education

006.01A Grade Level: PK-12

006.01B Endorsement Type: Supplemental. This endorsement requires an applicant to hold, or earn concurrently, a subject or field endorsement in: Health and Physical Education, Physical Education, or one of the Special Education endorsements.

006.01C Persons with this endorsement may teach physical education to children and youth in prekindergarten through grade 12 who have unique needs or verified disabilities. Persons with this endorsement may provide consultant services to teachers of students with unique needs or verified disabilities.

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006.01D Certification Endorsement Requirements: This endorsement requires a minimum of 24 semester hours of course work. Applicants may apply up to 12 semester hours of course work completed as part of a subject or field endorsement in Physical Education or Special Education toward requirements of this endorsement. The hours will include the following:

006.01D1 Course work in special education – six (6) semester hours; and

006.01D2 Course work in the content areas of physical education instruction – six (6) semester hours; and

006.01D3 A minimum of 12 semester hours in adapted physical education courses.

006.01E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.02 Agricultural Education

006.02A Grade Levels: 6-12

006.02B Endorsement Type: Field

006.02C Persons with this endorsement may teach and manage an Agricultural Education program and will be eligible for the Work-Based Learning endorsement.

006.02D Certification Endorsement Requirements: This endorsement requires a minimum of 48 semester hours of agriculture subject matter plus work experience including:

006.02D1 A minimum of 12 semester hours in agricultural education which includes pedagogical content knowledge and principles of career and technical education and including a minimum of three (3) semester hours of coordination and supervision of work-based learning; and

006.02D2 A minimum of 36 semester hours from the areas of: Agribusiness Systems, Animal Systems, Food Products and Processing Systems, Natural Resources and Environmental Service Systems, Plant Systems, and Power, Structural, and Technical

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Systems, including leadership, research, applied technology, and policy within the aforementioned systems:

006.02D2a Three (3) semester hours – Agribusiness Systems

006.02D2b Three (3) semester hours – Animal Systems

006.02D2c Three (3) semester hours – Food Products and Processing Systems

006.02D2d Three (3) semester hours – Natural Resources and Environmental Service Systems

006.02D2e Three (3) semester hours – Plant Systems

006.02D2f Nine (9) semester hours – Power, Structural, and Technical systems, and

006.02E Work Experience: The endorsement is available only to those persons who have either (A) 1000 verified hours of paid work-based experience relative to the career field, or (B) at least 300 hours of supervised work experience relevant to the career field, under the direction of the college or university recommending the endorsement.

006.02F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.02G ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.03 American Sign Language (Subject)

006.03A Grade Levels: K-8, 7-12, or K-12

006.03B Endorsement Type: Subject

006.03C Persons with this endorsement may teach American Sign Language (ASL) at the grade level(s) for which they have been prepared.

006.03D Certification Endorsement Requirements: This endorsement requires a minimum of 30 semester hours of ASL content course work.

006.03D1 Practicum. Prospective teachers will be engaged in practicum experience at the level(s) of endorsement.

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006.03E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.04 American Sign Language (Supplemental)

006.04A Grade Levels: K-8, 7-12, or K-12

006.04B Endorsement Type: Supplemental

006.04C Persons with this endorsement may teach American Sign Language (ASL) at the grade level(s) for which they have been prepared.

006.04D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours of coursework in ASL content.

006.04D1 Practicum. Prospective teachers will be engaged in practicum experiences at the level(s) of endorsement.

006.04E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.05 Anthropology

006.05A Grade Levels: 7-12

006.05B Endorsement Type: Subject

006.05C Persons with this endorsement may teach anthropology in grades 7 through 12.

006.05D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement, or are recommended for the endorsement by a standard institution of higher education prior to August 1, 2023. Nebraska institutions will not be able to recommend this endorsement for placement on a certificate after August 1, 2023.

~~006.05D—Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 semester hours in anthropology and six (6) semester hours in one or more of the other social~~

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~~sciences areas (Economics, Geography, History, Political Science, Psychology, and/or Sociology).~~

~~006.05E — Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.~~

006.06 Art

006.06A Grade Levels: PK-12

006.06B Endorsement Type: Field

006.06C Persons with this endorsement may teach art for students in prekindergarten through grade 12.

006.06D Certification Endorsement Requirements: This endorsement requires 52 semester hours in art course work, including studio art, art history, theory and criticism, teaching competencies, new technology, and career opportunities in art.

006.06E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.06F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.07 Assessment Leadership

006.07A Grade Levels: PK-12

006.07B Endorsement Type: Supplemental

006.07C Persons with this endorsement may assist in or facilitate the development of assessment programs for students in prekindergarten through grade 12.

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006.07D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement, or are recommended for the endorsement by a standard institution of higher education prior to August 1, 2020. Standard institutions of higher education will not be able to recommend this endorsement for placement on a certificate after August 1, 2020.

006.08 Basic Business

006.08A Grade Levels: 6-12

006.08B Endorsement Type: Subject

006.08C Persons with this endorsement may teach basic business education courses in grades 6 through 12.

006.08D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement, or are recommended for the endorsement by a standard institution of higher education prior to August 1, 2019. Standard institutions of higher education will not be able to recommend this endorsement for placement on a certificate after August 1, 2019.

006.09 Bilingual Education

006.09A Grade Levels: PK-12, PK-6, 7-12

006.09B Endorsement Type: Supplemental. This endorsement requires an applicant to hold, or earn concurrently, an English as a Second Language (ESL) endorsement in addition to a subject or field endorsement.

006.09C Persons with this endorsement may teach in a bilingual program in the grade levels for which they are prepared.

006.09D Certification Endorsement Requirements: This endorsement requires a minimum of 12 semester hours of course work related to methodology, content instruction, and content literacy in bilingual education programs which includes nine (9) credit hours of course work taught in the target language.

006.09D1 Candidates must also complete a 45 clock hour practicum in a bilingual education program taught in the target language at the grade level(s) of the endorsement being sought.

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006.09E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.10 Biology

006.10A Grade Levels: 7-12

006.10B Endorsement Type: Subject

006.10C Persons with this endorsement may teach any biology course in grades 7 through 12.

006.10D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of laboratory based courses in the natural sciences (biology, chemistry, Earth and space science, and physics), of which 24 semester hours must be in biology and a minimum of 12 semester hours of laboratory based courses among the remaining three natural sciences areas. A laboratory-based course provides activity-based, hands-on experience for all students. Laboratory activities will be designed to allow students to develop scientific skills and processes, discover and construct science concepts, and allow for the application of the concept to the real lives of students.

006.10E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.10F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.11 Business, Marketing, and Information Technology

006.11A Grade Levels: 6-12

006.11B Endorsement Type: Field

006.11C Persons with this endorsement may teach Business, Marketing, and Information Technology education courses and will be eligible for the Work-Based Learning endorsement.

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006.11D Certification Endorsement Requirements: This endorsement requires a minimum of 51 semester hours, including:

006.11D1 24 semester hours in business administration; and

006.11D2 Nine (9) semester hours in marketing content knowledge; and

006.11D3 12 semester hours in information technology systems content knowledge; and

006.11D4 A minimum of three (3) semester hours of coursework in coordination and supervision of work-based learning; and

006.11D5 A minimum of three (3) semester hours of professional education coursework to include pedagogical content knowledge and principles of career and technical education; and

006.11E Work Experience: The endorsement is available only to those who have either (A) 1000 verified hours of paid work-based experience relevant to the career field; or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.11F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.11G ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.12 Career Education

006.12A Grade Levels: 7-12

006.12B Endorsement Type: Subject

006.12C The endorsement is valid only on a career education teaching permit for a career education area where no preparation program is offered by an approved teacher training institution in Nebraska or for which a school system submits documentation that it has not found a qualified teacher for the career education teaching permit.

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006.12D This endorsement requires:

006.12D1 Completion of postsecondary degree or certificate in a prescribed course of study in the career education area; or

006.12D2 Completion of an apprenticeship program in the career education area; or

006.12D3 Demonstrated proficiency in the career education area based upon five (5) years of practice in the career area; or

006.12D4 Demonstrated proficiency by passing a competency examination approved by the career area industry; or

006.12D5 Current employment by a community college as an instructor to teach the career education area.

006.13 Chemistry

006.13A Grade Levels: 7-12

006.13B Endorsement Type: Subject

006.13C Persons with this endorsement may teach any chemistry course in grades 7 through 12.

006.13D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of laboratory-based courses in the natural sciences (biology, chemistry, Earth and space science, and physics), of which 24 semester hours must be in chemistry and a minimum of 12 semester hours of laboratory based courses among the remaining three natural sciences areas. A laboratory-based course provides activity-based, hands-on experience for all students. Laboratory activities will be designed to allow students to develop scientific skills and processes, discover and construct science concepts, and allow for the application of the concept to the real lives of students.

006.13E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.13F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the

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~~Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.~~

006.14 Coaching

006.14A Grade levels: 7-12

006.14B Endorsement Type: Supplemental

006.14C Persons with this endorsement may coach interscholastic athletic events for participants in grades 7 through 12.

006.14D Certification Endorsement Requirements: This endorsement requires a minimum of 12 semester hours of coursework related to coaching athletics, including first aid, health and safety for coaches; prevention, care, and management of injuries; fundamentals of coaching, including psychology of coaching and coaching theory; and growth, development and learning. Other courses related to coaching athletics such as legal aspects and responsibilities; training and conditioning; nutrition; and administration of sports will be used to fulfill any remaining coaching semester hours.

006.14E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.15 Driver Education

006.15A Grade Levels: 7-12

006.15B Endorsement Type: Supplemental

006.15C Persons with this endorsement may teach driver education to students in grades 7 through 12.

006.15D Certification Endorsement Requirements: This endorsement requires a minimum of nine (9) semester credit hours in courses that address traffic safety, general safety, first aid, motor vehicle systems, and alcohol and drug education.

006.15E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

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006.16 Early Childhood Education

006.16A Grade Levels: Prekindergarten through Grade 3

006.16B Endorsement Type: Supplemental. This endorsement requires an applicant to hold, or earn concurrently, the Elementary Education endorsement.

006.16C Persons with this endorsement may teach children from prekindergarten through grade 3.

006.16D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours of coursework specific to early childhood education that address preschool and kindergarten levels and includes the identification of deficiencies and effective instructional and intervention strategies related to mathematics and reading.

006.16D1 Practicum. Candidates must complete a 45 clock-hour practicum working with preschool (prekindergarten) children.

006.16E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.17 Early Childhood Inclusive

006.17A Grade Levels: Birth through Grade 3

006.17B Endorsement Type: Field

006.17C Persons with this endorsement may teach and provide services to children from birth through grade 3 including those with special developmental and/or learning needs as defined in Section 79-1118.01 R.R.S, and to support families and other personnel with responsibilities for their care and education.

006.17D Certification Endorsement Requirements: This endorsement requires a minimum of 51 semester hours, including 39 semester hours of coursework in Early Childhood Education and Early Childhood Special Education for children birth through grade 3, and 12 additional semester hours of coursework in one area of concentration, either birth through kindergarten or age 3 through grade 3. Course work must include the

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identification of deficiencies and effective instructional and intervention strategies related to mathematics and reading.

006.17E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.17F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.18 Earth and Space Science

006.18A Grade Levels: 7-12

006.18B Endorsement Type: Subject

006.18C Persons with this endorsement may teach any Earth and space science course in grades 7 through 12.

006.18D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of laboratory-based courses in the natural sciences (biology, chemistry, Earth and space science, and physics), of which 24 semester hours must be in Earth and space science and a minimum of 12 semester hours of laboratory based courses among the remaining three natural sciences areas. A laboratory-based course provides activity-based, hands-on experience for all students. Laboratory activities will be designed to allow students to develop scientific skills and processes, discover and construct science concepts, and allow for the application of the concept to the real lives of students.

006.18E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.19 Economics

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006.19A Grade Levels: ~~6-12~~ 7-12

006.19B Endorsement Type: Subject

006.19C Persons with this endorsement may teach economics in grades ~~6~~ 7 through 12.

006.19D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 hours in economics and six (6) semester hours in one or more of the other social studies sciences areas (Geography, History, Political Science, Psychology, and ~~or either Anthropology or~~ Sociology).

006.19E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.19F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.20 Elementary Education

006.20A Grade levels: K-6 (K-8 in self-contained classrooms)

006.20B Endorsement Type: Field

006.20C Persons with this endorsement may teach children in all elementary subjects in kindergarten through grade 6 in all schools; and in grades 7 and 8 in self-contained classrooms. Self-contained classrooms exist when students spend more than half the school day with one teacher who provides instruction in more than half of the academic areas of the curriculum.

006.20D Certification Endorsement Requirements: This endorsement requires 40 hours of professional education coursework related to teaching children from kindergarten through grade eight and 30 hours of academic coursework in all areas of the elementary curriculum.

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006.20D1 A minimum of 40 semester hours of professional education coursework ~~will include the following:~~ related specifically to elementary education.

~~006.20D1a—Child growth and development; and~~

~~006.20D1b—Curriculum, methodology, and assessment appropriate for all students in all areas of the elementary school curriculum; and~~

~~006.20D1c—Instructional strategies that are adapted for diverse students; and~~

~~006.20D1d—Organization and management of the classroom; and~~

~~006.20D1e—Communication skills in collaborating with parents and other adults, including those with diverse languages and cultures; and~~

~~006.20D1f—History, trends, and societal and cultural issues which impact elementary education.~~

006.20D2 A minimum of 30 semester hours of academic coursework distributed across the four curriculum areas of English language arts, mathematics, science, and social studies/history. A minimum of six (6) semester hours is required in each of the four areas. Coursework that specifically addresses the content area standards for each of the four areas must include. ~~Coursework in the four core areas includes:~~

~~006.20D2a English Language Arts; and Communication, including literature, composition and speech, and reading instruction to include identification of deficiencies and effective instructional and intervention strategies; and~~

~~006.20D2b Mathematics; and including identification of deficiencies and effective instructional and intervention strategies; and~~

~~006.20D2c Natural Science sciences; and~~

~~006.20D2d Social Studies. sciences.~~

006.20D3 In addition to the 30 semester hours listed above, academic coursework is required in each of the following areas:

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006.20D3a Fine ~~Arts arts and humanities~~, and;

006.20D3b Health and ~~Wellness wellness~~.

006.20E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.20F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score ~~for the applicable content test~~ as set forth ~~by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.~~

006.21 English

006.21A Grade Levels: 7-12

006.21B Endorsement Type: Subject

006.21C Persons with this endorsement may teach writing, language, and literature in grades 7 through 12.

006.21D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement, or are recommended for the endorsement by a standard institution of higher education prior to August 1, 2015. Standard institutions of higher education will not be able to recommend this endorsement for placement on a certificate after August 1, 2015.

006.22 English As A Second Language

006.22A Grade Levels: PK-12, PK-6, 7-12

006.22B Endorsement Type: Supplemental

006.22C Persons with this endorsement may teach English as a Second Language (ESL) in the grade levels for which they are prepared.

006.22D Certification Endorsement Requirements: This endorsement requires a minimum of 15 semester hours of course work in the following topics: Second Language Acquisition, English Language/Linguistics, Cross-Cultural Communication, Methods/Curriculum Design in English as a

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Second Language, and Assessment and Evaluation of English Language Learners (ELL).

006.22D1 Practicum. Candidates must complete a 45 clock hour practicum working with ELL students at the grade level(s) of the endorsement being sought.

006.22E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.23 English Language Arts

006.23A Grade Levels: ~~7-12~~ 6-12

006.23B Endorsement Type: Field

006.23C Persons with this endorsement may teach English Language Arts courses such as literature, writing, language, communications (including speech, theatre, and journalism), and reading/literacy skills in grades ~~7 through 12.~~ 6 through 12.

006.23D Certification Endorsement Requirements: This endorsement requires a minimum of 48 semester hours of content and pedagogical content coursework in ~~literature, writing, language, communications, and reading/literacy skills and strategies.~~ foundational reading, language and literacy development, supporting readers at all levels, writing, literature, and communications.

006.23E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.23F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.24 Family and Consumer Sciences Occupational

006.24A Grade Levels: 6-12

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006.24B Endorsement Type: Field

006.24C Persons with this endorsement may teach Family and Consumer Sciences courses and will be eligible for the Work-Based Learning endorsement.

006.24D Certification Endorsement Requirements: This endorsement requires a minimum of 48 semester hours, including 42 semester hours of Family and Consumer Sciences content with the following minimums:

006.24D1 Three (3) semester hours – Methods in Family and Consumer Sciences; and

006.24D2 Three (3) semester hours – Careers, Community and Family Connections; and

006.24D3 Nine (9) semester hours – Consumer Economics and Family Resources; and

006.24D4 Nine (9) semester hours – Family and Human Development; and

006.24D5 Nine (9) semester hours – Nutrition, Food Science and Food Production; and

006.24D6 Three (3) semester hours – Design, Textiles, Apparel, or Interiors; and

006.24D7 A minimum of three (3) semester hours of professional education coursework to include pedagogical content knowledge and principles of career and technical education; and

006.24D8 A minimum of three (3) semester hours of coursework in coordination and supervision of work-based learning; and

006.24E Work Experience: The endorsement is available only to those persons who have either (A) 1,000 verified hours of paid work-based experience relevant to the career field, or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.24F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

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006.24G ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.25 Geography

006.25A Grade Levels: ~~6-12~~ 7-12

006.25B Endorsement Type: Subject

006.25C Persons with this endorsement may teach geography in grades ~~6~~ 7 through 12.

006.25D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 hours in geography and six (6) semester hours in one or more of the other social studies sciences areas (Economics, History, Political Science, Psychology, and ~~or either Anthropology or~~ Sociology).

006.25E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.25F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.26 Health Education

006.26A Grade Levels: 7-12

006.26B Endorsement Type: Subject

006.26C Persons with this endorsement may teach comprehensive health education programs in grades 7 through 12.

006.26D Certification Endorsement Requirements: This endorsement requires a minimum of 30 semester hours in health courses that demonstrate content knowledge and skills of a health literate educator; assess needs to determine priorities for comprehensive school health education; plan

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comprehensive school health curricula and programs; implement health education instruction; assess student learning; plan and coordinate a school health education program; communicate and advocate for health and school health education; serve as a resource person in health education; and collaborate with other professionals in implementing a coordinated school health program.

006.26E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.26F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.27 Health and Physical Education

006.27A Grade Levels: PK-12

006.27B Endorsement Type: Field

006.27C Persons with this endorsement may teach health and physical education in prekindergarten through grade12.

006.27D Certification Endorsement Requirements: This endorsement requires 54 semester hours of preparation in health and physical education courses with:

006.27D1 A minimum of 27 semester hours in foundations of physical education, including: anatomy; kinesiology and biomechanics; exercise physiology; motor learning and motor development; skill and fitness-based competencies; curriculum planning and implementation; instructional delivery and classroom management; adapted physical education; and assessment of student learning in elementary and secondary physical education programs; and

006.27D2 A minimum of 27 semester hours in health education foundations that: demonstrate content knowledge and skills of a health literate educator; assess needs to determine priorities for comprehensive school health education; plan comprehensive school health curricula and programs; implement health education instruction; assess student learning; plan and coordinate a school

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health education program; communicate and advocate for health and school health education; serve as a resource person in health education; and collaborate with other professionals in implementing a coordinated school health program.

006.27E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.27F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.28 Health Sciences Education

006.28A Grade Levels: 6-12

006.28B Endorsement Type: Field

006.28C Persons with this endorsement may teach Health Sciences courses and will be eligible for the Work-Based Learning endorsement.

006.28D Certification Endorsement Requirements: This field endorsement requires a minimum of fifty (50) semester hours with the following minimums:

006.28D1 A minimum of three (3) semester hours in human growth and development; and

006.28D2 A minimum of three (3) semester hours in human anatomy and a minimum of three (3) semester hours in human physiology; and

006.28D3 A minimum of fifteen (15) semester hours in one or more additional Health Sciences areas: medical terminology, nutrition, public/community health, behavioral health, and health care in society; and

006.28D4 A minimum of six (6) semester hours in exercise physiology and kinesiology; and

006.28D5 A minimum of two (2) semester hours in CPR/First Aid certification; and

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006.28D6 A minimum of three (3) semester hours in medical law and ethics; and

006.28D7 A minimum of twelve (12) semester hours of professional education course work that includes pedagogical content knowledge and principles of career and technical education; and

006.28D8 A minimum of three (3) semester hours of coursework in the coordination and supervision of work-based learning; and

006.28E Work Experience: The endorsement is available only to those persons who have either (A) 1,000 hours of paid work-based experience relevant to the career field or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.28F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.29 Health Sciences Education Supplemental

006.29A Grade Levels: 6-12

006.29B Endorsement Type: Supplemental. This endorsement requires an applicant to hold, or earn concurrently, a subject or field endorsement in: Science, Biology, Health and Physical Education, Physical Education, Health Education, Agriculture Education, or Family and Consumer Sciences Occupational.

006.29C Persons with this endorsement may teach Health Sciences courses and will be eligible for the Work-Based Learning endorsement.

006.29D Certification Endorsement Requirements: This supplemental endorsement requires a minimum of fifteen (15) semester hours with the following minimums:

006.29D1 A minimum of nine (9) semester hours which must include:

006.29D1a A minimum of three (3) semester hours in human anatomy and/or human physiology; and

006.29D1b A minimum of six (6) semester hours in one or more additional Health Sciences areas: medical terminology,

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exercise physiology, kinesiology, and public/community health; and

006.29D2 A minimum of three (3) semester hours of professional education course work to include pedagogical content knowledge and principles of career and technical education; and

006.29D3 A minimum of three (3) semester hours of course work in coordination and supervision of work-based learning; and

006.29E Work Experience: The endorsement is available only to those persons who have either (A) 1,000 verified hours of paid work-based experience relevant to the career field or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.29F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.30 High Ability Education

006.30A Grade Levels: K-12

006.30B Endorsement Type: Supplemental

006.30C Persons with this endorsement may teach learners with high ability; facilitate the identification of learners with high ability; develop, coordinate, and evaluate programs for learners with high ability; and act as a resource person in education for students with high ability in kindergarten through grade 12.

006.30D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours related to the education of learners with high ability and a minimum of 90 hours of related clinical experience, including experience at both elementary (K-6) and secondary (7-12) levels.

006.30E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.31 History

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006.31A Grade Levels: ~~6-7-12~~

006.31B Endorsement Type: Subject

006.31C Persons with this endorsement may teach history in grades ~~6~~
~~7~~ through 12.

006.31D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 semester hours in history and a minimum of six (6) semester hours in one or more of the other social ~~studies~~ ~~sciences~~ areas (Economics, Geography, Political Science, Psychology, and ~~/or either Anthropology or~~ Sociology).

006.31E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.31F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.32 Information Technology

006.32A Grade Levels: PK-12

006.32B Endorsement Type: Supplemental

006.32C Persons with this endorsement may teach information technology courses.

006.32D Certification Endorsement Requirements: This endorsement requires a minimum of 15 semester hours in information technology courses.

006.32E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.33 Instructional Technology Leadership

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006.33A Grade Levels: PK-12

006.33B Endorsement Type: Supplemental endorsement only. This endorsement cannot exist by itself on a certificate, but is added to a certificate only in the presence of other endorsements which may have been acquired earlier or concurrently.

006.33C Persons with this endorsement may assist in or facilitate the development of technology programs for students in prekindergarten through grade 12.

006.33D Certification Endorsement Requirements: This endorsement requires a minimum of 15 semester hours which includes the following:

006.33D1 The study of school and district level technology integration into curriculum areas for instructional improvement; and

006.33D2 The study of research and best practices of technology integration to address school improvement efforts; and

006.33D3 The study of education leadership for collecting, analyzing, reporting, and using data for instructional improvement.

006.33E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.34 Journalism and Media Education

006.34A Grade Levels: 7-12

006.34B Endorsement Type: Supplemental

006.34C Persons with this endorsement may teach journalism writing and production courses, and direct student efforts in curricular and cocurricular media intended for public consumption in grades 7 through 12.

006.34D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours in journalism and digital literacies, including an approved field experience.

006.34E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion

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requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.35 Mathematics

006.35A Grade Levels: 6-12

006.35B Endorsement Type: Field

006.35C Persons with this endorsement may teach mathematics in grades 6 through 12.

006.35D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of mathematics.

006.35E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.35F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.36 Middle Level Education

006.36A Grade Levels: 5-9

006.36B Endorsement Type: Subject

006.36C Persons with this endorsement may teach grades 5 through 9 in the area(s) of the endorsement.

006.36D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of which 12 semester hours will be in professional education courses, not including clinical experience, related to middle level education, and a minimum of 24 semester hours in one core academic area as listed in 006.36D1.

006.36D1 Core Academic Areas include the following:

006.36D1a English Language Arts

006.36D1b Mathematics

006.36D1c Science

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006.36D1d Social ~~Studies~~ Science

006.36D2 Additional content areas may be added with a minimum of 24 semester hours in any of the core academic areas as listed above, or in any of the following content areas:

- 006.36D2a Agriculture Education;
- 006.36D2b Business, Marketing and Information Technology Education;
- 006.36D2c Family and Consumer Sciences;
- 006.36D2d Health and Physical Education;
- 006.36D2e Industrial Technology Education;
- 006.36D2f World Language.

006.36E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.36F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.37 Music

006.37A Grade Levels: PK-12

006.37B Endorsement Type: Field

006.37C Persons with this endorsement may teach music in prekindergarten through grade 12.

006.37D Certification Endorsement Requirements: This endorsement requires a minimum of 54 semester hours in music education. Music coursework will include theory, composition, arranging, improvisation, music history, applied music, ensemble performance, conducting, pedagogy, and technology.

006.37E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

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006.37F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.38 Orientation and Mobility Specialist (O & M)

006.38A Grade Levels: Birth through age 21

006.38B Endorsement Type: Special Services

006.38C Persons with this endorsement may provide orientation and mobility services to students with visual impairments from birth through age 21. "Visual Impairment" includes blindness, low vision (legal blindness and partial sight) and vision loss associated with other disabilities.

006.38D Endorsement Requirements: This endorsement program requires a minimum of 36 graduate semester hours in special education coursework including:

006.38D1 Nine (9) graduate semester hours in general special education; and

006.38D2 Twelve (12) graduate semester hours in the education of students with visual impairment; and

006.38D3 Twelve (12) graduate semester hours in orientation and mobility; and

006.38D4 Three (3) graduate semester hours in orientation and mobility internship.

006.38E Endorsement Program Requirements: Standard institutions of higher education offering this certificate program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.39 Physical Education

006.39A Grade Levels: PK-6, 7-12, PK-12

006.39B Endorsement Type: Subject

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006.39C Persons with this endorsement may teach physical education in prekindergarten through grade 6, grades 7 through 12, or prekindergarten through grade 12.

006.39D Certification Endorsement Requirement: This endorsement requires a minimum of 30 semester hours in physical education courses for prekindergarten through grade 6 or grades 7-12 endorsements.

006.39D1 The PK-6 endorsement requires a minimum of 15 semester hours in foundations of physical education including: anatomy; kinesiology and biomechanics; exercise physiology; motor learning and motor development; and adapted physical education; plus a minimum of 15 semester hours of course work in skill and fitness based competencies; curriculum planning and implementation; instructional delivery and classroom management; and assessment of student learning in elementary school physical education programs.

006.39D2 The 7-12 endorsement requires a minimum of 15 semester hours in foundations of physical education including: anatomy; kinesiology and biomechanics; exercise physiology; motor learning and motor development; and adapted physical education; plus a minimum of 15 semester hours of course work in skill and fitness based competencies; curriculum planning and implementation; instructional delivery and classroom management; and assessment of student learning in secondary school physical education programs.

006.39D3 Applicants seeking both the PK-6 and 7-12 endorsements or the PK-12 endorsement, are required to earn a minimum of 42 semester hours of course work as prescribed above for elementary and secondary school physical education programs.

006.39E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.39F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.40 Physics

006.40A Grade Levels: 7-12

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006.40B Endorsement Type: Subject

006.40C Persons with this endorsement may teach any physics course in grades 7 through 12.

006.40D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of laboratory based courses in the natural sciences (biology, chemistry, Earth and space science, and physics), of which 24 semester hours must be in physics, and a minimum of 12 semester hours of laboratory based courses among the remaining three natural sciences areas. A laboratory-based course provides activity-based, hands-on experience for all students. Laboratory activities will be designed to allow students to develop scientific skills and processes, discover and construct science concepts, and allow for the application of the concept to the real lives of students.

006.40E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.40F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.41 Political Science

006.41A Grade Levels: ~~6-12~~ 7-12

006.41B Endorsement Type: Subject

006.41C Persons with this endorsement may teach political science in grades ~~6~~ 7 through 12.

006.41D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 semester hours in Political Science and six (6) semester hours in one or more of the other social ~~studies sciences~~ areas (Economics, Geography, History, Psychology, and ~~or either Anthropology or~~ Sociology).

006.41E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion

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of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.41F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.42 Psychology

006.42A Grade Levels: ~~6-12~~ 7-12

006.42B Endorsement Type: Subject

006.42C Persons with this endorsement may teach psychology in grades ~~6~~ 7 through 12.

006.42D Certification Endorsement Requirements: This endorsement requires a minimum of 36 hours including 30 semester hours in Psychology and six (6) semester hours in one or more of the other social studies sciences areas (Economics, Geography, History, Political Science, and ~~or Anthropology or~~ Sociology).

006.42E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.42F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.43 Reading and Writing

006.43A Grade Levels: PK-6, 7-12

006.43B Endorsement Type: Supplemental

006.43C Persons with this endorsement may teach reading and writing in prekindergarten through grade 6, or in grades 7 through 12.

006.43D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours in courses selected from reading, writing, and language theories, developmental reading and writing on the elementary or secondary level, appropriate strategies and skills, diagnostic

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and intervention techniques and resources, and children's or adolescent literature, language, and writing, and including an approved field experience.

006.43E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.44 Reading Specialist

006.44A Grade Levels: PK-12

006.44B Endorsement Type: Subject

006.44C Persons with this endorsement may teach, provide leadership for professional development in the area of reading, and assess and interpret data to determine and implement instructional options for teaching students in prekindergarten through grade 12.

006.44D Certification Endorsement Requirements: This endorsement requires a minimum of 30 graduate semester hours in reading and related courses. In addition, this endorsement requires clinical experiences appropriate for the endorsement level.

006.44D1 Additional Requirements: An applicant for this endorsement will have a regular teaching certificate and two (2) years of teaching experience.

006.44E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.44F ~~Effective September 1, 2015, an The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.~~

006.45 Religious Education

006.45A Grade Levels: PK-6, 7-12, K-12

006.45B Endorsement Type: Subject

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006.45C Persons with this endorsement may teach religion in private schools.

006.45D Certification Endorsement Requirements: This endorsement requires a minimum of 24 semester hours of religion.

006.45D1 College Limitation: This endorsement may be approved to be offered as part of an approved teacher education program only in nonpublic institutions of higher education.

006.45E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.46 Reserve Officer Training Corps (ROTC)

006.46A Grade Levels: 9-12

006.46B Endorsement Type: Subject and supplemental

006.46C The endorsement will be valid only in the area of ROTC and may appear only on a career education teaching permit as a subject endorsement, or on an initial or standard or professional certificate as a supplemental endorsement.

006.46C1 Five (5) years of full time or salaried employment in the military.

006.46D A letter of recommendation from a military supervisor.

006.47 School Counselor

006.47A Grade Levels: PK-8, 7-12; PK-12

006.47B Endorsement Type: Subject (PK-8; 7-12); Field (PK-12)

006.47C Persons with this endorsement may serve as school counselors in the grade levels of the endorsement (PK-8; 7-12; PK-12).

006.47D Certification Endorsement Requirements: This endorsement requires:

006.47D1 A Master's Degree in Counseling with a specialization in School Counseling with a minimum of 36 graduate semester hours; and

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006.47D2 A minimum of 100 clock hours of school counseling field experiences prior to internship; and

006.47D3 A school counseling internship with a minimum of 450 clock hours of internship at the grade levels of the endorsement; and

006.47D4 A previously earned teaching certificate with an endorsement contained in [this Chapter 92 NAC 24](#); or

006.47D4a If the candidate has not previously earned a teaching certificate with an endorsement contained in [this Chapter 92 NAC 24](#), the candidate must also complete a minimum of 12 additional semester hours of professional teacher education coursework related to core curriculum design, lesson plan development, classroom management strategies, student assessment, and differentiated instructional strategies.

006.47E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.47F ~~Effective September 1, 2015, an~~ [The](#) applicant will be required to submit a passing score [for the applicable content test](#) as set forth [by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.](#)

006.48 School Librarian

006.48A Grade Levels: PK-12

006.48B Endorsement Type: Field

006.48C Persons with this endorsement ~~serve as a leader, instructional partner, informational authority, teacher, and oversee the library program may supervise the development and organization of a library media program and teach or direct the use of the library media resources and services~~ in prekindergarten through grade 12.

006.48D Certificate Endorsement Requirements: This endorsement requires the applicant to hold a teaching certificate or concurrently earn a subject or field endorsement, and acquire a minimum of 30 semester hours in ~~school library coursework library media courses~~, including leadership,

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library administration, technology, information access, children's and young adult literature, resource management, and curriculum and instruction.

006.48E Endorsement Program Requirements: ~~Nebraska teacher education institutions~~ Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.48F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.49 School Psychologist

006.49A Grade Levels: PK-12

006.49B Endorsement Type: Field

006.49C Persons with this teaching endorsement may provide school psychological services to students (birth to age 21), school personnel, parents and other specialists related to individual student needs or school program considerations.

006.49D Certification Endorsement Requirements: This endorsement requires at least 60 graduate semester hours beyond the baccalaureate degree, in which at least 54 are exclusive of credit for the supervised internship.

006.49D1 A minimum of 1,200 clock hours of internship experience, supervised by a standard institution of higher education, 600 of which must be in a school setting. Applicants who have completed 600 hours of supervised experience in school settings prior to the internship as part of their doctoral training program in school psychology may complete all 1,200 hours of their supervised internship in a setting that provides psychological services to children, birth to age 21.

006.49E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

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006.49F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.50 Science

006.50A Grade Levels: 7-12

006.50B Endorsement Type: Field

006.50C Persons with this endorsement may teach any science course in grades 7 through 12.

006.50D Certification Endorsement Requirements: This endorsement requires a minimum of 48 semester hours of laboratory-based courses with a minimum of two (2) laboratory-based courses in each of the four disciplines in the sciences (biology, chemistry, Earth and space, and physics.) A laboratory-based course provides activity-based, hands-on experiences for all students. Laboratory activities will be designed to allow students to develop scientific skills and processes, discover and construct science concepts, and allow for the application of the concepts to the real lives of students.

006.50E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.50F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.51 Secondary English

006.51A Grade Levels: ~~7-12~~ 6-12

006.51B Endorsement Type: Subject

006.51C Persons with this endorsement may teach secondary English courses such as English I, English II, English III, English IV, and Reading in grades 6 ~~7~~ through 12.

006.51D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours of content and pedagogical

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content coursework in ~~reading/literacy skills and strategies, writing, language, and literature. foundational reading, language and literacy development, supporting readers at all levels, writing, literature, and communications.~~

006.51E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.51F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.52 Secondary Transition Specialist

006.52A Grade Levels: 7-12

006.52B Endorsement Type: Supplemental

006.52C Persons with this endorsement may teach, consult, or provide transition services for youth with verified disabilities in grades 7 through 12.

006.52D Certification Endorsement Requirements: This endorsement requires a minimum of 18 graduate semester hours of coursework and clinical experience related to transition with emphasis on youth with disabilities, ages 14 through 21.

006.52E Endorsement Program requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.53 Skilled and Technical Sciences Education

006.53A Grade Levels: 6-12

006.53B Endorsement Type: Field

006.53C Persons with this endorsement may teach Skilled and Technical Sciences Education and will be eligible for the Work-Based Learning endorsement.

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006.53D Certification Endorsement Requirements: This endorsement requires a minimum of 48 semester hours of course work in skilled and technical sciences education and professional education, including:

006.53D1 A minimum of six (6) semester hours of professional education course work to include content area methods, assessment, and facility design and management; and

006.53D2 A minimum of six (6) semester hours in each of the following career fields: Architecture and Construction; Energy and Engineering; Manufacturing; and Transportation, Distribution and Logistics. The career field courses will include career information, first aid, and occupational and environmental safety; and

006.53D3 A minimum of three (3) semester hours in the pedagogical content knowledge and principles of career and technical education; and

006.53D4 A minimum of three (3) semester hours of course work in coordination and supervision of work-based learning; and

006.53E Work Experience: The endorsement is available only to those who have either (A) 1,000 verified hours of paid work experience relevant to the career field; or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.53F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.54 Skilled and Technical Sciences Education – Skilled Specific

006.54A Grade Levels: 9-12

006.54B Endorsement Type: Supplemental. This endorsement requires an applicant to hold, or earn concurrently, an endorsement in Agricultural Education or Skilled and Technical Sciences Education and be eligible for the Work-Based Learning endorsement.

006.54C Persons with this endorsement may teach Skilled and Technical Sciences Education – Skilled Specific in grades 9 through 12.

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006.54D Certification Endorsement Requirements: This endorsement requires the following:

006.54D1 A minimum of 12 semester hours in one of the specific career fields listed below:

006.54D1a Architecture and Construction Career Field:

006.54D1a(1) Architectural Design or
006.54D1a(2) Construction

006.54D1b Energy and Engineering Career Field:

006.54D1b(1) Energy or
006.54D1b(2) Engineering or
006.54D1b(3) Project Lead The Way

006.54D1c Manufacturing Career Field:

006.54D1c(1) Manufacturing or
006.54D1c(2) Welding

006.54D1d Transportation, Distribution and Logistics Career Field:

006.54D1d(1) Transportation, Distribution, and Logistics Technician or
006.54D1d(2) Transportation, Distribution, and Logistics Supply Chain

006.54D2 A minimum of one (1) semester hour of course work in the organization and management of SkillsUSA which includes chapter development, leadership development, individual skill development, and community service development.

006.54E Work Experience: The endorsement is available only to those persons who have either (A) 1,000 verified hours of paid work-based experience relevant to the career field, or (B) at least 300 hours of supervised work experience relevant to the career field under the direction of the college or university recommending the endorsement.

006.54F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.55 Social Studies Science

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006.55A Grade Levels: ~~6-12~~ 7-12

006.55B Endorsement Type: Field

006.55C Persons with this endorsement may teach any social studies sciences course in grades ~~6~~ 7 through 12.

006.55D Certification Endorsement Requirements: This endorsement requires a minimum of 60 semester hours of course work in the social studies sciences (Economics, Geography, History, Political Science, Psychology, and ~~either Anthropology or~~ Sociology).

This endorsement requires:

006.55D1 Twelve (12) hours in American History; and

006.55D2 Twelve (12) hours in World History; and

006.55D3 Nine (9) hours in Political Science/Government/Civics; and

006.55D4 Nine (9) hours in Behavioral Sciences, including six (6) hours of Psychology and three (3) hours of Sociology; and

006.55D5 Nine (9) hours of Geography, including three (3) hours of Human Geography, and six (6) hours of Geography electives; and

006.55D6 Nine (9) hours of Economics, including three (3) hours of microeconomics, three (3) hours of macroeconomics, and three (3) hours of Economics electives; and

006.55D7 Three (3) hours of the required social studies course work must be directly related to the study of topics specific to the state/region of Nebraska.

~~The 60 semester hours include a minimum of 21 semester hours in History, of which nine (9) must be in U.S. History and nine (9) in World History. There must be a minimum of six (6) semester hours in each of the remaining five social sciences areas (Economics, Geography, Political Science, Psychology, and either Anthropology or Sociology).~~

006.55E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social

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studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.55F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.56 Sociology

006.56A Grade Levels: ~~6-12~~ 7-12

006.56B Endorsement Type: Subject

006.56C Persons with this endorsement may teach sociology in grades ~~6-7~~ 7 through 12.

006.56D Certification Endorsement Requirements: This endorsement requires a minimum of 36 semester hours including 30 semester hours in sociology and six (6) semester hours in one or more of the other social ~~studies~~ sciences areas (Economics, Geography, History, Political Science, and Psychology, ~~and/or Anthropology~~).

006.56E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement. The courses will incorporate the Nebraska social studies/history content standards into the curriculum as applicable to the grade level endorsement.

006.56F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.57 Special Education Generalist

006.57A Grade Levels: K-6, 7-12; K-12

006.57B Endorsement Type: K-6 or 7-12 - Subject
K-12 - Field

006.57C Persons with this endorsement may teach and provide services in accordance with 92 NAC 51 for children and youth who have one or more verified disabilities.

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006.57D Certification Endorsement Requirements: This endorsement requires:

006.57D1 For a Subject endorsement, kindergarten through grade six (K-6), or grades seven through twelve (7-12), a minimum of 42 semester hours is required, of which 30 semester hours must be special education content coursework; or

006.57D2 For a Field endorsement, kindergarten through grade 12 (K-12), a minimum of 51 semester hours is required, of which 36 semester hours must be special education content coursework.

006.57E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

005.57F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.58 Special Education Behavior Intervention Specialist

006.58A Grade Levels: Birth through Grade 12, PK-6, 7-12

006.58B Endorsement Type: Supplemental. This endorsement requires the applicant to have previously obtained a special education endorsement.

006.58C Persons with this endorsement may teach, consult, or provide services related to behavioral needs for children with disabilities, birth through age 21, grades PK-6, or grades 7-12.

006.58D Certification Endorsement Requirements: This endorsement requires a minimum of 18 graduate semester hours in behavior intervention strategies and closely related topics.

006.58D1 If a candidate does not hold a special education endorsement, a minimum of an additional 12 graduate semester hours in special education coursework is required.

006.58E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion

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requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.59 Special Education Deaf or Hard of Hearing Education

006.59A Grade Levels: Birth through Grade 12, PK-6, 7-12

006.59B Endorsement Type: Subject

006.59C Persons with this endorsement may teach, consult, or provide services for children with hearing impairments from birth through age 21, PK-6, or 7-12. This includes deafness, hard of hearing, and hearing impairment associated with other disabilities.

006.59D Certification Endorsement Requirements: This endorsement requires an applicant to hold, or earn concurrently, a regular teaching certificate with a subject or field endorsement and earn a minimum of 36 semester hours in special education courses, of which 12 semester hours are in general special education and 24 semester hours are in the education of children who are deaf or hard of hearing.

006.59E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.59F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.60 Special Education Early Childhood Special Education

006.60A Grade Levels: Birth through Kindergarten

006.60B Endorsement Type: Subject

006.60C Persons with this endorsement may teach, coordinate, or serve as a consultant to programs for children, ages birth through kindergarten, with special developmental and/or learning needs as defined in Section 79-1118.01 R.R.S., and to support families and other personnel with responsibilities for their care and education.

006.60D Certification Endorsement Requirements: This endorsement requires a minimum of 30 graduate semester hours including a minimum of

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12 graduate semester hours of course work in Early Childhood Education and a minimum of 18 graduate semester hours of course work in Early Childhood Special Education; and 100 clock hours of related field experiences.

006.60D1 Field experiences will consist of a minimum of 100 clock hours working with young children, ages birth through kindergarten, including those with special developmental and/or learning needs. At least 20 clock hours will be spent assisting families and children with verified disabilities at each of the following levels: birth up to age three, ages three to five, and ages five to seven.

006.60E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.60F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.61 Special Education Early Intervention Specialist

006.61A Grade Levels: Birth through Prekindergarten

006.61B Endorsement Type: Supplemental. This endorsement requires the applicant to have, or earn concurrently, the Special Education Generalist endorsement at the K-6 or K-12 level.

006.61C Persons with this endorsement may teach, consult, or provide services for infants, toddlers, and preschool children, ages birth through prekindergarten, including those with verified disabilities, and support families and other personnel with responsibilities for their care and education.

006.61D Certification Endorsement Requirements: This endorsement requires a minimum of 21 semester hours, which must include a minimum of 15 semester hours in early childhood special education and a minimum of six (6) semester hours in typical early childhood development, and

006.61D1 A minimum of 160 clock hours of field experiences. Field experiences must be conducted in preschool settings which include home-based and center-based programs serving children who have verified disabilities, with their families, and other personnel

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responsible for their care and education. Of the 160 clock hours, a minimum of 80 clock hours must focus on children ages birth through two years of age and a minimum of 80 clock hours must focus on pre-school aged children, ages 3 through prekindergarten.

006.61E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.62 Special Education Functional Academic Skills and Independent Living Specialist

006.62A Grade Levels: Birth through Grade 12

006.62B Endorsement Type: Supplemental. This endorsement requires the applicant to have, or earn concurrently, the Special Education Generalist endorsement.

006.62C Persons with this endorsement may teach, consult, and provide services to children birth through 21 years of age, who have intellectual, sensory, and/or developmental disabilities, including Autism Spectrum Disorders.

006.62D Certification Endorsement Requirements: This endorsement requires a minimum of 15 semester hours in special education course work related to functional academic skills and independent living.

006.62E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.63 Special Education Inclusion and Collaboration Specialist

006.63A Grade Levels: PK-Grade 12

006.63B Endorsement Type: Supplemental. This endorsement requires the applicant to have previously obtained the Special Education Generalist endorsement.

006.63C Persons with this endorsement may teach, consult, or provide services for children, ages three through age 21, with verified disabilities.

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006.63D Certification Endorsement Requirements: This endorsement requires a minimum of 15 graduate semester hours in inclusion and collaboration.

006.63E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.64 Special Education Visual Impairment

006.64A Grade Levels: Birth through Grade 12

006.64B Endorsement Type: Subject

006.64C Persons with this endorsement may teach, consult, and provide services to children with visual impairments from birth through age 21. This includes blindness, low vision (legal blindness and partial sight) and vision impairments associated with other disabilities.

006.64D Certification Endorsement Requirements: This endorsement requires an applicant to hold, or earn concurrently, a subject or field endorsement and complete a minimum of 36 additional semester hours in special education course work including six (6) semester hours in general special education, 24 semester hours in the education of students with visual impairment, and three (3) semester hours of field experience working with students who are visually impaired.

006.64E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.64F ~~Effective September 1, 2015, an The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.~~

006.65 Special Program

006.65A Grade Levels: 9-12

006.65B Endorsement Type: Subject and Supplemental

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006.65C The endorsement will be valid for teaching special program curriculum courses only. The endorsement is invalid for any core curriculum courses as defined by 92 NAC 10, Section 002.05. The endorsement may appear on a career education teaching permit as a subject endorsement, or an initial or standard or professional certificate as a supplemental endorsement.

006.65C1 To obtain this endorsement, the candidate must:

006.65C1a Hold a bachelor's degree; and

006.65C1b Submit verification from the Superintendent of Schools or the governing body of a school system in which the applicant intends to teach. The recommended Special Program Verification form is available on the Teacher Certification website.

006.66 Speech

006.66A Grade Levels: 7-12

006.66B Endorsement Type: Supplemental

006.66C Persons with this endorsement may teach and direct, or act as a resource person for speech activities in grades 7 through 12.

006.66D Certification Endorsement Requirements: This endorsement requires a minimum of 15 semester hours in speech and communication courses, including an approved field experience.

006.66E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.67 Speech-Language Pathologist

006.67A Grade Levels: Birth through age 21

006.67B Endorsement Type: Field

006.67C Persons with this teaching endorsement may provide speech language pathology services to and consultative services for individuals from birth through age 21 or completion of their Individualized Education Program.

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006.67D Certification Endorsement Requirements: This endorsement requires a minimum of a master's degree in speech-language pathology which includes at least 36 graduate semester hours in speech-language pathology and course work in related areas. Applicants must complete a minimum of 400 clock hours of clinical experiences and an internship, supervised by the standard institution, in school and clinic settings.

006.67E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.67F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.68 Theatre

006.68A Grade Levels: 7-12

006.68B Endorsement Type: Supplemental

006.68C Persons with this endorsement may teach and direct, or act as a resource person, for curricular and cocurricular activities in theatre in grades 7 through 12.

006.68D Certification Endorsement Requirements: This endorsement requires a minimum of 18 semester hours in dramatic literature, history of the theatre, acting, stagecraft, costume and makeup, lighting, directing theatre productions, and theatre management, including an approved field experience.

006.68E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.69 Vocal Music

006.69A Grade Levels: PK-12

006.69B Endorsement Type: Subject

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006.69C Persons with this endorsement may teach vocal music in prekindergarten through Grade 12.

006.69D Certification Endorsement Requirements: This endorsement requires a minimum of 45 semester hours in vocal music education. Vocal music course work will include theory, composition, arranging, improvisation, music history, applied music, ensemble performance, conducting, pedagogy, and technology.

006.69E Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.69F ~~Effective September 1, 2015, an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit.

006.70 Vocational Special Needs

006.70A Grade Levels: 7-12

006.70B Endorsement Type: Supplemental

006.70C Persons with this endorsement may teach vocational education to students with disadvantages and/or disabilities in grades 7 through 12.

006.70D This endorsement is available for placement on a Nebraska certificate only for those individuals who held this endorsement prior to August 1, 2018. Standard institutions of higher education will not be able to recommend this endorsement for placement on a certificate as of August 1, 2018.

006.71 Work-Based Learning

006.71A Grade Levels: 9-12

006.71B Endorsement Type: Supplemental

006.71C Persons with this endorsement may coordinate, teach, and supervise programs of instruction that develop career and life skills.

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006.71D Certification Endorsement Requirements: This endorsement requires a minimum of three (3) semester hours in the coordination and supervision of work-based learning.

006.71E Work Experience: This endorsement is available only to those who have either (A) 1,000 verified hours of paid work-based experience, or (B) at least 300 hours of supervised work experience under the direction of the college or university recommending the endorsement.

006.71F Endorsement Program Requirements: Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

006.72 World Language: Any language other than English, not including computer languages.

006.72A Grade Levels: K-8, ~~6~~7-12, or K-12

006.72B Endorsement Type: Subject

006.72C Persons with this endorsement may teach a language other than English at the grade levels ~~and the world language(s)~~ for which they have been prepared. Those candidates seeking a K-12 endorsement must complete course work and clinical experiences which address elementary and secondary levels.

006.72D Certification Endorsement Requirements: Candidates must complete training in second language pedagogy methods. ~~This endorsement requires a minimum of 30 semester hours in the world language for either the K-8 or 7-12 endorsement. Those candidates seeking a K-12 endorsement must complete course work and clinical experiences which address elementary and secondary levels.~~

006.72E: Candidates must demonstrate proficiency in the language of study according to the guidelines as set forth by the Board. In addition, this endorsement requires a minimum of 30 semester hours in the language of study.

006.72E1: Upon demonstration of proficiency in the language of study through one of the assessments as set forth by the Board, a standard institution of higher education may waive up to 30 of the required hours of language study.

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~~006.72D1 Upon successful completion of the Official American Council for the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview (OPI) and the Official ACTFL Writing Proficiency Test (WPT) at the Advanced-Low level of proficiency in the target languages of French, German, Hebrew, Italian, Portuguese, Russian, and/or Spanish, and at the Intermediate-High level for Arabic, Chinese, Japanese, and/or Korean, the Nebraska teacher education institutions may waive up to 15 hours of the 30 hours required in the world language.~~

~~006.72F-006.72E~~ Endorsement Program Requirements: Nebraska Teacher Education Institutions Standard institutions of higher education offering this endorsement program must have on file, within the institution, a plan which identifies the courses and the course completion requirements which the institution utilizes to grant credit toward completion of this endorsement.

~~006.72G-006.72F~~ Effective September 1, 2015, ~~an~~ The applicant will be required to submit a passing score for the applicable content test as set forth by the Board in Appendix C for the applicable content test for the first-time placement of this endorsement on a Nebraska certificate or permit. If an applicable content test for a specific language is not identified by the Board, a standard institution of higher education may recommend this endorsement with written documentation as to how the institution validated the student's proficiency.

007 Special Services Endorsements

007.01 Audiologist

007.01A Grade Levels: Birth through Grade 12

007.01B Endorsement Type: Special Services

007.01C Persons with this endorsement may serve as an audiologist or consultant for programs involving individuals from birth through age 21.

007.01D Certification Endorsement Requirements: This endorsement requires a current Nebraska license as a Registered Audiologist from the Nebraska Department of Health and Human Services.

007.02 School Nurse

007.02A Grade Levels: PK-12

007.02B Endorsement Type: Special Services

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007.02C Persons with this endorsement may practice school nursing for students prekindergarten through grade 12.

007.02D Certification Endorsement Requirements: This endorsement requires a current Nebraska license as a Registered Nurse from the Nebraska Department of Health and Human Services or another state participating in the Nurse Licensure Compact as defined in Section 71-1795 R.R.S.

007.03 Speech Language Technician

007.03A Grade Levels: Birth to age 21

007.03B Endorsement Type: Special Services

007.03C Persons with this endorsement may provide speech-language services for individuals from birth to age 21. The person must be supervised by a certified speech-language pathologist. The person may not fulfill the requirement(s) of a speech-language pathologist on a multi-disciplinary evaluation team or an individualized family service plan (IFSP) team or individual education plan (IEP) team.

007.03D Certification Endorsement Requirements: This endorsement requires the applicant to have completed a baccalaureate degree in communication disorders/speech-language pathology.

007.03E Limited Purpose: This endorsement may be placed only on the Nebraska Provisional Special Services Permit with validity, terms and renewal options as described for that permit in 92 NAC 21.

007.03F No Nebraska standard institution of higher education will be granted approval to offer a program of study leading to this endorsement.

007.04 Special Services Coaching

007.04A Grade Levels: 7-12

007.04B Endorsement Type: Special Services

007.04C The endorsement is valid only in the area of coaching extracurricular activities and may appear only on a special services permit.

007.04D The endorsement is valid only in the Nebraska school system requesting the issuance of such permit and requires:

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007.04D1 Successful completion of the following content from a college with an approved teacher education program or from other organizations who provide instruction in the same content:

007.04D1a First aid, health and safety for coaches; and

007.04D1b Fundamentals of coaching.

APPENDIX A
STATUS OF ENDORSEMENTS NO LONGER IN CHAPTER 24

ENDORSEMENT NO LONGER CONTAINED IN THIS CHAPTER	COMPARABLE REPLACEMENT TO ENDORSEMENT	REVOKED ENDORSEMENT
Business Education	Business, Marketing, and Information Technology (BMIT)	
Computer Science	Information Technology	
Cooperative Education-Diversified Occupations	Work-Based Learning	
Curriculum	Curriculum Supervisor	
Early Childhood Education (subject)	Early Childhood Education (supplemental)	
Early Childhood Education Unified	Early Childhood Inclusive	
Educational Audiologist	Audiologist	
Family and Consumer Sciences	Family and Consumer Sciences Occupational	
General Art	Art	
Horticulture Education		Horticulture Education
Industrial Technology Education	Skilled and Technical Sciences Education	
Health Occupations	Health Sciences Education	
Instrumental Music	Music	
Journalism and Mass Communications	Journalism and Media Education	
Middle Grades Education	Middle Level Education	
Middle Grades – Natural Sciences	Middle Level Education – Science	
Natural Science	Science	
Physical Science (field)	Chemistry, Earth and Space Science, and Physics (subjects)	
Pre-School Disabilities	Early Childhood Inclusive	
Pre-School Handicapped	Early Childhood Inclusive	
Reading	Reading and Writing	
School Transition Specialist	Secondary Transition Specialist	
Skilled and Technical Science Education	Skilled and Technical Sciences Education – Skilled Specific	
Social Science	Social Studies	
Special Education	Special Education Generalist	
Special Education Behaviorally Disordered	Special Education Behavior Intervention Specialist	

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Special Education Deaf or Hard of Hearing/Field	Special Education Deaf or Hard of Hearing	
Special Education Learning Disabilities	Special Education Inclusion and Collaboration Specialist	
Special Education - Mild/Moderate Disabilities	Special Education Generalist	
Special Education Severe/Multiple Disabilities	Special Education Functional Academic Skills and Independent Living Specialist	
Speech and Theatre (field)	Speech, Theatre (subjects)	

Teacher Certification
Nebraska Department of Education
500 S. 84th Street 2nd Floor
Lincoln, NE 68510-2611

APPENDIX B

NDE 20-020
Revised 04-23

AFFIRMATION OF ELIGIBILITY

INTERIM SPECIAL EDUCATION ENDORSEMENT

This form must be submitted with a completed Application for a Nebraska Educator Certificate, the appropriate fee, and other required documents
EMPLOYMENT IS REQUIRED IN A NEBRASKA SCHOOL TO SUBMIT THIS FORM

<hr/>	
<u>Printed Name of Applicant</u>	<u>Social Security Number*</u>
<hr/>	
<u>To be completed by the Superintendent:</u> I, as Superintendent of the _____ Schools, affirm that this school system has employed the person named above for the 20____ to 20____ school year and intend to assign him/her to a teaching position requiring a special education endorsement. I request the issuance of an <u>Interim Special Education Endorsement</u> , which is valid for one year.	
<hr/>	
<u>Signature of Superintendent</u>	<u>Date</u>
<hr/>	
<u>To be completed by the Applicant:</u> I affirm by my signature that:	
<ul style="list-style-type: none">• I have completed at least six (6) semester hours in special education at a state approved teacher education institution (name of institution)_____. The title of the courses completed are _____ and is verified by the <u>attached</u> transcript.• I have established an approved program at a state approved teacher education institution (name of institution)_____ that will lead to the following special education endorsement (name of endorsement) _____ at the _____ grade level• I have requested the Certification Officer at the approved teacher education institution to submit the appropriate form to the Nebraska Department of Education Teacher Certification Office, verifying the establishment of the approved program in special educations.• <u>I agree to complete at least nine (9) semester hours of approved coursework before the August 31st deadline for which this endorsement is valid. I understand that my Interim Special Education Endorsement shall not be renewed if I fail to complete this requirement.</u>	
<hr/>	
<u>Signature of Applicant**</u>	<u>Date</u>
<u>**Signature must be the same as on the Application for Nebraska Certificate form</u>	
<u>*The requirement that a certificate applicant provide his/her social security number is contained in <i>Neb. Rev. Stat. 79-810</i>. The uses that will be made of this number are <u>criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employe of certificate holders.</u></u>	

APPENDIX B
THIS PAGE IS STRUCK IN ITS ENTIRETY

<p>Teacher Certification Nebraska Department of Education 301 Centennial Mall South P.O. Box 94987 Lincoln, NE 68509-4987 Phone: (402) 471-0739 Fax: (402) 742-2359</p>	<p>NDE 20-020 Revised 10-14</p>
<h3 style="margin: 0;">AFFIRMATION OF ELIGIBILITY</h3> <h4 style="margin: 0;">PROVISIONAL SPECIAL EDUCATION ENDORSEMENT</h4> <p style="margin: 5px 0;">This form must be submitted with a completed Application for a Nebraska Educator Certificate, the appropriate fee, and other required documents. EMPLOYMENT IS REQUIRED IN A NEBRASKA SCHOOL TO SUBMIT THIS FORM.</p>	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p>Printed Name of Applicant Social Security Number*</p>	
<p>To be completed by the Superintendent:</p> <p>I, as Superintendent of the _____ Schools, affirm that this school system has employed the person named above for the 20_____ to 20_____ school year and intend to assign him/her to a teaching position requiring a special education endorsement. I request the issuance of a Provisional Special Education Endorsement, which is valid for three years.</p>	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p>Signature of Superintendent Date</p>	
<p>To be completed by Applicant:</p> <p>I affirm by my signature that:</p> <ul style="list-style-type: none">• I have completed at least six (6) semester hours in special education at a state approved teacher education institution (name of institution) _____ _____. The title of the courses completed are _____ _____ and is verified by the attached transcript.• I have established an approved program at a state approved teacher education institution (name of institution) _____ that will lead to the following special education endorsement (name of endorsement) _____ at the _____ grade level.• I have requested the Certification Officer at the approved teacher education institution to submit the appropriate form to the Nebraska Department of Education Teacher Certification Office, verifying the establishment of the approved program in special education.• <u>I agree to complete at least nine (9) semester hours of approved coursework before the August 31st deadline for which this endorsement is valid. I understand that my Provisional Special Education Endorsement shall not be renewed if I fail to complete this requirement.</u>	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p>Signature of Applicant** Date</p>	
<p><small>**Signature must be the same as on the Application for a Nebraska Certificate form.</small></p>	
<p><small>*The requirement that a certificate applicant provide his/her social security number is contained in <i>Neb. Rev. Stat. 79-810</i>. The uses that will be made of this number are <u>criminal background checks prior to issuance of a certificate and for purposes of data compilation and statistics concerning employment of graduates of state approved teacher education programs and employment of certificate holders.</u></small></p>	

APPENDIX C

Nebraska Rule 24 Endorsements, Content Tests, and Passing Scores

~~Effective September 1, 2015: All candidates applying for certification in Nebraska must provide evidence they have taken the required subject content test and received the required passing score to have the endorsement placed on their Nebraska teaching certificate or permit for the first time.~~

Rule 24 Endorsement	Required Subject Assessment/Content Test (from Educational Testing Service/ETS, Princeton, NJ)	Passing Score
ADMINISTRATIVE ENDORSEMENTS		
Principal	<i>Praxis 5412 Educational Leadership Administration and Supervision (ELAS)</i>	146
Special Education Supervisor	<i>Praxis 5412 Educational Leadership Administration and Supervision (ELAS)</i>	146
Superintendent	<i>Praxis 6991 School Superintendent Assessment (SSA)</i> <i>—Praxis 6021 (SSA) accepted through Aug. 21, 2021</i>	162 152
TEACHING ENDORSEMENTS		
Agricultural Education	<i>Praxis 0701/5701 Agriculture</i>	147
Art	<i>Praxis 0134/5134 Art: Content Knowledge</i>	158
Biology	<i>Praxis 5235 Biology: Content Knowledge</i>	148
Business, Marketing, Information Technology (BMIT); also Basic Business	<i>Praxis 5101 Business Education: Content Knowledge</i>	154
Chemistry	<i>Praxis 5245 Chemistry: Content Knowledge</i>	140
Early Childhood Inclusive	<i>Praxis 5024 Education of Young Children</i> <i>—(Praxis 0021/5021 Education of Young Children also accepted.)</i>	160 160
Earth and Space Science	<i>Praxis 0571/5571 Earth and Space Science: Content Knowledge</i>	147
Economics	<i>Praxis 5911 Economics</i>	150
Elementary Education	<i>Praxis 5017 (EECIA) Elementary Education: Curriculum and Instruction Assessment</i> <i>—(Praxis 0011/5011 also accepted.)</i>	153 159
English Language Arts	<i>Praxis 5039 English Language Arts: Content and Analysis</i>	168
Family and Consumer Sciences Occupational	<i>Praxis 5122 Family and Consumer Sciences</i>	153
Geography	<i>Praxis 0921/5921 Geography</i>	157
Health Education	<i>Praxis 5551 Health Education</i> <i>—(Praxis 0550/5550 Health Education also accepted.)</i>	155 630
Health and Physical Education	<i>Praxis 5857 Health and Physical Education: Content Knowledge</i> <i>—(Praxis 0856/5856 Health and Physical Education also accepted.)</i>	160 151
History	<i>Praxis 5941 World and US History: Content Knowledge</i>	147
Mathematics	<i>Praxis 5165 Mathematics</i> <i>—**(New Test Available Sept. 2021)</i> <i>Praxis 5161 Mathematics: Content Knowledge</i> <i>—**(Available through August 2022)</i>	160 146

TITLE 92
CHAPTER 24

Middle-Level English Language Arts	<i>Praxis 5047 Middle School: English Language Arts (or)</i>	164
Middle-Level Mathematics	<i>Praxis 5164 Middle School Mathematics —**(New Test Available Sept. 2021)—(or)</i>	165
	<i>Praxis 5169 Middle School: Mathematics —**(Available through August 2022)</i>	157
Middle-Level Science	<i>Praxis 5442 Middle School: Science</i>	152
Middle-Level Social Studies	<i>Praxis 5089 Middle School: Social Studies</i>	155
Music	<i>Praxis 0114/5114 Music: Content and Instruction</i>	152
Physical Education	<i>Praxis 0091/5091 Physical Education: Content Knowledge</i>	146
Physics	<i>Praxis 0265/5265 Physics: Content Knowledge</i>	131
Political Science	<i>Praxis 5931 Government/Political Science</i>	149
Psychology	<i>Praxis 5391 Psychology</i>	154
Reading Specialist	<i>Praxis 5302 Reading Specialist</i>	165
School Counselor	<i>Praxis 0421/5421 Professional School Counselor</i>	156
School Librarian	<i>Praxis 0311/5311 Library Media Specialist</i>	151
School Psychologist	<i>Praxis 5402 School Psychologist</i>	147
Science	<i>Praxis 0435/5435 General Science: Content Knowledge</i>	148
Secondary English	<i>Praxis 5039 English Language Arts: Content and Analysis</i>	168
Social Studies	<i>Praxis 0081/5081 Social Studies: Content Knowledge</i>	154
Sociology	<i>Praxis 5952 Sociology</i>	154
Special Education Generalist	<i>Praxis 0354/5354 Special Education: Core Knowledge and Applications</i>	151
Special Education: Deaf or Hard of Hearing	<i>Praxis 0272/5272 Special Education: Education of Deaf and Hard-of-Hearing Students</i>	160
Special Education: Early Childhood Special Education	<i>Praxis 5023 Interdisciplinary Early Childhood Education</i>	166
Special Education: Visual Impairment	<i>Praxis 0282/5282 Special Education: Teaching Students with Visual Impairments</i>	163
Speech-Language Pathologist	<i>Praxis 5331 Speech Language Pathology</i>	162
Vocal Music	<i>Praxis 0114/5114 Music: Content and Instruction</i>	152
World Language	<i>Praxis 0174/5174 French: World Language</i>	162
	<i>Praxis 0183/5183 German: World Language</i>	163
	<i>Praxis 0601/5601 Latin</i>	155
	<i>Praxis 0195/5195 Spanish: World Language</i>	156

The following is a short synopsis of the revisions to Title 92, Nebraska Administrative Code, Chapter 24: Regulations for Certificate Endorsements:

004.01 Application Procedures

- Changes were added to allow out-of-state teachers to not take a content test if they have 2 or more years of teaching experience in their content area as well as to allow educators who do not pass the content test, if hired by a school system, to teach for two years on a permit in their endorsement area to demonstrate content knowledge,

004.04 Provisional Special Education

- Replacing “Provisional Special Education” with “Interim Special Education” because according to federal law “in order to be considered qualified, the state shall ensure that each person employed as a special education teacher in the State who teaches elementary school, middle school, or secondary school has not had special education certification or licensure requirements waived on an emergency, temporary, or **provisional** basis”. Use of the word “provisional” in the title has caused confusion about this endorsement so the language is being adjusted.

005.02 Principal

- The grade level was changed from 7-12 to 6-12
- Certification Endorsement Requirements: Language changed to remove confusion and create greater clarity around the number of graduate semester hours and clock hours for internship/field experiences required for the different endorsement grade bands offered.

006.05 Anthropology

- Anthropology was deleted as an endorsement that can be added. This endorsement is only for individuals who already hold this endorsement or are recommended for the endorsement by standard institutions of higher education prior to August 1, 2022. Nebraska institutions will not be able to recommend this endorsement for placement on teaching certificates after August 1, 2023.

006.19 Economics, 006.25 Geography, 006.31 History, 006.41 Political Science, 006.42 Psychology and 006.56 Sociology

- The Grade Level was changed from 7-12 to 6-12.
- Certification Endorsement Requirements: These endorsements require a minimum of 36 semester hours including 30 hours in the endorsement area (for example, economics, geography, etc...) and six (6) semester hours in one or more of the social studies areas (Economics, Geography, History, Political Science, Psychology, and Sociology). Note: Anthropology has been removed as one of the social studies areas.

006.20 Elementary Education:

- Certification Endorsement Requirements: Language changed to remove confusion and create greater clarity. Language was removed to avoid duplication of coursework already addressed in

Rule 20. Academic coursework language streamlined to remove coursework language not directly related to academic coursework.

006.23 English Language Arts:

- The Grade Level was changed from 7-12 to 6-12
- Certification Endorsement Requirements: Language was changed to reflect a focus on foundational reading, language and literacy development, supporting readers at all levels, writing, literature, and communications.

006.48 School Librarian

- Language was revised to include/reflect current verbiage.

006.51 Secondary English

- The Grade Level was changed from 7-12 to 6-12
- Certification Endorsement Requirements: Language was changed to reflect a focus on foundational reading, language and literacy development, supporting readers at all levels, writing, literature, and communications.

006.55 Social Studies

- The Grade Level was changed from 7-12 to 6-12.
- Language and endorsement requirements were revised to include/reflect the Nebraska Standards.
- Anthropology will no longer be offered as a course of study to meet the program requirements.
- Certification Endorsement Requirements revision include: 60 hours total still required; however the hours have been redistributed as such:
 - Requiring 12 hours (formerly 9 hours) of study in American History
 - Requiring 12 hours (formerly 9 hours) of study in World History
 - Requiring 9 hours (formerly 6 hours) of study in Political Science/Government/Civics course work.
 - Requiring 9 hours in (formerly 6 hours) Behavioral Sciences with 6 hours in Psychology and 3 hours in Sociology course work.
 - Requiring 9 hours (formerly 6 hours) in Geography with 3 hours of Human Geography, and 6 hours of Geography electives.
 - Requiring 9 hours (formerly 6 hours) in Economics, with 3 hours in Microeconomics, 3 hours in Macroeconomics and 3 hours of Economics electives.
 - Requiring 3 hours of the required Social Studies course work to be directly related to topics of study specific to the state/region of Nebraska.

006.72 World Language

- The Grade Levels were changed from K-8, 7-12, K-12 to K-8, 6-12, K-12
- Language and endorsement requirements were revised to include/reflect the Nebraska Standards.

- Increase in the number of hours, from-15 to 30, that institutions may waive for a candidate to demonstrate proficiency in the language of the endorsement being sought.
- Testing options, in addition to Praxis II, were expanded to include:
 - The Oral Proficiency Interview (OPI) at Advanced-Low level of proficiency in western languages and at the Intermediate-High level for non-western and classical languages.
or
 - The Common European Framework of Reference for Languages (CEFR) at C1 level for western languages and B2 for non-western languages.

Appendix C – Nebraska Rule 24 Endorsements, Content Tests, and Passing Scores

- Appendix C was deleted remove any mention of specific testing companies, test numbers, or passing scores in rule and to allow the Board to set minimums outside of rule.



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From: Tamra L. Walz, General Counsel

Date: May 31, 2023

Re: Summary of rulemaking hearing on proposed revision of 92 NAC 24

On May 30, 2023, a hearing on the revision of 92, Nebraska Administrative Code, Chapter 24, *Regulations for Certificate Endorsements*, was held virtually over Zoom in conjunction with hearings on revisions to Rules 20 and 21 and Title 93. Public notice was published in the Omaha World Herald on April 27, 2023. Tamra Walz was 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 24

Tamra Walz called the hearing to order, introduced herself, 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 received testimony on Rules 20 and 21 before receiving testimony on the proposed revision of Rule 24. Ms. Walz introduced Kelly Heineke, Director of Educator Preparation Program Approval at the Nebraska Department of Education to summarize the proposed changes to Rule 24.

Ms. Heineke presented a synopsis of the proposed changes to Rule 24:

- Allows out-of-state teachers not to take a content test with two or more years of teaching experience in the content area
- Allows educators who do not pass a content test to demonstrate content knowledge by teaching for two years on a permit in the endorsement area
- Replaces “Provisional Special Education” with “Interim Special Education” due to federal concerns
- Grade levels are changed from 7-12 to 6-12 for several endorsement areas
- Clarified the number of graduate semester hours and clock hours for internship/field experiences required for the different principal endorsement grade bands
- Anthropology is removed as an endorsement except for individuals who already hold the endorsement or are recommended for the endorsement by standard institutions of higher education prior to August 1, 2022
- Anthropology will no longer be a subject that meets requirements for social studies related endorsements
- Duplication of coursework already addressed in Rule 20 and coursework language not directly related to academic coursework is removed for elementary educators
- A focus on foundational reading, language and literacy development, supporting readers at all levels, writing, literature, and communications is reflected for English Language Arts
- Language was revised to include/reflect current industry verbiage for Librarians
- The Social Studies endorsement is revised to reflect Nebraska Standards, and the semester hour requirements are redistributed

- The World Language endorsement was revised to reflect the Nebraska Standards, and the number of hours that an institution may waive for a candidate demonstrating proficiency in the language of the endorsement is increased from 15 to 30
- Appendix C is deleted to remove any mention of specific testing companies, test numbers, or passing scores in rule and allow the Board to set minimums separate from the rule

Kimberly Jones, Elementary Principal at Gifford Park in the Omaha Public School District (OPS), testified in support of the change allowing Praxis II to not be the only measure to evaluate a teacher. She gave an example of a new teacher who passed Praxis I and graduated from a Nebraska university, but could not pass Praxis II despite successfully replacing a teacher who resigned mid-year. This new teacher's students experienced more growth than those of a tenured teacher. She effectively improved achievement in a high ESL building.

Robin Etter, Elementary Teacher at Gifford Park in OPS, graduated from Midland University with honors and has a previous degree. She passed Praxis Core but is struggling with Praxis II. The test seems to be targeted to 5th and 6th grade teachers, while she teaches 2nd grade. The test also includes subjects that she does not teach. It is an expensive, stressful test. Her administrators observe her teaching and give her feedback. She loves being an educator and did not leave when she lost her benefits due to one test. She suggests that an educator should not have to pass the Praxis II if they have graduated from a Nebraska institution, had good grades, received letters of recommendation, passed the Praxis Core, and have shown growth while teaching. The alternative provided in the revision will help herself and others and will reduce the teacher shortage.

Mark Lenihan, Superintendent of Wayne Community Schools, and President of the Nebraska Council on Teacher Education (NCTE), testified that the revisions were approved by NCTE and are necessary to keep endorsements current. He also added support for the revision's inclusion of two years of employment as an alternative to passing the Praxis II. The change provides an equitable pathway for in-state candidates and removes the barrier of a single test. He thanked the State Board for their leadership. He expressed thanks for the opportunity to testify.

Dr. Suzanne Kemp, Professor of Practice in the Department of Special Education and Communication Disorders in College of Education and Human Sciences at the University of Nebraska-Lincoln, testified in support of the changes to Rule 24. The changes provide additional and updated guidance. Adopting the revisions will avoid further delay in providing programming. Educational experts adequately vetted the changes. She thanked the Board for their dedication to quality programs and flexibility.

Deborah Neary, member of the State Board of Education, asked if it was an appropriate time to ask questions. The hearing officer explained that Ms. Neary would have that opportunity at the Board meeting.

Tim Vanderheiden is the Superintendent of McPherson County Schools, the smallest school district in Nebraska. He testified in support of the revision. He stated that he had been told that "experience from another state" was to be interpreted as including international experience. He lost a great international teacher who took Praxis II multiple times to Arizona, which does not have the same type of limitation. It took his school district 5 years to fill the position. He has another candidate that has 14 years of experience

in Nigeria. He would like the term “state” to be defined. Other districts also rely on hiring international teachers. He thanked the State Board for making it easier to recruit teachers.

Kelly Heineke corrected testimony regarding testing details for World Languages that had been removed in Appendix C.

Ms. Walz closed the hearing on Rule 24 before opening the hearing on Title 93.

Summary of Written Testimony on the Proposed Revisions to 92 NAC 24

Kelly Heineke provided a written copy of her oral testimony.

STATE BOARD OF EDUCATION RULE-MAKING HEARING
REVISIONS to Title 92, Nebraska Administrative Code, Chapter 24

Regulations for Certificate Endorsements

Tuesday, May 30, 2023 1:30 p.m. (Central Time)

Nebraska Department of Education, 500 S 84th St, 2nd Floor, State Board Meeting Room,
Lincoln, NE

My Name is Kelly Heineke, I am the Director of Educator Preparation Program Approval at the Nebraska Department of Education.

The following is a short synopsis of the revisions to Title 92, Nebraska Administrative Code, Chapter 24: Regulations for Certificate Endorsements

004.01 Application Procedures

- Changes were added to allow out-of-state teachers to not take a content test if they have 2 or more years of teaching experience in their content area as well as to allow educators who do not pass the content test, if hired by a school system, to teach for two years on a permit in their endorsement area to demonstrate content knowledge,

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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner of Education

FROM: Brad Dirksen, Office of Accountability, Accreditation, and Program Approval Administrator

PROPOSED AGENDA ITEM: Adopt content test passing score requirements related to Rule 24 (92 NAC 24) *Regulations for Certification Endorsements* revisions

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

RATIONALE/BACKGROUND INFORMATION:

A public hearing regarding the revisions to Rule 24 (92 NAC 24) *Regulations for Certification Endorsements* is scheduled for May 30, 2023. The revisions include striking specific content test scores and test names in the rule. The draft revisions include references to passing scores as set forth by the Board. If the revised Rule 24 is approved by the Board at the June 2023 Board meeting and signed by the Governor prior to the Board's scheduled August meeting, there would be a period of time where the Board would not have passing scores for certification endorsements. To prevent this potential issue, the Board may adopt certification endorsement passing scores after a potential approval of Rule 24 revisions at the June 2023 Board meeting.

A proposed draft of the passing test scores is attached (Rule 24 Endorsements, Content Tests, and Passing Scores). The attached document reflects the current tests and test scores outlined in Appendix C of Rule 24 with applicable updates to cut scores and test numbers, as described in the attached document titled Content Test Chart Narrative.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2023

ESTIMATED COST: \$0

FOR CONTRACTS AND GRANTS:

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



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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 02.07.2023*



Nebraska Rule 24 Endorsements, Content Tests, and Passing Scores

NDE Rule 24 Endorsement	<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	Praxis 6991 School Superintendent Assessment (SSA)	162
TEACHING ENDORSEMENTS:		
Agricultural Education	5701 Agriculture	147
Art	5134 Art: Content Knowledge	158
Biology	5236 Biology	148
	5235 Biology: Content Knowledge <i>(Accepted through August 31, 2023)</i>	154
Business, Marketing, Information Technology (BMIT); also Basic Business	5101 Business Education: Content Knowledge	154
Chemistry	5246 Chemistry	140
	5245 Chemistry: Content Knowledge <i>(Accepted through August 31, 2023)</i>	146
Early Childhood Inclusive	5024 Education of Young Children <i>--(Praxis 0021/5021 also accepted.)</i>	160
Earth and Space Science	5572 Earth and Space Science	147
	5571 Earth and Space Science: Content Knowledge <i>(Accepted through August 31, 2023)</i>	154
Economics	5911 Economics	150
Elementary Education	5017 EECIA Elementary Education: Curriculum and Instruction Assessment <i>--(Praxis 0011/5011 also accepted.)</i>	153
English Language Arts	5039 English Language Arts: Content and Analysis	168
Family and Consumer Sciences Occupational	5122 Family and Consumer Sciences	153
Geography	5921 Geography	157
Health Education	5551 Health Education	155
	<i>--(Praxis 0550/5550 also accepted.)</i>	
Health and Physical Education	5857 Health and Physical Education: Content Knowledge	160
	<i>--(Praxis 0856/5856 also accepted.)</i>	
History	5941 World and US History: Content Knowledge	147
Mathematics	Praxis 5165 Mathematics	159

NDE Rule 24 Endorsement	Praxis Subject Assessment (from Educational Testing Service/ETS, Princeton, NJ)	Passing Score
Middle Level Education: English Language Arts	5047 Middle Grades: English Language Arts	164
Middle Level Education: Mathematics	Praxis 5164 Middle School: Mathematics	157
Middle Level Education: Science	5442 Middle School: Science	152
Middle Level Education: Social Studies	5089 Middle School: Social Studies	155
Music	5114 Music: Content and Instruction	152
Physical Education	5091 Physical Education: Content Knowledge	146
Physics	5266 Physics	131
	5265 Physics: Content Knowledge <i>** (Accepted through August 31, 2023)</i>	145
Political Science	5931 Government/Political Science	149
Psychology	5391 Psychology	154
Reading Specialist	5302 Reading Specialist	165
School Counselor	5422 School Counselor	156
	5421 Professional School Counselor <i>** (Accepted through August 31, 2023)</i>	159
School Librarian	5312 School Librarian	154
	5311 Library Media Specialist <i>** (Accepted through August 31, 2023)</i>	151
School Psychologist	5403 School Psychologist	147
	5402 School Psychologist <i>** (Accepted through August 31, 2023)</i>	155
Science	5436 General Science	148
	5435 General Science: Content Knowledge <i>** (Accepted through August 31, 2023)</i>	141
Secondary English	5039 English Language Arts: Content and Analysis	168
Social Studies	5081 Social Studies: Content Knowledge	154
Sociology	5952 Sociology	154
Special Education Generalist	5354 Special Education: Core Knowledge and Applications	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

Educational Testing Service, the organization that creates and administers Praxis II subject/content tests, undergoes a process to revise the content texts when new standards and information becomes available regarding what candidates need to know and be able to do as educators. As a result of the revision process, test numbers are sunset as the new tests replace the old ones. Occasionally, based on the research, and with input from the experts who revise the tests, the cut scores may also change. The content test chart outlines the new test numbers, sunset dates, and proposed new cut scores.

Changes in cut scores:

Endorsement Area	Current Cut Score	Proposed Cut Score
Principal	145	146
Special Education Supervisor	145	146
Superintendent	152	162
Elementary Education	159	153
Health and Physical Education	151	160
Mathematics	146	159
Middle Level Mathematics	165	157

Changes in test name and/or number with sunset dates and availability of new tests

Endorsement	Name/Number	New Name/Number	Sunset Date	Available Date
Superintendent	School Leadership 6021	School Superintendent Assessment 6991	8/21/21	9/1/21
Biology	Biology 5235	Biology 5236	8/31/23	9/1/22
Chemistry	Chemistry 5245	Chemistry 5246	8/31/23	9/1/22
Earth and Space Science	Earth and Space Science: Content Knowledge 5571	Earth and Space Science 5572	8/31/23	9/1/22
Mathematics	Mathematics 5161	Mathematics 5165	8/31/23	9/1/22
Middle Level Mathematics	Middle Level Mathematic: 5169	Middle School: Mathematics 5164	8/31/22	9/1/21
Physics	Physics 5265	Physics 5266	8/31/23	9/1/22
School Counselor	School Counselor 5421	School Counselor 5422	8/31/23	9/1/22
School Librarian	School Librarian 5311	School Librarian 5312	8/31/23	9/1/22
School Psychologist	School Psychologist 5402	School Psychologist 5403	8/31/23	9/1/22
Science	General Science: Content Knowledge 5435	General Science 5436	8/31/23	9/1/22



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PROPOSED AGENDA ITEM RATIONALE

DATE: May 17, 2023

TO: Deborah A. Frison, Ed.D.
Deputy Commissioner

FROM: Joel M. Scherling 
HR Administrator

PROPOSED AGENDA ITEM: Action Item: Adopt proposed revisions to Title 93, Nebraska Administrative Code, Chapters 1-16 (93 NAC 1-16), “Nebraska Department of Education Personnel Rules”

RATIONALE/BACKGROUND INFORMATION: The NDE Personnel Rules document is being updated to align with corollary changes made to the collective bargaining agreement for 2023-2025.

PROPOSED BOARD MEETING (MONTH/YEAR): June 2, 2023

ESTIMATED COST: The anticipated increased cost to the Department of Education includes expenses for holding a public hearing and printing the rule (\$650).

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Not applicable
- New or Renewal: Not applicable
- If renewal, date of first approval: Not applicable

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Not applicable
- Rationale for method of procurement: Not applicable
- Rationale for contractor selection: Not applicable

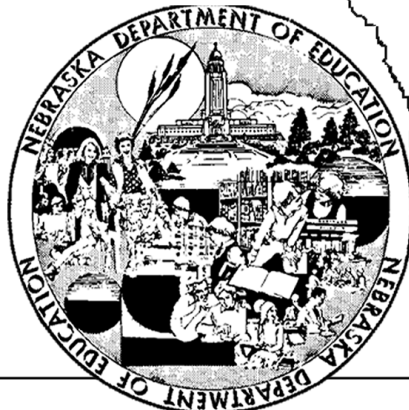
**NEBRASKA DEPARTMENT
OF EDUCATION**

PERSONNEL RULES

**TITLE 93, NEBRASKA ADMINISTRATIVE CODE,
CHAPTERS 1-16**

**HEARING DRAFT
APRIL 25, 2023**

**State of Nebraska
Department of Education
500 S. 84th Street
Lincoln, Nebraska 68510**



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TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 1 – COVERAGE

- 001 Collective Bargaining Agreements. Employees subject to the Nebraska Association of Public Employees, Local 61 of the American Federation of State, County, and Municipal Employees (NAPE/AFSCME) Bargaining Agreement (Agreement) with the Nebraska Department of Education (Department) are not covered by these rules to the extent that wages, hours, and other terms and conditions of employment are provided for by the Agreement, or where the Agreement specifically provides these rules apply.
- 002 Department Rules and Policies; Conflicts. These rules will not be construed as limiting, in any way, the power and authority of the Commissioner to make policies governing the conduct of Department employees and the performance of Department functions, provided such Department policies are consistent with, and limited by, the provisions of these rules and any collective bargaining agreements. Provisions of ~~this Title and the Nebraska Department of Education Personnel Rules, or~~ the provisions of ~~any current a~~ collective bargaining agreement, supersede all Department policies.
- 003 Availability. Each employee has the right to examine these rules, which are publicly available on the website of the Department.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 2 – MANAGEMENT AUTHORITY

001 The Department retains all of its inherent rights, functions, and responsibilities with the right to determine and make decisions, except where those rights may be modified, restricted, or limited by these rules. The Department retains the right to determine the manner in which the operations of the Department are to be conducted except where those rights may be modified, restricted, or limited by these rules.

002 Management rights include, but are not limited to, the right to following:

002.01 Implement ~~To implement~~ and maintain a job classification system and classify employees pursuant to Chapter 6 of this Title;

002.02 Hire ~~To hire~~, promote, demote, transfer, assign, train, or retain employees in positions within the Department;

002.03 Establish ~~To establish~~ and maintain Department missions, goals, and objectives, and reasonable work rules and workplace expectations, the contents of which are not inconsistent with this Title;

002.04 Suspend ~~To suspend~~, demote, dismiss from employment, or take other appropriate disciplinary action against employees for just cause;

002.05 Schedule ~~To schedule~~ work and promote its accomplishments through managing, directing, and assigning duties and work schedules to employees;

002.06 Determine ~~To determine~~ services to be rendered, operations to be performed, technology to be utilized, or matters to be budgeted;

002.07 Determine ~~To determine~~ the overall methods, processes, means, or personnel by which operations are to be conducted;

002.08 Determine ~~To determine~~ the type and number of employees to be employed, and to lay-off employees in the event of lack of work or funds or under conditions where the continuation of such work would be inefficient or nonproductive;

002.09 Determine ~~To determine~~, in accordance with the Constitutional and statutory mandates, mission, and goals of the Department, the personnel, methods, and means necessary to efficiently fulfill that mission, including, but not limited to, implementing a budget, and contracting for the transfer of any goods or services, and; ~~or~~ altering, curtailing, or discontinuing any goods or services;

002.10 Dismiss ~~To dismiss~~ an employee from employment in the event the employee is unable to perform the essential functions of the position due to

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 2 – MANAGEMENT AUTHORITY

physical or mental impairments even with reasonable accommodations;

002.11 ~~Determine To determine~~ what charitable ~~or and/or~~ social activities may be supported or sponsored ~~by the Department~~; and,

002.12 ~~Take To take~~ all reasonable and necessary steps to comply with the ~~federal~~ Americans with Disabilities Act (ADA) ~~and and/or~~ the Nebraska Fair Employment ~~Practice Practices~~ Act.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 3 – DEFINITIONS

- 001 Applicability. The definitions contained in the following Chapters of this Title are used throughout this Title except where the context would require another definition. All other words have their normal accepted meaning.
- 002 Absence Without Approved Leave means the unauthorized absence of an employee from work or the workstation during normal duty hours.
- 003 Appointment means the act of the Department filling a position.
- 004 Assigned Activities as it relates to determinations of staff travel requests includes any activity which is a normal or anticipated part of the sequence of completion of responsibilities of job tasks assigned to the employee, or assignments or approved activities which provide a non-repetitive opportunity for the employee to maintain a level of currency, expertise and leadership in the fields in which the employee has assigned job responsibilities commensurate with management expectations of the employee's capacity to serve the needs of the Department and the State in those fields.
- 005 Board means the State Board of Education.
- 006 Classification means a group of positions sufficiently similar as to the duties performed, degree of supervision exercised or required, minimum requirements of training, experience or skill; and such other characteristics that the same title and the same minimum qualifications may be applied to each position in the group, and so that the same pay grade may be assigned.
- 007 Commissioner means the Commissioner of Education.
- 008 Company Service Date means the first day the employee starts work for the Department. The service date may be revised due to an absence per Chapter 4, Section 003.2 of this Title.
- 009 Continuous Service Date means a state service date that may have been revised due to employee absence per Chapter 4, Section 003.2 of this Title, or prior state service, and from which an employee's vacation and sick leave is computed.
- 010 Contract Employee means an individual with whom the Department has entered into a contract under the Department's policies regarding contracting, which creates an employer-employee relationship.
- 011 Demotion means moving an employee from one job classification to another at a lower pay grade. Demotions may be non-disciplinary as described in Chapter 6, Section 004.2 of this Title, or disciplinary as described in Chapter 13, Section 004.02.2 of this Title.
- 012 Department means the State Department of Education, which is comprised of the Board and the Commissioner.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 3 – DEFINITIONS

- 013 Deputy Commissioner means, unless otherwise indicated, an individual appointed to that position under Neb. Rev. Stat. § 79-318(3) R.R.S., and designated by the Commissioner to oversee Human Resources for the Department. Except in instances where the Deputy Commissioner is taking action as the immediate supervisor of an employee under this Title, whenever this Title provides that any Deputy Commissioner has the authority to act, the Commissioner likewise has the authority to do the same.
- 014 Discharge or Dismissal means the disciplinary termination of employment pursuant to Chapter 12 of this Title.
- 015 Employee means any person who works for the Department and receives payment through the state payroll system, but does not include temporary or contract employees. This definition is subject to the limitations of Chapter 4, Section 002 of this Title the Nebraska Department of Education Personnel Rules.
- 016 Fixed-Term Employee means an employee in a fixed-term position.
- 017 Fixed-Term Position means a position which, due to the funding source, has a predetermined duration of employment which is designated at the time of hire subject to the continuation and availability of funding. Fixed-term positions may be worked on a full-time or part-time schedule and are subject to all of the terms of this Title except ~~for~~ the provisions of Chapter 12 of this Title.
- 018 Full-Time Schedule means a forty- (40) hour workweek schedule.
- 019 Grievance means throughout this Title as defined in Chapter 14 of this Title.
- 020 Human Resources Office means the office within the Department that is responsible for personnel administration in the Department.
- 021 Job Family means groups of job classifications related by shared work.
- 022 Job Series means two (2) or more job classifications, similar as to duties and training required but differing primarily in difficulty, responsibility, knowledge and skills, and supervision exercised or received.
- 023 Job Specifications means the official written description of a classification of work, which summarizes information such as the purpose of the job, distinguishing characteristics, and examples of duties, minimum qualifications, supervisory and fiscal authority, and physical requirements.
- 024 Lateral Transfer means changing an employee from one position to another position in the same pay grade. In the case of VR positions, it means maintaining the same job classification but transferring to a different VR office.

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CHAPTER 3 – DEFINITIONS

- 025 Lay Off means the involuntary termination (reduction in force) of an employee or employees because of a lack of work or lack of funds or under conditions in which the continuation of such work would be inefficient or non-productive.
- 026 Leave Without Pay means leave or time off from work for the employee's personal reasons granted by the appointing authority for which period the employee receives no pay.
- 027 Minimum Qualifications means the least amount of training and experience and other qualifications required to perform adequately in a specific position or series of positions.
- 028 Office Administrator means, unless otherwise indicated, an individual designated by the Commissioner to oversee a subdivision of the Department. In the event there is no Office Administrator in an individual's chain of command, the pertinent Deputy Commissioner or designee will act on matters otherwise handled by an Office Administrator.
- 029 ~~028~~ Original Probationary Period means a period of time during which an employee is required to demonstrate fitness for a particular position as a part of the selection process for regular appointment.
- 030 ~~029~~ Paid Work Status means time paid for work or any paid leave.
- 031 ~~030~~ Part-time Schedule means less than a forty- (40) hour workweek schedule.
- 032 ~~031~~ Pay Grade means a specified range of salary or wage, the starting and intermediate rates within such range, and the maximum rate of such range.
- 033 ~~032~~ Personnel Files means the files retained by the Human Resources Office of the Department, which is personally identifiable with an individual employee or former employee.
- 034 ~~033~~ Position means a group of specific duties, tasks, and responsibilities to be performed by one (1) employee. A position may be part-time or full-time; temporary, fixed-term, or regular; and occupied or vacant.
- 035 ~~034~~ Professional Growth as it relates to determinations on staff travel requests includes approved travel related to activities which are ancillary to the assigned field of responsibility, ~~or~~ which will provide opportunities for leadership and expertise in the field(s) of the employee's assigned responsibility which are in excess of management expectations, or which serve a professional interest of the employee which is outside the area(s) of assigned responsibility.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 3 – DEFINITIONS

~~036~~ ~~035~~ Promotion means changing an employee from one job classification to another at a higher pay grade.

~~037~~ ~~036~~ Reduction in Force means the same as “lay off.”

~~038~~ ~~037~~ Regular Employee means an employee in a regular full-time or part-time position who has completed the required probationary period or who has acquired permanent status in accordance with this Title.

~~039~~ ~~038~~ Resignation means the voluntary termination of employment by an employee.

~~040~~ ~~039~~ Retirement means the transfer of an eligible employee from active to retired status.

~~041~~ ~~040~~ Schedule Deviation means an adjustment of work hours or length of the workday.

~~042~~ ~~041~~ Secondary Probation means an employee on probation under Chapter 5, Section 003, of this Title.

~~043~~ ~~042~~ Suspension means an ordered absence for disciplinary, investigatory, or other purposes.

~~044~~ ~~043~~ Temporary Employee means an employee hired through an agency or via contract for a limited period of time to perform requested job duties on either a full-time or part-time schedule.

~~045~~ ~~044~~ Transfer of Employee means the movement of an employee from one (1) position to another position within the Department. A transfer action does not require termination of the employee.

~~046~~ ~~045~~ Treatment means the provision of medical, dental or psychological services or procedures performed (including surgery) on the employee or immediate family member by treating professionals or their staff. “Treatment” for purposes of sick leave does not include participating in activities that are, as determined by the Department, primarily considered recreational activities and engaged in frequently by persons who are not ill or suffering from a medical, dental or psychological condition or disability, even when such activity is beneficial to the employee’s physical or mental health (i.e., trips to a destination to relax or relieve stress, running in marathons, etc.).

~~047~~ ~~046~~ Tuition means the cost per credit hour of instruction at an accredited postsecondary institution.

~~048~~ ~~047~~ Work Rules means those practices, policies, and procedures established and adopted by the Department concerning the employee’s terms and conditions of employment.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 4 – EMPLOYEE SELECTION

001 Hiring Process. The Board, upon the recommendation of the Commissioner, has the final hiring authority for all newly created professional positions, including any Deputy Commissioner. Selection of other staff will be at the discretion of the Commissioner who will have the final hiring authority.

002 Employment Categories.

002.01 Full-Time. Full-time employees are required to work, as a minimum, forty (40) hours per week on a permanent, ongoing basis.

002.02 Part-Time. Part-time regular employees are required to work fewer hours than full-time employees on a permanent, ongoing basis. Work schedules may fluctuate by week, month, or season. Part-time employees earn benefits on a prorated basis. To be eligible for insurance benefits, employees must be hired to work at least half-time (20 hours per week).

002.03 Temporary Employee. Temporary employees are those employees hired through a temporary agency or via contract for a limited period of time to perform requested job duties on either a full-time or part-time schedule. Temporary employees may be separated, at any time, without notice or grievance rights. Temporary employees do not receive benefits except as provided by Neb. Rev. Stat. § 84-1601 et seq. A temporary position may be a full-time or part-time position. Employment in a temporary position will not count toward a Department service date or original probationary period.

002.04 Fixed-Term. A fixed-term employee is an employee hired in a fixed-term position. A fixed-term position is a position which, due to the funding source, has a predetermined duration of employment which is designated at the time of hire subject to the continuation and availability of funding. Fixed-term positions may be worked on a full-time or part-time schedule and are subject to all the provisions of these Personnel Rules except ~~for~~ the provisions of Chapter 12, Sections 003 through 009, of this Title.

002.05 Contract Employee. Contract employee means an individual with whom the Department has entered into a contract under the Department's policies regarding contracting, which creates an employer-employee relationship. Terms of the employment are governed by the contract. Contract employees do not receive benefits except as provided by Neb. Rev. Stat. § 84-1601 et seq. Contract employees do not have grievance rights.

003 Service Date. The continuous service date must be adjusted to reflect suspensions without pay, or periods of unpaid leave which exceed fourteen (14) calendar days (except military leave). Promotion, demotion, and transfer of employees will not change the employee's service date.

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CHAPTER 4 – EMPLOYEE SELECTION

Employees who left State service for other than disciplinary reasons, and return after July 1, 2001, following a break in services of less than five (5) years, are given credit for previous State service by having their service date reinstated minus the amount of time absent.

004 Equal Opportunity Employment and Nondiscrimination. The Department prohibits the following employment practices, which are unlawful under [Neb. Rev. Stat. §§ 48-1001 and Sections 48-1104 and 48-1004 R.R.S.](#):

004.01 To fail or refuse to hire, to discharge or to harass any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's age, race, color, religion, sex, disability, marital status, national origin, or genetic information (as prohibited by the [federal Genetic Information Non-discrimination Act \[GINA\]](#) and [Neb. Rev. Stat. § Section 48-236 R.R.S.](#)); or

004.02 To limit, advertise, solicit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect such individual's status as an employee, because of such individual's age, race, color, religion, sex, disability, marital status, or national origin; or

004.03 To refuse to hire, to discharge, or otherwise to discriminate against any individual with respect to terms, conditions, or privileges of employment, otherwise lawful, because of such individual's age, when the reasonable demands of the position do not require such an age distinction; or

004.04 To willfully utilize in the hiring or recruitment of individuals for employment otherwise lawful, any employment agency, placement service, training school or center, labor organization, or any other source which so discriminates against such individuals because of their age.

005 ADA Compliance. It is the policy and practice of the Department to comply with the [federal Americans with Disabilities Act \(ADA\)](#) and to ensure equal opportunity in employment for all qualified persons with disabilities. The Department is committed to ensuring that there is no discrimination in any terms, conditions, or privileges of employment. Reasonable accommodation is available to all employees and applicants. Requests for reasonable accommodations must be forwarded to the Human Resources Office.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 5 – PROBATIONARY PERIODS

001 Period of Time. Each employee serves an appropriate probationary period based on the job classification occupied. The probationary period for new or revised classifications created after the effective date of this Title will be determined by the Department per the provisions of Chapter 2, Section 002.01, and Chapter 6, Section 001.

001.01 Six-Month Probationary Periods. Employees occupying the following jobs (including various levels within the job family), or successor job titles, serve a probationary period of six (6) months:

Administrative Associate
IT Infrastructure Support Technician
IT Help Desk Specialist
Office Associate
Office Associate Executive
Paralegal
Program Associate
VR Associate ~~and Senior Associate~~

001.02 Twelve-Month Probationary Periods. Employees occupying the following jobs (including various levels within the job family), or successor job titles, serve a probationary period of twelve months:

Administrative Specialist
Administrator
Deputy Commissioner
Disability Adjudicator
Disability Determination ~~Services Section~~ Hearing Officer
Education Specialist
General Counsel
IT Administrator
IT Applications Developer
IT Data/Database Analyst
IT Infrastructure Support Analyst
IT Help Desk Specialist
~~IT Project Management Lead~~
IT Manager
IT Supervisor
Legal Counsel
Officer
Program Specialist
Project Manager
Psychometrician
~~Senior Administrator~~
Statistical Research Specialist
VR Service Specialist

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 5 – PROBATIONARY PERIODS

VR Rehabilitation Specialist
VR Office Director
VR Program Director
Web Developer

- 001.03 Extensions. Employees with original probationary periods of six (6) months may be extended by up to six (6) months not to exceed a total of twelve (12) months upon written notification to the affected employee, which includes reasons for such extension. Employees with original probationary periods of twelve (12) months may be extended by up to six (6) months not to exceed a total of eighteen (18) months upon written notification to the affected employee, which includes reasons for such extension. Secondary probation periods may not be extended.
- 002 Change of Position During Probationary Period. Employees who move to another position during their original probationary period are required to serve a complete new probationary period in the new position and will not be credited with probationary service completed in the previous position. However, employees who move to positions that are under the same Office Administrator, and are of the same pay grade, will be credited with all probationary service in the previous position.
- 003 Secondary Probationary Periods. Employees who have previously completed an original probationary period in their current position, and accept a new position, or who are demoted as the result of a disciplinary demotion, will be placed on a secondary probation for a period of time as set forth in Sections 001 and 002 of this Chapter to determine his/her ability to perform the job. The supervisor and appropriate Office Administrator may request approval from the Human Resource Office to waive or end the secondary probationary period early. If the employee is, in the opinion of the Department, not performing satisfactorily in the new position during the secondary probationary period, the employee may be reverted to the employee's previous position and pay rate (secondary probation following promotions only) or may be placed in a vacant position of a similar classification with the same pay rate as the employee received prior to the new position. If no such vacancy is available, the Department may place the employee in a vacant position in a lower classification according to the provisions in Chapter 6, Section 004, of this Title, or may terminate the employee in the manner described in Chapter 5 of this Title. Notice of such change in position must be provided to the employee within the secondary probation period and the change effective within thirty (30) calendar days of the end of the secondary probation period. The Department is not required to utilize the disciplinary process to revert an employee back to the employee's former position or a vacant position in the same geographical area (thirty [30] miles from the current work site) equivalent to the former position's pay grade. Any of the Department action described above are grievable only if and to the extent that the employee is alleging that (i) such action was based upon unlawful discrimination by reason of sex, race, color, age, national origin, marital status, religion, disability, or genetic information; or (ii) their previous

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 5 – PROBATIONARY PERIODS

position was vacant and available or a vacant position of similar job level was available but they were not placed in such a position. The Department will document efforts to provide the promoted employee with performance improvement counseling when utilizing this provision.

- 003.01 During the secondary probationary period for the new position, probationary performance appraisals may be conducted according to the schedule as set forth in ~~Chapter 5~~, Section 006 of this ~~Chapter Title~~.
- 004 Employees on a part-time schedule may have their probationary period extended according to the provisions in this Chapter in order for the supervisor to have additional opportunities to observe the employee. Probationary periods may also be extended to allow for adequate observation opportunities in cases where employees have been absent for significant periods of time.
- 005 Termination of Employment. Employees serving an original probationary period may, upon the recommendation of the immediate supervisor, and with the approval of the appropriate Office Administrator, be terminated without cause or recourse under the rules of Title 93 at any time during the probationary period.
- 005.01 If at any time during the original probationary period it is determined that the services of the employee have not been acceptable, or if the employee does not successfully pass applicable background screens, the appropriate Office Administrator and supervisor will notify the employee in writing of the date services are to be terminated. There is no recourse for such terminations under this Title.
- 006 Appraisal Schedule. Written performance appraisals will be prepared at prescribed intervals during the probationary period and annually thereafter as described in Section 006.03 of this Chapter. The absence of any required appraisals does not prohibit nor delay the ending of a successful probationary period and the establishment of a regular appointment. If a performance appraisal was not completed during the previous twelve (12) months, an employee's performance will be considered as meeting expectations for salary purposes until such time as a performance appraisal is completed. Employees will be provided with either electronic access to, or a paper or electronic copy of, the completed performance appraisal. Supervisors will hold performance planning sessions, communicate performance expectations, and provide performance feedback outside of the formal appraisal conferences.
- 006.01 Six-Month Probationary Period. For employees with a six-month probationary period the following schedule of appraisals will be maintained:

006.01A ~~Prior to the end of ninety (90) calendar days of employment; and,~~

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CHAPTER 5 – PROBATIONARY PERIODS

~~006.01A 006.01B~~ Prior to the end of the 6th month of employment; ~~and-~~

~~006.01B 006.01C~~ Additional appraisals may be scheduled at the discretion of the employee's supervisor.

006.02 Twelve-Month Probationary Period. For employees with a twelve-month probationary period, the following schedule of appraisals will be maintained:

~~006.02A—Prior to the end of the 6th month of employment; and,~~

~~006.02A 006.02B~~ Prior to the end of the 12th month of employment; ~~and-~~

~~006.02B 006.02C~~ Additional appraisals may be scheduled at the discretion of the employee's supervisor.

006.03 Annual Appraisals. Annual appraisals will be conducted on an annual basis covering the previous calendar year. Additional appraisals may be scheduled at the discretion of the employee's supervisor.

007 End of Probation. If the supervisor determined that the services of an employee have been acceptable, the employee will move from probationary to regular employee status. An employee will move to regular employee status on the day following the day ending the probationary period, unless notice of extension has been given to the employee in writing prior to such time. In the event of an extension of the original probationary period, an employee will move to regular employee status on the day following the day ending the extension of the original probationary period.

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 6 – JOB CLASSIFICATION PLAN

- 001 General. The Human Resources Office will maintain a master set of all job specifications used by the Department, which will be available on the Department's intranet website.
- 002 Job Classification Review. Regular employees or their supervisors may request a review of the employee's job classification at any time providing the position has not been reviewed within the previous twelve (12) months. The employee's supervisor(s) may request of Human Resources a waiver of the twelve (12) month interval requirement. An employee may make the request to the Human Resources Office through their immediate supervisor or a supervisor may make the request directly to the Human Resources Office. Following such request by an employee or supervisor, the Human Resources Office will review the placement of such employee. Such review by the Human Resources Office will include the review of a Position Description Questionnaire completed by the employee and reviewed by the employee's supervisor(s) and the appropriate Office Administrator. The Position Description Questionnaire will be provided to the employee by the Human Resources Office within five (5) workdays of such request.
- 002.01 Form Completion. The employee or supervisor will have fifteen (15) workdays to complete the Position Description Questionnaire, including supervisor's and Office Administrator's review, and return it to the Human Resources Office.
- 002.02 Human Resources. The Human Resources Office will have twenty (20) workdays from the receipt of the completed Position Description Questionnaire to complete the review of the job reclassification request and make a decision. A copy of Human Resources' decision will be forwarded to the supervisor(s), the Office Administrator and the employee. If Human Resources' decision is to retain the employee's classification or reclassify the employee to a higher job specification, the decision is final. If the decision of the Human Resources Office is to reclassify to a lower job specification, the supervisor(s), the Office Administrator, and the employee will then have an opportunity to provide comments and/or documentation to the Deputy Commissioner to appeal Human Resources' decision within ten (10) workdays.
- 002.03 Deputy Commissioner. The Deputy Commissioner will have fifteen (15) workdays after receiving the appeal to make a final decision. The Deputy Commissioner will communicate the final decision to the Human Resources Office, supervisor(s), the appropriate Office Administrator, and the employee within five (5) workdays of the decision.

If the decision of the Human Resources Office is to classify the employee to a higher job specification ~~is made on or before the 15th of the month~~, and a pay adjustment is warranted, the pay adjustment will be effective the next

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 6 – JOB CLASSIFICATION PLAN

~~pay period as of the 1st day of the current month. If the decision is made after the 15th of the month, the pay adjustments will be effective as of the 1st day of the next month.~~

002.03A The time requirements in this Chapter may be extended by written agreement between the employee and the Human Resources Office in cases where additional time is needed in order to conduct the review process. Retroactive pay adjustments may be made under Section 02.03 of this Chapter.

003 Reclassifications. In situations where the employee's job duties have changed significantly, the employee may be reclassified to a new job classification at a higher pay grade as a result of the job classification review process.

003.01 An employee who is reclassified to another job classification at a higher pay grade will ~~be placed in the new job classification on the same numbered step that they were placed in their previous job classification receive a five percent (5%) salary increase for moving up one pay grade, a seven and one-half percent (7.5%) salary increase for moving up two pay grades, or a ten percent (10%) salary increase for moving up three or more pay grades. In no case will the employee receive a salary that is less than the minimum or more than the maximum of the new pay grade.~~

003.01A The appropriate Office Administrator may request approval from the Deputy Commissioner to award a salary increase greater than would be provided by Section 003.01 of this Chapter. The Deputy Commissioner's decision will be final.

003.01B The appropriate Office Administrator ~~may~~ request approval from the Deputy Commissioner to award a salary increase less than would be provided by Section 003.01 of this Chapter if the employee has already received an increase for the same duties which resulted in the reclassification.

003.01C An employee's job classification modified by Human Resources outside of the Job Classification Review Process is not subject to the salary increases in Section 003 of this Chapter.

004 Demotions. An employee may receive a disciplinary demotion per Chapter 13, Section 004.02, ~~of this Title~~ or be demoted due to unsatisfactory performance during a secondary probation period per Chapter 5, Section 003. In cases in which the employee accepts a demotion to avoid being laid off, voluntarily requests a demotion, or, is reclassified to a lower pay grade, a non-disciplinary demotion may result. The employee will have the right to elect demotion as ~~an alternative the alternate~~ to a layoff. The right to elect will be granted to employees in accordance with provisions

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of Chapter 12 of this Title.

004.01 In all cases involving demotion, the employee must meet the requirements of the position to which he/she is demoted, and except as provided in layoff procedure, no employees in a lower level position will be laid off by reason of a demotion action involving another employee.

004.02 An employee who is demoted, either voluntarily or involuntarily, from a higher pay grade to a lower pay grade, will be placed in the new job classification on the same numbered step that they were placed in their previous job classification ~~have his/her pay reduced by five percent (5%) for demotions of one pay grade, seven and one half percent (7.5%) for demotions of two pay grades, or ten percent (10%) for demotions of three or more pay grades. Under no circumstances would the employee's salary be less than the minimum rate of the new pay grade or more than the maximum of the new pay grade.~~

004.02A The appropriate Office Administrator may recommend to the Deputy Commissioner a salary decrease less than would be provided by this Section. The Deputy Commissioner's decision will be final.

005 Salary for Vacant Position. Employees who apply for and are selected as the successful applicant to fill a vacant job opening that was posted, will be subject to the same salary range that was identified on the posting for all applicants. Employees are not entitled to retain their current salary level if they accept the offer to fill the vacancy. The salary provisions contained in Section 003 and Section 004 of this Chapter do not apply to such a situation.

005.01 The Commissioner or the Deputy Commissioner may authorize a higher salary than was identified in the posting in cases where it is determined that the current Department employee selected possesses superior or unique experience or qualifications that will provide added benefit to the Department in the job.

006 Loss in Pay. No employee will, as a result of Department action, suffer a loss of pay through a promotion or transfer to a position of the same job classification or through an involuntary, non-disciplinary transfer to a different job classification in the same pay grade. This provision will not apply in layoff situations.

007 Service Date. Promotions, transfers, or demotions will not change an employee's Department or State service date.

008 Pay During Temporary Transfer. When an employee performs the duties of a position in a higher pay grade than the job classification pay grade currently held by the

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employee, the employee will receive a temporary pay increase to the minimum salary of the higher pay grade or an increase in accordance with Section 003.01 of this Chapter, whichever is higher, but in no case will the employee receive a pay reduction. Such temporary pay increase will apply only when the employee has been requested to perform the duties of someone at a higher pay grade, and when the period of time in which the employee is performing the duties exceeds ten (10) workdays.

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CHAPTER 7 – SALARY ADMINISTRATION

001 Pay Plan. Employees are placed in an assigned position and pay grade of a job classification and pay plan approved by the Commissioner. The pay plan may provide scheduled salary increases, including, but not limited to, annual salary adjustment increases.

001.01 Horizontal Movement. The Deputy Commissioner may distribute salary increases to employees who meet established criteria as necessary to address internal/external inequities and recognize noteworthy performance. The salary increases will be included in the employee's regular rate of pay and base salary.

001.02 Merit Stipends. Upon receiving a recommendation from the appropriate Office Administrator, the Deputy Commissioner may distribute merit stipends to recognize employees, with at least two (2) years of service with the Department, who have demonstrated exemplary performance or who have completed temporary assignments that required time, skill, and effort beyond the normal scope of the employee's position. The stipend will be a one-time payment, above and beyond the regular rate of pay. The stipend will not become part of the employee's base salary.

002 An employee who, on the effective date of a scheduled pay increase, is under suspension with pay, suspension without pay, or administrative probation, will not be provided the pay increase until the employee satisfactorily completes the disciplinary action except that no employee will be paid less than the hiring rate of pay established for the employee's pay grade in effect on the effective date of the last pay increase.

003 If a suspension is for investigative purposes and the employee is subsequently determined not to be subject to disciplinary action, the employee will be entitled to the appropriate pay rate increases retroactive to the date the pay rate increases would have been granted had not the suspension been in effect.

004 Release of Payroll/Expense Warrants. Payroll and expense warrants will be released to employees named on the warrant or to the person designated by the employee in writing. In case of employee illness or injury, warrants may be released to immediate relatives who do not have a note of authorization but have proof of identification. Immediate relatives are: spouse; children including step, adopted, and foster children; parents; and, parents of the spouse.

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CHAPTER 8 – OVERTIME

001 Exempt and Nonexempt Defined.

001.01 Exempt employees means employees who, by virtue of their primary duties and responsibilities, are professional, executive and/or administrative under the provisions of the federal Fair Labor Standards Act (FLSA) and are thereby exempt from overtime compensation payment and/or time off in lieu of such payment.

001.02 Nonexempt employees means employees who are eligible to receive compensatory payment or time off for overtime.

002 FLSA Status Determination. The Human Resources Office determines the federal Fair Labor Standards Act (exempt or nonexempt) status of each existing, new, or restructured position.

003 Overtime Approval. For all employees other than those in the Disability Determination Services Section (DDS), no overtime will be worked by nonexempt employees without the prior approval in writing by the immediate supervisor; and the appropriate Office Administrator, ~~and the Commissioner or the Deputy Commissioner~~. No overtime is to be worked by a nonexempt DDS employee unless authorized by the Social Security Administration and approved by the DDS Office Administrator.

004 Overtime Compensation Options for Nonexempt Employees. Nonexempt employees, who accumulate more than forty (40) hours of compensable work time in a work week, will be eligible for overtime compensation. The method of compensation will be at the discretion of the appropriate Office Administrator and the immediate supervisor. The two (2) options for such compensation are:

004.01 Payment of a sum equivalent to one and one-half (1-1/2) times the hourly rate of pay for time actually worked in excess of forty (40) hours. Payment for overtime hours will be calculated at the hourly rate that was in effect for overtime at the time excess hours were actually worked.

004.01A The hourly rate of pay will be computed by dividing the annual rate of pay by the number of hours the employee is normally responsible for per year. Such payment will be made at the end of the pay period in which it was earned, if administratively feasible, or at the end of the following pay period.

004.02 Compensatory time off when taken in lieu of pay will be calculated at time and one-half (1-1/2) unless the employee has actually worked less than forty (40) hours during the workweek. If the employee has actually worked less than forty (40) hours during the workweek, compensatory time off will be calculated at straight time. Paid vacation, sick, or bereavement leave

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will not be counted as work hours for overtime purposes.

004.02A Compensatory time off will be used in the subsequent sixty (60) calendar day period following the date the hours were worked, unless such period is extended, in writing, by the Department (within limits established in Section 004.02B of this Chapter).

004.02B Employees who worked overtime hours between July ~~3, 2023, 1, 2017~~ and June 30, ~~2024 2018~~, will either be provided time off by July ~~28, 2024, 31, 2018~~ or be paid out in biweekly pay period 16 by August 31, 2018 at the ~~June 2018~~ pay rate in effect at the time the compensatory time was earned. Employees who worked overtime hours between July ~~14, 2024, 1, 2018~~ and June ~~29, 2025 30, 2019~~, will either be provided time off by July ~~27, 2025, 31, 2019~~ or be paid out in biweekly pay period 16 by August 31, 2019 at the ~~June 2019~~ pay rate in effect at the time the compensatory time was earned.

005 Exempt Employees.

005.01 Schedule Deviation. Exempt employees who, in fulfilling their job responsibilities (which may include travel time) extend their accountable work hours beyond the expected eight (8) hour workday or approved work schedule, may deviate from their usual work hours upon advance approval and agreement between the employee and immediate supervisor as to the number of hours of deviation and when the schedule deviation will take place. Schedule deviation is defined as an adjustment of work hours or length of the workday.

005.02 Hours worked on a holiday by an exempt employee will be compensated at straight time.

006 Nonexempt Employees – Overtime Calculation.

006.01 Overtime will include all compensable work time in excess of forty (40) hours either at time and one-half (1-1/2) or at straight time.

006.02 Holidays will be considered as work hours for overtime purposes. Hours worked by an overtime-eligible employee on a holiday will be compensated at one and one-half (1-1/2) times the employee's normal hourly rate of pay. All hours worked on a holiday in excess of the employee's normally scheduled workday will be compensated at two (2) times the employee's normal hourly rate of pay.

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CHAPTER 8 – OVERTIME

006.03 Paid leave (e.g., sick, vacation, bereavement) will not be considered as work hours for overtime purposes.

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CHAPTER 9 – LEAVE AND HOLIDAYS

001 The following provisions apply to paid and unpaid leave:

001.01 Unauthorized Leave. An absence by an employee which does not meet the requirements specified in this Chapter and is not authorized by the employee's supervisor will be considered as unauthorized leave. Unauthorized leave may be grounds for corrective or disciplinary action under the provisions of Chapter 13 of this Title.

001.02 Authorized Leave. An absence by an employee which meets the requirements specified in this Chapter and that is authorized by the employee's supervisor will be considered as authorized leave.

002 Continuous/Company Service Date Adjustments. Employees returning to work on or after July 1, 2001, after a break in service of less than five (5) calendar years, will have their accumulated unpaid sick leave balance reinstated. The employee's service date(s) will be adjusted for the period of absence. The employee's vacation and sick leave earning rate will also be adjusted, and the new rate of earning will be based on the adjusted service date(s). Employees returning to work after a break in service of more than five (5) calendar years will start with a zero (0) sick and vacation leave balance, ~~and~~ will be considered to be new employees for service date purposes, and will earn vacation and sick leave at the beginning earning rate of a newly hired employee.

Employees may apply available, accumulated paid leave on their monthly timesheet in order to prevent service date adjustment(s). The leave time taken will be no less than one (1) workday for purposes of this Section. One (1) workday will be eight (8) hours for a full-time employee or the corresponding percentage of full-time equivalent (FTE) for part-time employees.

The employee's service date will be adjusted when an unpaid absence exceeds fourteen (14) consecutive calendar days, except when an employee is still eligible for workers' compensation payments. The adjustment will correspond to the number of days the employee is on unpaid leave. See also Chapter 4, ~~–Section 003,~~ of this Title.

003 Holidays. The following holidays, and others when declared by law or proclaimed by the Governor or President of the United States as provided in subsection (3) of Neb. Rev. Stat. § 84-1001 Nebraska Section 84-1001(3) R.R.S., will be compensated holidays for full-time and part-time employees and are scheduled on the dates indicated. When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, it will be observed on the following Monday.

DAY

DATE

New Year's Day
Martin Luther King, Jr. Day
President's Day

January 1
Third Monday in January
Third Monday in February

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Arbor Day	Last Friday in April
Memorial Day	Last Monday in May
<u>Juneteenth</u>	<u>June 19</u>
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day/ <u>Indigenous Peoples' Day</u>	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Day	December 25

003.01 Full-Time Employees. Compensation for a holiday is based on an eight (8) hour workday for full-time employees.

003.02 Part-Time Employees. Part-time employees will receive paid time off for holidays on a prorated basis according to the time they work each pay period.

003.03 Temporary and Contract Employees. Temporary and contract employees are not eligible for holiday leave, and if required to work on a holiday or observed holiday, are paid for the time worked at their normal rate of pay.

003.04 Eligibility for Holiday Pay. Pursuant to Neb. Rev. Stat. § Section 84-1001 R.R.S. in order to receive pay for such holiday an employee, whether part-time or full-time, must be in paid work status on both the workday immediately preceding and immediately following the holiday unless excused by his or her supervisor.

003.05 Working on Holidays. An employee may be directed to work on a holiday or may request advance approval from the immediate supervisor to voluntarily work on a holiday. Any work on a day that is defined as a paid holiday by Neb. Rev. Stat. § Section 84-1001 R.R.S. will be compensated for by granting the employee compensatory time off or by paying the employee. Nonexempt employees will be compensated per Chapter 8, –Section 006.02, of this Title. Exempt employees will be compensated at straight time and allowed to take the holiday within sixty (60) calendar days of the observed holiday. The method of compensation for the holiday worked will be at the discretion of the Department. If compensatory time off is granted, the employee will determine when such time will be taken, subject to Chapter 8, –Section 004.02A, of this Title.

004 Vacation Leave. All employees, excluding temporary and contract employees, earn paid vacation leave. Hours accrue on a biweekly monthly basis but are not available to the employee prior to the start of the following pay period month, except as provided by Section 004.03 004.04 of this Chapter. Full-time employees earn vacation leave according to the following schedule:

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<u>Years of Service</u>	<u>Hours Per Year</u>	<u>Hours-Per Month (Average)</u>	<u>Days Per Year</u>
1st year through 5th year	96	8.00	12
6th year	120	10.00	15
7th year	128	10.67	16
8th year	136	11.34	17
9th year	144	12.00	18
10th year	152	12.67	19
11th year	160	13.34	20
12th year	168	14.00	21
13th year	176	14.67	22
14th year	184	15.34	23
15th year	192	16.00	24
16th year and following years	200	16.67	25

~~004.01~~ ~~Vacation Leave for Part-Time Employees.~~ ~~Part-time employees will earn paid time off for vacation on a prorated basis according to the time they work each pay period.~~

~~004.01~~ ~~004.02~~ Using Vacation Leave. Vacation leave must be requested in advance by the employee. Vacation leave may be used when approved by the employee’s supervisor. Denial of vacation leave requests must not be arbitrary and the taking of vacation leave by employees may not be unreasonably deferred. Vacation leave will be taken and reported in increments of not less than one tenth (1/10) of an hour.

~~004.02~~ ~~004.03~~ Vacation leave will not accrue to any employee on leave of absence without pay, leave without pay, suspension without pay, layoff, or during time off of work that is compensated under workers’ compensation, except as provided in ~~Chapter 9,~~ Section 012.06C of this Chapter.

~~004.03~~ ~~004.04~~ Advancing Vacation Leave. The appropriate Office Administrator may at his/her discretion advance vacation leave to employees with six (6) months of service with the Department in an amount not to exceed that which the employee would earn in the succeeding three (3) month period. For employees with more than five (5) continuous years of service and with no record of leave abuse, request for vacation leave advancement of thirty (30) hours or less will not unreasonably be denied. Employees will reimburse the Department for all used unearned vacation leave upon termination either by a deduction in their final check or by separate payment. Employees may not request more than one advancement in a

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three (3) month period. If at the end of the advancement period the employee has not earned back the advanced vacation leave used, another request for advancement of vacation cannot be approved until the employee has earned back the advanced vacation leave used. Written notice of advancement must be provided to the Human Resources Office.

~~004.04~~ ~~004.05~~ Balancing of Vacation Leave During Employment. Up to two hundred and eighty (280) hours of an employee's vacation leave may be carried over from one (1) calendar year to the next. Accumulated vacation time in excess of two hundred and eighty (280) hours will be forfeited as of December 31 of each calendar year. In the event an unforeseen work-related emergency prevents an employee from taking planned vacation leave before December 31 and causes that vacation leave to be lost, additional carryover vacation leave may be requested of and approved in advance of the calendar-year-end by the Deputy Commissioner. In such cases, the hours above two hundred and eighty (280) that are carried over must be used within the next six (6) months.

~~004.05~~ ~~004.06~~ Balancing of Vacation Leave Upon Separation. Employees who leave state government employment for any reason will be paid for any unused accumulated vacation leave earned, calculated at the hourly rate in effect at the time of termination. However, vacation leave, both as to earned unused hours and as to years of service for accumulation purposes, may be transferred when employees transfer between another Nebraska State agency, Nebraska State university or college, and the Department without a break in service, upon mutual agreement of the employers.

~~004.05A~~ ~~004.06A~~ A retiree returning to State service will begin earning vacation leave at the beginning rate of a newly hired employee. A retiree means an employee who is qualified to receive retirement allowance under the state or the school retirement system.

~~004.06~~ ~~004.07~~ Leave Without Pay. All earned accrued vacation leave, which does not include advanced vacation leave, will be used by an employee before being granted leave without pay. Employees may request leave without pay in writing from the appropriate Office Administrator; however, granting leave without pay is discouraged and should not be done on a regular basis. Written notice of leave without pay must be provided to the Human Resources Office.

~~004.07~~ ~~004.08~~ Holidays falling within a period of vacation leave will not be counted as work hours for purposes of overtime.

005 Sick Leave. All employees, excluding temporary and contract employees, as defined

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by Chapter 4 of this Title, earn paid sick leave. Hours accrue on a ~~biweekly~~ monthly basis but are not available to the employee prior to the start of the following ~~pay period~~ month except as provided by Section 005.08 of this Chapter. No sick leave is earned by an employee on leave-without-pay status.

Full-time employees accumulate sick leave according to the following schedule:

<u>Years of Service</u>	<u>Hours Per Year</u>	<u>Hours Per Month (Average)</u>	<u>Days Per Year</u>
1st through 5th year	96	8.00	<u>12</u>
6th through 15th year	112	9.34	<u>14</u>
16th and following years	144	12.00	<u>18</u>

~~005.01 Sick Leave for Part-Time Employees. Part-time employees will accumulate paid time off for sick leave on a prorated basis according to the time they work each pay period.~~

~~005.01~~ 005.02 Conditions for Using Sick Leave. Sick leave may be used only under the following conditions:

~~005.01A~~ 005.02A Employee. When an employee is unable to perform his/her duties because of:

- ~~005.01A1~~ 005.02A1 Illness,
- ~~005.01A2~~ 005.02A2 Absence due to psychological treatment or counseling (see definition of treatment in Chapter 3; ~~Section 045~~ of this Title),
- ~~005.01A3~~ 005.02A3 Disability,
- ~~005.01A4~~ 005.02A4 Injury,
- ~~005.01A5~~ 005.02A5 Employee's presence at work jeopardizes the health of others by exposing them to a contagious disease,
- ~~005.01A6~~ 005.02A6 Pregnancy complications, post-natal recovery, or miscarriage,
- ~~005.01A7~~ 005.02A7 Absence due to treatment for alcoholism or drug addiction, if medically diagnosed by a licensed physician; and ~~if~~ the employee is receiving assistance or has agreed to an approved course of treatment,
- ~~005.01A8~~ 005.02A8 Medical, surgical, dental, audiological, or optical examination or treatment, or
- ~~005.01A9~~ 005.02A9 Emergency medical treatment.

~~005.01B~~ 005.02B Employee's immediate family member(s). When the illness, disability, injury, surgery, medical examination, procedure, or treatment of an immediate family member requires the employee's presence. The seriousness of the illness,

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disability, injury, or surgery will be considered by the immediate supervisor when determining the number of days of sick leave to be granted. The immediate family means: spouse; children, including step, adopted and foster children; daughter/son-in-law; parents; and parents of the spouse. At the discretion of the appropriate ~~Office Administrator Team Leader~~, sick leave benefits may be extended for the care of other individuals with a similar personal relationship (e.g., acted as a mother, father, etc.) to the employee as that of an immediate family member.

~~005.01C 005.02C~~ After the birth of a baby, the employee who is not the biological mother or primary care giver of the baby may use up to five (5) days of sick leave. If more than five (5) days of sick leave is necessary and required, for medical reasons, to care for the new baby or the mother, a note from the medical provider will be required to establish the medical necessity.

~~005.01D 005.02D~~ After the birth of a baby, an employee, other than a parent, who is an immediate family member, may use sick leave if his or her presence is necessary and required, for medical reasons, to care for the mother (if the mother meets the definition of immediate family). A note from the medical provider will be required to establish the medical necessity.

~~005.01E 005.02E~~ Under this Section, employees may use sick leave to attend meetings with school personnel for an immediate family member with a disability.

~~005.02~~ Sick leave may be used in conjunction with approved leave under the federal Family Medical Leave Act, subject to the requirements in section 006 of this Chapter and applicable subsections.

005.03 Sick leave will not be used as vacation leave.

005.04 Sick leave will be taken and reported in increments of not less than one tenth (1/10th) of an hour. Holidays falling within a period of sick leave will not be counted as hours worked for overtime purposes.

005.05 Sick leave will not accrue to any employee on leave of absence without pay, leaves without pay, including Family and Medical Leave, suspension without pay, layoff, or during time off of work that is compensated under workers' compensation, except as provided in ~~Chapter 9~~, Section 012.06C of this Chapter.

005.06 Probationary employees will be entitled to sick leave at the same rate as

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regular employees. Sick leave may be granted during the probationary period up to the number of accrued hours available to the employee. When a probationary employee takes sick leave in excess of accrued hours available, the provisions of Section 005.08 of this Chapter will apply.

005.07 Requesting Sick Leave. Sick leave will be requested by the employee in writing and in advance whenever possible, for anticipated health reasons such as medical treatment, physical examinations, and meetings with school personnel described in Section ~~005.01E~~ ~~005.02E~~ of this Chapter. In cases of sickness, injury, emergencies, or any other absence not approved in advance, the employee will advise appropriate Department personnel of the circumstances as soon as possible. An employee may be required to submit substantiating evidence and/or documentation when the reason for the leave request was for medical or dental treatment, a meeting with school personnel described in Section ~~005.01E~~ ~~005.02E~~ of this Chapter, or when the immediate supervisor suspects sick leave abuse. Substantiating evidence may also be required if the sick leave absence exceeds five (5) consecutive workdays.

005.07A If an employee has been absent on sick leave exceeding five (5) consecutive workdays, the employee may be required to produce written verification from a medical provider to document fitness to return to work, including notice of any necessary work restrictions.

005.07B Independent of an employee's use of sick leave and exceeding the five (5) consecutive workday requirement noted above, if an immediate supervisor has reason to believe that an employee's presence at work poses a significant health or safety risk, the employee may be required to produce medical verification regarding fitness for work.

005.08 Advancing Sick Leave. Sick leave may, at the discretion of the immediate supervisor and appropriate Office Administrator, be advanced to employees with six (6) months of service with the Department, in an amount not to exceed that which the employee would earn in the following three (3) month period. Employees will reimburse the Department for all used, unearned sick leave upon termination, either from a deduction in their final check or by separate payment on a schedule agreed to by the Department. Employees may not request more than one advancement in a three (3) month period. If at the end of the advancement period the employee has not earned back the advanced sick leave used, another request for advancement cannot be approved until the employee has earned back the advanced sick leave used. Written notice of advancement must be provided to the Human Resources Office.

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005.09 Should an employee require medical treatment while on vacation, vacation leave may be changed to sick leave under the following circumstances:

005.09A For the period of time medical treatment was required and for reasonable periods of bed-rest thereafter that were required and that occurred within the otherwise normally scheduled work hours of the employee;

005.09B Upon submission of a physician's statement substantiating treatment and probable duration of illness; and

005.09C Upon approval of the immediate supervisor and appropriate Office Administrator.

005.10 Balancing Sick Leave During Employment. There will be no maximum limit on sick leave balances carried from year to year.

005.11 Transfer of Sick Leave. Sick leave, both as to earned unused hours and as to years of service for accumulation purposes, may be transferred when the employee transfers between another Nebraska State agency, Nebraska State university or college and the Department without a break in service by mutual agreement between employers.

005.12 Balancing Sick Leave Upon Separation. Upon separation of employment all sick leave will be forfeited. However, all accumulated unused sick leave may be transferred when the employee transfers between another Nebraska State agency, Nebraska state university or college and the Department without a break in service, by mutual agreement between employers. In the event of the death of an employee, the employee's beneficiary will be paid one-fourth (1/4) of the accumulated unused sick leave computed at the rate of pay earned by the employee at the time of death and will not exceed four hundred and eighty (480) hours. Upon separation of employment, if the employee is at least fifty-five (55) years of age, the employee will be paid one-fourth (1/4) of the accumulated unused sick leave paid at the hourly rate in effect upon separation. An employee may only receive this payout once, no matter how many times they are re-employed with the State of Nebraska. Payment for one-fourth (1/4) of the accumulated unused sick leave balance in the case of separation or death will not exceed four hundred and eighty (480) hours.

005.12A Employees who are at least fifty-five (55) years of age, who are laid off, will have the option to defer the payment of one-quarter (1/4) of their sick leave account for up to twelve (12) months. Should the laid off employee return to Department employment

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within twelve (12) months, the employee's sick leave balance and service dates will be reinstated (minus time in a non-pay status). Should the laid off employee not obtain further Department employment at the end of the twelve (12) month period, the Department will pay the employee one-quarter (1/4) of their sick leave account, not to exceed four hundred and eighty (480) hours.

005.13 If an absence extends beyond the sick leave accrued to the credit of the employee, except in cases of workers' compensation, such employee will be required to utilize (1) accumulated unused compensatory time off if the employee is a nonexempt employee as defined in Chapter 8, Section 001.02, of this Title and (2) accrued vacation leave, in that order. For purposes of this subsection, accrued sick and vacation leave does not include advanced sick and vacation leave. After all accrued sick leave, compensatory time off, and vacation leave have been exhausted, the employee, upon written request, may be granted leave without pay (outside FML in Section 006 of this Chapter) at the discretion of the appropriate Office Administrator. However, granting such leave without pay is discouraged and should not be done on a regular basis. Written notice regarding the leave without pay must be provided to the Human Resources Office.

006 Family and Medical Leave (FML). Family and Medical Leave (FML) is unpaid time off from work and is subject to the provisions of 29 CFR 825. An employee must have at least twelve (12) total months of State service and have worked at least 1250 hours in the previous twelve (12) month period to be eligible for FML. Employees may request that accrued paid leave (e.g., vacation, sick) and compensatory time, if the employee is subject to Chapter 8, Section 004, of this Title, be applied along with the unpaid FML entitlement. In this case, any paid leave will run concurrently with the FML entitlement.

Employees who are absent and receiving workers' compensation benefits, or using any paid leave exceeding 40 hours for full-time employees or exceeding the number of hours proportionate to the percentage of FTE for part-time employees taken for any of the reasons listed in Section 006.03 of this Chapter will have such leave credited against the twelve (12) week FML entitlement beginning with the first date of absence. Unpaid FML not charged to sick or vacation is subject to service date adjustments under Section 014 of this Chapter.

If FML exceeds forty (40) hours during a twelve-month period starting with the date FML is first used for full-time employees, or exceeds the number of hours proportionate to the percentage of FTE for part-time employees, sick leave must be used concurrently if the reason for the FML is also a reason sick leave may be used under Section 005. If the reason for FML is not also a reason sick leave may be used, or if and when accumulated sick leave is exhausted, such employee will be required to utilize (1) accumulated unused compensatory time off if the employee is subject to

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Chapter 8, Section 004. of this Title and (2) accrued vacation leave, in that order until exhausted; however, vacation leave may be reserved in an amount up to forty (40) hours for full-time employees, or proportionate to the percentage of FTE for part-time employees unless Catastrophic Leave is requested per Section 013 of this Chapter.

006.01 Notice of Intent to Use Family and Medical Leave. An employee must provide a minimum of thirty (30) calendar days notice to the Department before he/she may use Family and Medical Leave. Where thirty (30) calendar days notice is not foreseeable, notice must be given as early as possible. If certification of a serious health condition is required, FMLA forms must be obtained from the Human Resources Office.

006.02 Family and Medical Leave Duration. Total unpaid leave time taken for Family and Medical Leave is limited to twelve (12) weeks within a twelve (12) month period, starting with the date the Family and Medical Leave is first credited against the twelve (12) week entitlement pursuant to Section 006 of this Chapter. Employees may use accrued sick leave beyond the twelve (12) week Family and Medical Leave limitation for appropriate sick leave reasons as defined in Section ~~005.01~~ ~~005.02~~ of this Chapter, with proper certification from a health care provider. Family and Medical Leave cannot be carried forward beyond the twelve (12) month period and banked for future use.

Incremental Use. With the approval of the Department, Family and Medical Leave may be taken in increments with proper medical certification. Federal law allows employees not eligible for overtime (e.g., exempt employees) to make incremental use of unpaid Family and Medical Leave without affecting their “salaried” status.

006.03 Conditions for Using Family and Medical Leave. An employee may use Family and Medical Leave for the following reasons:

006.03A Birth of a child of the employee and care for that newborn child;

006.03B Placement of a child with the employee for adoption or foster care;

006.03C In order to care for the employee’s spouse, child, or parent, if such spouse, child, or parent has a serious health condition.

006.03C1 Spouse means a husband or wife as defined or recognized under law for purposes of marriage in the state where the employee resides, including common law marriage in states where it is recognized. Child

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may include a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under eighteen (18) years of age or is eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability. Care for mother-in-law or father-in-law is not included. However, parent may include individuals other than natural or adoptive parents who served in a long-term parental role for the employee.

006.03D A serious health condition that makes the employee unable to perform the functions of the employee’s job.

006.04 Definition of Serious Health Condition. Serious health condition means illness, injury, impairment, or physical or mental conditions that involve:

006.04A In-patient care in a hospital, hospice, or residential medical care facility including any period of incapacity or any subsequent treatment in connection with such in-patient care; or

006.04B Continuing treatment by a health care provider as provided for in 29 C.F.R. §825.115.

006.04C Examples of serious health conditions include: heart attack, heart by-pass or valve operations, most cancers, back conditions requiring extensive therapy or surgery, strokes, severe respiratory conditions, spinal conditions, severe arthritis, severe nervous disorders, mental illness, need for prenatal care, severe morning sickness, childbirth, and recovery from childbirth. This does not include voluntary or cosmetic treatments, unless inpatient hospitalization is required.

006.05 Certification of Serious Health Conditions. Except as provided in Section 006.08, when requesting Family and Medical Leave for a serious health condition, an employee must provide certification from a health care provider, which includes:

006.05A The date on which the serious health condition commenced;

006.05B The probable duration of the condition;

006.05C The appropriate medical facts within the knowledge of the health care provider regarding the condition;

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006.05D A statement that the employee is needed to care for the child, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for the child, spouse, or parent; or a statement that the employee is unable to perform the functions of the job; and

006.05E In the case of certification for intermittent leave, or leave on a reduced leave schedule, a statement of the medical necessity for the intermittent leave or leave on a reduced leave schedule, and the expected duration of the intermittent leave or reduced leave schedule; or a statement that the employee's intermittent leave or leave on a reduced leave schedule is necessary for the care of the child, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule. In the case of certification for intermittent leave, or leave on a reduced leave schedule, for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment should be included.

006.06 Medical Second Opinions. The Department may require a second opinion, (the Department's choice of health care provider), and must pay for the cost of the second opinion. If the second opinion differs from the first, a third opinion may be sought, from a mutually agreed upon health care provider, again, at the Department's expense. The results of the third opinion are final.

006.07 Multiple Health Conditions. In the event the employee is requesting leave due to more than one serious health condition, the certification must specifically address each individual condition. Separate forms will be submitted as appropriate. Regardless of whether a single or multiple health condition(s) is/are involved, the limits in Section 006 of this Chapter apply.

006.08 When paid leave will be used for an absence, which may qualify as Family/Medical Leave, medical certification may be requested at the Department's discretion.

006.09 Health Insurance While on Family and Medical Leave. Employer health insurance contributions will continue during an employee's unpaid Family and Medical Leave absence, provided the employee makes his/her required contribution. Employer contributions will be based as if the employee had continued to work his/her normal schedule.

006.10 Workers' Compensation and Family and Medical Leave. If an employee

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requests Family and Medical Leave due to an injury or illness qualifying for workers' compensation, the Department will contact the Division of Administrative Services - Risk Management, for coordination of workers' compensation and Family and Medical Leave benefits.

007 Family Military Leave. Family Military Leave is available to employees in accordance with the terms and conditions of the *Nebraska Family Military Leave Act*, Neb. Rev. Stat. §§ Sections 55-501 through 55-507, R.R.S. and the amendments to the federal Family Medical Leave Act made by the National Defense Authorization Act (NDAA) of 2008 (29 U.S.C. § 2612 et. seq.).

007.01A Requesting employees will provide the Department with certification from the proper military authority to verify eligibility for the leave taken under the Nebraska Family Military Leave Act Sections 55-501 through 55-507 R.R.S.

007.01B Requesting employees will provide the Department with certification by the covered service member's health care provider for leave requested to care for that service member under the provisions of the federal National Defense Authorization Act amendments to the Family Medical Leave Act.

007.01C Requesting employees will provide the Department with such certification as may be provided for through regulations issued by the United States Secretary of Labor for leave requested for a "qualifying exigency" arising out of the fact that an employee's spouse, son, daughter or parent is on active duty, or has been notified of impending call for active duty, in the Armed Forces in support of a contingency operation under the provisions of the federal National Defense Authorization Act amendments to the Family Medical Leave Act.

008 Bereavement Leave. Up to forty (40) hours paid bereavement leave may be granted to employees for a death in the immediate family. For a death not in the immediate family, up to eight (8) hours leave with pay may be granted. For purposes of this Section, immediate family means spouse, parents, grandparents, siblings, children, step children, including foster children, children-in-law, nieces/nephews, aunts/uncles, grandchildren, spouse of any of these, or someone who bears a similar relationship to the spouse of the employee. Step-persons bearing these relationships are included. At the discretion of the appropriate Office Administrator, bereavement leave benefits may be extended for other individuals with a similar personal relationship (e.g., acted as a mother, father, etc.) to the employee as that of an immediate family member. The hours of bereavement leave that may be granted to part-time employees will be proportionate to the percentage of FTE that they work. Bereavement leave will not be charged to sick leave or vacation leave.

008.01 Bereavement leave will be available for a period of thirty (30) calendar days

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after the death, or first notice of the death, of an immediate family member, and for a period of fifteen (15) calendar days after the death or first notice of the death of persons not immediate family members. Exceptions due to extenuating circumstances may be approved by the appropriate Office Administrator.

008.02 No employee will be unreasonably denied the granting or advancement of up to an additional eighty (80) hours of vacation leave (prorated for less than full-time employees) when such additional time is available and necessary to settle personal matters related to a death in the immediate family. The granting of leave under this Chapter will not prohibit or interfere with the granting of leave under any other Chapter or provision of this Title.

009 Administrative Leave. Administrative leave, with pay, may be granted by the Commissioner or the Deputy Commissioner due to natural disasters, public health emergencies, inclement weather, or other local work-related emergencies.

009.01 When State offices, located in a building not owned or operated by the State, are closed by other than State officials due to inclement weather or other local work-related emergencies, employees have the following options, subject to advance approval by their immediate supervisor:

009.01A Report to work at a pre-arranged alternate worksite;

009.01B Telecommute from home if practicable due to the nature of the work, as determined by the appropriate Office Administrator Team Leader.

009.01C Use accrued vacation leave, earned compensatory time, or leave without pay as a last resort.

009.01D Make up the missed work time within the work week.

009.01E Absent the ability to exercise any of the above options, employees may be placed on ready to work status. This means they are ready and available to be called back to a work location at any time. Employees in a ready to work status will be compensated and will perform any state work possible during this status. Ready-to-work status is intended for office closures that are due to clearly unanticipated occurrences such as flooding, fire, or other building damage. It is not intended for when the circumstances that resulted in the office closure were reasonably predictable in advance by the Department and the employee, such as a snowstorm

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~~snow-storm~~ predicted in advance. In such cases, the employee and his or her supervisor or other designee are to communicate and make arrangements in advance in regard to possible alternate work locations.

009.02 If State offices remain open during inclement weather or other work-related emergencies, employees are expected to make a reasonable effort to report for work or make alternative arrangements for work with their supervisor. Employees who fail to report for work will be charged compensatory time, vacation leave, or leave without pay. The appropriate Office Administrator, or the immediate supervisor, if authorized by the appropriate Office Administrator, may grant permission to both exempt and nonexempt employees to make up missed hours during the same week rather than requiring them to use compensatory time, vacation leave or leave without pay.

009.04 Nonexempt and exempt employees who report for and remain at work in periods during which administrative leave was authorized will be granted compensatory time off, to be used at a later date.

010 Military Leave. Employees will be eligible for Military Leave in accordance with applicable federal and state laws. This leave is limited to one hundred and twenty (120) hours a year, with no accumulation of unused leave carried over to the following calendar year. Such military leave may be taken in hourly increments.

011 Civil Leave. The employee will provide the Department with documentation to verify eligibility for civil leave. Civil leave does not include leave for military duty in connection with national defense, national disaster, or civil disturbances. Employees (including temporary) will be eligible for paid civil leave under the following conditions:

011.01 Jury Duty. When an employee is called to serve as a juror, civil leave without loss of pay will be granted during the time when the employee's physical presence is required by the court. Employees will return to work when the employee's physical presence is not required by the court.

011.02 Election Board Duty. When an employee serves as a juror, clerk, election inspector, or judge of an election board or a counting board, civil leave without loss of pay will be granted during the time when the employee's physical presence is required by the court or the election or counting board. The employee will also retain all fees paid them for their civil service.

011.03 Voting Time. An employee who is a registered voter and does not have two (2) consecutive hours in the period between the time of the opening and closing of the polls during which he or she is not required to be present at

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work for the Department is entitled on election day to be absent from employment for such a period of time as will, in addition the employee's nonworking time, total two (2) consecutive hours between the time of the opening and closing of the polls. If the employee applies for such leave of absence prior to or on election day, paid civil leave of two (2) hours will be granted. The Department may specify the hours during which the employee may be absent. The two (2) hours authorized for voting does not apply to those employees who choose to vote by the use of an absentee ballot or who by reason of their employment must vote by use of an absentee ballot.

011.04 Court/Hearing Appearances. While serving as a witness under a work-related subpoena or voluntarily at the request of the Department, the employee will be excused from work with pay during the time that the employee's presence is required by the court or administrative body which issued the subpoena, or as required to testify when requested by the Department. At all other times during the employee's regular workday, the employee who is subject to a work-related subpoena will be on the job and working. Any witness fee received under such subpoena will be remitted to the funding source from which the employee's salary is paid.

Employees attending court or an administrative hearing as a plaintiff, defendant, or witness on non-work-related matters, will use vacation leave or earned compensatory time, if available. If the employee does not have vacation leave or compensatory time available, the appropriate Office Administrator may grant leave without pay. In the event the employee is subpoenaed for non-work-related matters and does not have vacation leave or compensatory time, the appropriate Office Administrator will grant leave without pay. Any witness fees paid to the employee for such court appearances may be retained by the employee.

012 Miscellaneous Leave. Employees will be eligible for the following types of leave:

012.01 Interviews. Interviews with employees for positions within the Department will be performed during work hours. Time spent for interviews, and travel to attend such interviews which occur during the employee's regular workday will be compensable.

012.02 Leave of Absence. Employees with at least three (3) years of Department service are eligible for a leave of absence without pay. A leave of absence of twelve (12) months or less for professional advancement, special training, or other good and sufficient reasons may be granted by the Commissioner. A leave of absence of more than twelve (12) months is subject to approval by the Board, which will review the request and the recommendation of the Commissioner of Education. Such leave of absence

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will be requested in writing to the Commissioner through the appropriate Office Administrator.

012.02A At the expiration of an approved leave of absence, employees will return to a position of a similar job classification or pay grade as the position the employee held prior to leave, if available and the employee is otherwise qualified. If no such position is available, the employee will be considered “laid off” under the provisions of Chapter 12 of this Title. In the alternative, an employee may also accept demotion in accordance with Chapter 6, Section 004, of this Title, if available. Failure on the part of an employee to return to work on the agreed upon date, except ~~for~~ when satisfactory reasons are submitted to and approved by the Commissioner prior to the agreed upon return date, may be cause for dismissal.

012.02B Vacation and sick leave will not accrue while on leave of absence without pay. However, vacation and sick leave earned but not used prior to leave of absence will be carried forward upon employee’s return to duty.

If the State or Federal program from which the employee was paid prior to the leave is terminated during the leave, the Department may choose to pay the employee on leave for his/her unused vacation leave balance.

012.03 Leave to Donate Blood. With the advance approval of their immediate supervisor, employees may be allowed paid time away from the job to donate blood in State-sponsored drives held in state offices, or to donate blood at the request of blood banks or centers facing a blood supply emergency. The amount of leave time granted will be at the discretion of the immediate supervisor. Donating blood under circumstances unrelated to state-sponsored drives or supply emergencies will require employees to obtain advance approval to use vacation leave or to adjust their work hours to complete a full workday.

012.04 Employee Assistance Program. Employees attending Employee Assistance Program (EAP) sessions at the Department’s direction will do so at the Department’s expense and may attend during work time. If an employee wishes to voluntarily attend EAP sessions in order to address personal issues that are affecting work performance, supervisors may authorize the employee to do so during work time without being charged sick or vacation leave. Employees attending EAP sessions on their own initiative will do so at their own expense and will use approved sick or vacation leave, compensatory time, or leave without pay.

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- 012.05 Retirement Seminars. Leave with pay will be provided to eligible employees to attend up to two (2) planning seminars and two (2) pre-retirement planning programs presented by the Nebraska Public Employees Retirement Systems.
- 012.06 Injury Leave. Employees who are subject to the provisions of the Nebraska Workers' Compensation Act are entitled to the benefits of that law due to injury or occupational disease arising out of and in the course of their employment.
- 012.06A Injury or occupational disease arising out of and in the course of employment will be reported to the Human Resources Office as soon as possible. See Chapter 15, –Section 008, of this Title for additional information on workers' compensation.
- 012.06B Employees entitled to be paid workers' compensation have the option of being ~~will be~~ granted injury leave with full pay for the first five (5) workdays they are unable to work due to injury or due to treatments for such injury, including the day of injury (if inability to work began on that day). At the expiration of injury leave, provisions of the Nebraska Workers' Compensation Act will apply. Injury leave will not be charged to vacation or sick leave.
- 012.06C Employees who are receiving workers' compensation for injury or occupational disease occurring out of and in the course of employment, will have the option of electing to use accumulated unused sick and/or vacation leave and accumulated unused compensatory time (if applicable) to supplement workers' compensation up to but not exceeding the regular rate of pay. Employees electing this option will be charged sick or vacation leave or compensatory time, and earn sick and vacation leave in proportion to the percentage of gross wages paid by the Department. The Department's share of the health insurance premium will be paid during an absence under workers' compensation after all accrued leave and compensatory time have been depleted. Employees on workers' compensation will be treated as part-time employees for purposes of leave earnings and will earn prorated sick and vacation leave based on the number of hours worked and/or accrued leave time hours used to supplement the workers' compensation payment. If employees do not have, or choose not to use, accrued leave time to supplement the workers' compensation payment they will earn leave time only on the number of hours worked, if any.

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012.06D Holidays occurring during a pay period during which workers' compensation benefits are received will be paid at a rate proportionate to the number of hours worked and/or accrued leave time hours used during the pay period.

012.07 Disaster Relief Leave. Employees who provide proof of their disaster relief volunteer certification with the American Red Cross may, with appropriate supervisory authorization, be granted paid civil leave, not to exceed fifteen (15) workdays in each calendar year, to participate in specialized disaster relief services in Nebraska for the American Red Cross, upon the request of the American Red Cross.

012.08 Adoption. The primary caregiver of a newly adopted child will, upon a request that is within thirty (30) calendar days of such adoption, receive up to six (6) weeks of leave, which is the generally accepted medical standard leave period for new mothers by natural birth. The leave will be taken first as sick leave, and if and when sick leave is exhausted, then as vacation leave; or compensatory time, if available. FMLA leave is also available in accordance with provisions of Section 006 of this Chapter.

An employee is not eligible for adoption leave if the child being adopted is a special needs child over eighteen (18) years of age, a child who is over eight (8) years of age and is not a special needs child, a stepchild being adopted by his or her stepparent, a foster child being adopted by his or her foster parent, or a child who was originally under a voluntary placement for purposes other than adoption without assistance from an attorney, physician, or other individual or agency which later results in a petition for the adoption of the child by the person with whom the voluntary placement was made.

012.09 Attendance at Legislative Hearings. Employees may be allowed to utilize vacation leave or compensatory time off (or modified work schedule for those employees who do not earn compensatory time) for the purpose of attending legislative hearings of their own choosing. Upon notification to the employee's supervisor of the purpose of such request for time off, said request may not be unreasonably denied. Such employee's supervisor will be given as much prior notice as possible under the circumstances as to when such leave is proposed.

013 Catastrophic Illness Donation. The provisions of this Section are non-grievable. Employees may contribute accrued vacation leave to benefit another employee in the Department who is personally experiencing a catastrophic illness. The recipient must initiate a request by completing and signing a donation request form provided by the Department. Leave will be donated in no less than four (4) hour increments. The

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contributing employee must complete and sign a donation authorization form provided by the Department and identify the number of hours of vacation leave being donated and the recipient. Vacation leave donated to, and used by, another employee pursuant to this provision cannot be returned to the credit of the donor's vacation leave account. Catastrophic Leave will be available only to employees who have exhausted their own paid leave through bona fide serious illness or accident.

013.01 Recipient Eligibility. In order to receive a leave donation employees must:

013.01A Be experiencing a serious illness or injury that requires a prolonged absence of at least thirty (30) consecutive calendar days during the past six (6) months;

013.01B Produce satisfactory medical verification of the requirements of Section 013.01A of this Chapter;

013.01C Have one (1) year of service to the Department;

013.01D Have exhausted all earned paid leave time including compensatory time, sick leave, and vacation leave through bona fide serious illness or accident; and;

013.01E Not have offered anything of value in exchange for the donation.

013.02 Donor Eligibility. In order to make a leave donation, employees must:

013.02A Not have solicited nor accepted anything of value in exchange for the donation; or;

013.02B Have remaining to his/her credit at least forty (40) hours of accrued vacation leave after the donation has been made.

013.03 Donation Value Conversion. Leave donated will be converted to a dollar value and then converted to hours based on the recipient's hourly rate. No more than 800 converted hours of donated leave may be received by an employee during a twelve (12) month period.

013.04 Donation Period. Donations cannot be retroactively applied to the thirty (30) consecutive calendar day qualifying period required in Section 013.01A of this Chapter.

014 Maternity Leave Donation (MLD) Program. An employee may participate in the MLD program with the approval of the Human Resources Office.

014.01 Eligibility of Recipient. Employees must submit a written request on the

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form provided by the Human Resources Office and;

- 014.01A Be the expectant mother of a newborn baby or be the adoptive mother;
- 014.01B Have a ~~Department-approved~~ ~~an agency-approved~~ FML request;
- 014.01C Have exhausted all earned sick leave for eligible sick leave reasons; and
- 014.01D Have not offered anything of value in exchange for the donation.

014.02 Contributing Maternity Leave Donations. Employees may contribute accrued vacation leave or earned compensatory time to benefit another employee in the ~~Department Agency~~ who requests MLD. Vacation leave and earned compensatory time will be donated in no less than 4 ~~(4)~~- hour increments. The contributing employee must identify the specific amount of time donated and the name of the recipient of the donated time on the appropriate forms for that purpose. Vacation leave and compensatory time donated and transferred to another employee pursuant to this provision will be irrevocably credited to the recipient's MLD account.

014.02A Vacation leave and compensatory time transferred will be converted to a dollar value and then converted to hours based on the recipient's hourly rate. No more than an equivalent of 480 hours of MLD may be received by an employee during the approved FML period. The ~~Department Agency~~ will transfer donated leave to the recipient's MLD account from the donor's accruals in chronological order based on the date the form was received and on an as needed basis.

014.03 Eligibility of the Donor. Before donating vacation leave or earned compensatory time employees will meet the following criteria:

- 014.03A Only increments of four (4) hours may be donated;
- 014.03B Have not solicited nor accepted anything of value in exchange for the donation; and
- 014.03C Have remaining to his/her credit at least 40 hours of accrued vacation leave (earned compensatory time can be donated completely, leaving a zero balance).

015 Service Date Adjustments. The employee's service date will be adjusted when an unpaid absence exceeds fourteen (14) consecutive calendar days except when an employee is still eligible for workers' compensation payments. The adjustment will correspond to the number of days the employee is on unpaid leave.

016 Leave accrual. All types of leave are granted in proportional amounts for part-time employees and those who work less than a full year.

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CHAPTER 10 – PERFORMANCE APPRAISALS

- 001 Conducting Appraisals. Employees will be appraised on their job performance at regular intervals per Chapter 5, –Section 006.03, of this Title.
- 002 Special Performance Appraisal. A special performance appraisal may be submitted whenever the supervisor desires to record instances of performance worthy of recognition, either favorable or unfavorable. Reasons for submission of a special performance appraisal will be explained in the comments section of the appraisal.
- 003 Rebuttal. The employee may, within seven (7) calendar days of the appraisal conference, make written comments within the employee signature area or submit a separate written statement to the Human Resources Office that will become a permanent part of the personnel file. No additional written observation will be made on the appraisal after the appraisal conference has been held without notification to the employee.
- 004 Grievance. Employees ~~may will~~ not grieve the subjective content of a performance appraisal under the provisions of Chapter 14 of this Title. They may, however, grieve the validity of the appraisal as provided below:
- 004.01 A grievance may be filed if the evaluated employee can establish discrimination by reason of sex, race, color, age, national origin, marital status, religion, disability, or genetic information (as prohibited by the federal Genetic Information Non-discrimination Act [GINA] and Neb. Rev. Stat. § Section 48-236 ~~R.R.S.~~); the evaluator provided false information on the appraisal instrument; or the evaluator was not in a direct supervisory or management position covering the daily work of the employee being evaluated. A supervisor's subjective assessment of a matter of performance is not false information for purposes of this subsection.

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- 001 Home Address. All employees are required to provide a current physical home address to the Human Resources Office.
- 002 Content. Personnel records include all information stored in any form by the Human Resources Office, which is personally identifiable with an individual employee. The Department agrees to maintain one official Department personnel file per individual for the provisions of this Chapter. The one official Department personnel file will be maintained electronically by at the State Office Building in the Human Resources Office. Copies of materials from the official personnel file on an employee may be maintained at the work site of the particular employee.
- 002.01 Public Information. Public information contained in personnel records will consist only of the full name of the employee; the employee’s job title and date(s) of employment; a statement as to whether the individual is or was an employee of the Department; the employee’s work location and work phone number; and the gross salary of the employee. Public personnel information will be provided to any party requesting it. Additionally, pursuant to subdivision (18) of Neb. Rev. Stat. § 84-712.05 Section 84-712.05(15) R.R.S., all “job application materials,” as defined in that subdivision subsection, that are submitted by persons who are hired and become employees of the Department, are public records and are required to be provided upon proper request under the state public records laws.
- 002.02 Confidential Information. Confidential information contained in personnel records will include all information that is not considered public information. Confidential information will be released only to the employee; the Board; any Department administrator or supervisor in the line of authority to the employee; staff from the Human Resources Office or the Legal Services General Counsel’s Office; any governmental law enforcement, or investigative agency or representative upon presentation of proper identification to the Human Resources Office; a subpoena or court order; anyone who presents a document signed by the employee granting access to confidential information, or as reasonably needed for the Department to defend itself in any legal or administrative proceeding brought against the Department or any of its officials or employees in their professional capacities, or as reasonably needed by the Department to prosecute legal or administrative actions brought by the Department.
- 003 Inspection and Copies. An employee of the Department will be allowed to inspect and/or obtain a copy of their own personnel file maintained by Human Resources at any time during work hours. Upon an employee’s specific request to the Human Resources Office, the Human Resources Office will, within ten (10) workdays, provide electronic access or copies of the specific documents.
- 004 Cost. The cost of any copies of the files will be assumed by the Department unless

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said copies are of material which had been previously provided to the employee, in which case the cost of such copies will be assessed to the employee at the rate per copy charged for public records per the Department's administrative policies regarding public access to records and reproduction costs.

- 005 Notice. Employees will be notified by the Department in writing within ten (10) workdays of any information being placed in their personnel file by persons other than the employee which information bears upon the character of the employee or the employee's job performance. The Department will be required to reproduce the information for the employee in accordance with Section 003 of this Chapter.
- 006 Release of Information. All third party inquiries requesting information regarding the employment record of an employee will be directed to the Human Resources Office. Upon receipt of a completed release of information form, the Human Resources Office will provide the requested information. When the employee does not specify on the release form the information to be disclosed, Human Resources will disclose to the authorized third party the information described in [Neb. Rev. Stat. § Section 48-201 R.R.S.](#) When a request for other than public information is received, and a completed release form is not on file to allow release of the requested information, the Human Resources Office will forward an Authorization for Release of Employment Records form to the employee or the requestor. If no written authorization is received, the Human Resources Office will release only public information. The release form will be retained in the employee's personnel file. Documented employment information from a current or former employee's personnel file will be shared with other state agency human resources staff or hiring supervisors, upon request, when the current or former employee has applied for a position in another department/division/agency on the basis of the release on the state job application.
- 007 Medical Records. Employee records of medical examination and other miscellaneous medical records will be maintained electronically by Human Resources separate from personnel file documents. Access to medical records will be provided only to personnel who require them to carry out an assigned responsibility.
- 008 Post-employment. This Chapter does not cover the inclusion of information in any employee's personnel file following termination of the employee. Former employees will have reasonable rights of access to their Department personnel file, subject to the provisions in this Title.

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CHAPTER 12 – LAYOFF, RECALL AND RESIGNATION

001 Effective. A resignation is effective when accepted in writing or orally by a supervisor or any member of the Human Resources Office or the Legal Services Office.

001.01 Absent extenuating circumstances, an employee will be considered as abandoning his/her job if absent from their designated work site more than two (2) consecutive workdays without giving notice. Abandonment is considered a voluntary resignation.

002 Payment for Vacation Leave. Vacation leave not used prior to the last day of employment will be paid to the employee in one lump sum, to be mailed to the employee after termination except as provided ~~for~~ in Chapter 9, Section ~~004.04, 004.05~~ of this Title.

003 Determining Authority. The Commissioner, after providing written notification to the Board, may separate any employee without prejudice after thirty (30) calendar days written notice, because of reduction in funds or in ~~workload~~ ~~work-load~~. The Commissioner has discretion to determine whether the layoff will be geographical, organizational, program, by classification, or any combination thereof.

004 Layoff General Rules. When a layoff of employees occurs, the following applies:

004.01 Layoffs will be identified by the budget and program areas within a specific locality. The Department will identify the job classification(s) for layoff to provide the most efficient and productive operation of the Department. Within the identified job classification(s), the order of layoff will be based on seniority (based on the Department service date or Department company service date as opposed to any adjusted service date that is calculated due to prior State service at another State Agency).

005 Transfer Rights – Vacant Positions. Employees who have received written notice of layoff will have the right to exercise transfer rights under this Section. If there is a vacant position in the Department for which the employee satisfies the qualification requirements as determined by the Department, the employee may elect to transfer to such vacant position.

005.01 Within eight (8) calendar days of a laid off employee being provided such notice, the employee must notify the Department in writing of any intentions to transfer in accordance with this Section.

005.02 If more than one laid off employee elects to transfer into a vacant position, the selection will be made based on seniority.

005.03 In determining the priority of transfers identified in this Section, transfers to vacant positions in the same geographical area (i.e., within sixty [60] miles) will be given priority over transfers to positions in a different

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geographical area.

005.04 An employee who transfers to another position in the same job classification will be transferred so as to effectuate no loss in pay.

006 Recall and Re-employment. This Section specifies how laid off employees will be either recalled or given re-employment opportunities for vacancies created following a layoff.

006.01 Recall to Previously Eliminated Position. Following a layoff, when a previously eliminated position is restored, the employee occupying the position at the time of reduction in force will have recall priority subject to Sections 006.02A through 006.02C of this Chapter. The recall salary will be based on the salary rate in effect at the time of layoff.

006.02 Recall to Vacancy in the Same Job Series. Following a layoff, when a vacancy is created in the same job series, employees who satisfy the required qualifications as determined by the Department will be recalled in reverse order of a layoff or transfer in lieu of layoff as follows:

006.02A At the time the vacancy occurs, the Department will notify the first five (5) qualified employees in line for recall of the vacancy.

006.02B Such employee(s) will then have ten (10) workdays following date of notification to accept or refuse the recall by providing written notice to the Department. The recall vacancy will be offered to the employee with the most seniority who provides written acceptance within ten (10) workdays.

006.02C Failure to Respond. Employees who fail to respond by either accepting or refusing the recall vacancy on two (2) successive notifications will forfeit further recall rights.

006.03 Re-employment Opportunities. In the event ~~that~~ a vacancy occurs as provided in Section 006.02 of this Chapter and there are no persons laid off or transferred in lieu of layoff who held a position in the job series at the time layoff began, the Department will notify all laid off employees of the vacancy and the qualifications required to hold the position. Such employees will then have ten (10) calendar days following receipt of such notice to apply for said position. The Department has the right to hire the most qualified applicant.

006.04 The pay rate of an employee who occupies a position of a lower job classification as a result of recall from layoff or re-employment will be set in accordance with Chapter 6, Section 004. of this Title.

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- 006.05 Financial Assistance for Relocating. In cases in which employees have received state financial assistance, per Chapter 15, –Section 016, of this Title, in geographically relocating to avoid layoff, there will be no requirement for such assistance if recalled to their previous position.
- 007 Time Period for Recall and Re-employment. During the twelve (12) month period following layoff or transfer in lieu of layoff of the employee, no new employees will be hired to fill vacant positions until all employees on layoff or transfer in lieu of layoff who desire to return to work and who are qualified for the vacant position(s) have had the opportunity to be recalled or re-employed per Section 006 of this Chapter. It will be the responsibility of the employee who was laid off or transferred in lieu of layoff to be available for recall or re-employment during such time, and such employee will be responsible for providing the Department with a current address. It will be the responsibility of the employee who was laid off or transferred in lieu of layoff to update and/or supplement the written documentation in their personnel file regarding their employment qualifications so as to allow the Department to evaluate their eligibility for recall or re-employment under Section 006 of this Chapter.
- 007.01 During the twelve (12) month period, employees may waive their rights to receive recall and re-employment notice rights contained in this Chapter by providing a written statement to the Human Resources Office.
- 008 Accumulated Leave Payoff. Employees who are laid off will be paid at the time of layoff for all accumulated and unused vacation leave, sick leave if eligible under Chapter 9, Section 005.12A, of this Title, compensatory time, and overtime. Statutory provisions for the retention of vacation and sick leave will not be modified by this Chapter.
- 009 Notification. "Notification," as used in this Chapter, means Certified Mail to the employee's last known address, or personal delivery, or deposit at last known residence. Notifications issued to an individual employed at the Department may be made by e-mail or personal delivery to the employee's office. In the event of personal delivery, a receipt acknowledging delivery will be signed by the laid off employee.

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001 Grounds. Grounds for corrective, disciplinary action, and/or dismissal include, but are not limited to:

- 001.01 Violation of, or failure to comply with, the State Constitution; any statute; an executive order; published rules and regulations of the Department; Department policies or procedures including work rules; this Chapter; or, administrative memoranda.
- 001.02 Failure or refusal to comply with a lawful directive or to accept a reasonable or proper assignment from an authorized supervisor.
- 001.03 Inefficiency, incompetence, or negligence in the performance of duties.
- 001.04 Careless, negligent, improper, or unsafe use of state property, equipment, or funds; or, conversion of state property. This includes transmitting threatening, obscene, or harassing material through the State's communication systems.
- 001.05 Use of bribery or undue influence to gain or attempt to gain promotion, leave, favorable assignment, or other individual benefit or advantage.
- 001.06 Falsification, fraud, or willful omission of information when applying for a position, applying for or renewing required credentials, performing the duties of a position, responding to work-related questions or inquiries of any supervisor, or completing records or reports relevant for the Department.
- 001.07 Unauthorized or improper use of any type of leave, repeated tardiness, repeated failure to comply with scheduled work hours, including meal or rest periods, or absence without approved leave.
- 001.08 Failure to maintain satisfactory working relationships with the public, other Department employees, supervisors or managers, or with persons placed under the direct care and responsibility of the employee.
- 001.09 Failure to obtain and maintain a current license or certificate required by law or Department standards as a condition of employment.
- 001.10 Violation of any provision of the Department's Code of Ethics under the provisions of Chapter 16 of this Title.
- 001.11 Conduct while on- or off-duty, which brings discredit to the Department, the State, or which impairs an employee's services and/or the Department's performance or function, including criminal charges arising from such conduct.

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- 001.12 Unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcoholic beverage in the workplace or reporting for duty under the influence of alcohol and/or unlawful drugs, or when prior consumption of same is plainly detected.
- 001.13 Insubordinate acts of language which seriously hamper the Department's ability to control, manage, or function.
- 001.14 Acts or conduct (on or off the job) which adversely affects the employee's performance and/or the successful completion of the Department's performance or function.
- 001.15 Unlawful ~~workplace~~ ~~work-place~~ discrimination (harassment) based in whole or in part, on race, color, sex, sexual orientation, religion, age, disability, genetic information (as prohibited by the federal Genetic Information Non-discrimination Act [GINA] and Neb. Rev. Stat. § Section 48-236 ~~R.R.S.~~), or national origin, which manifests itself in the form of unwelcome comments, jokes, printed material, and/or unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.
- 001.16 Display of sexually explicit or obscene materials and/or the utterance of offensive comments in the workplace that are derogatory toward a group or individual based upon race, sex, sexual orientation, color, religion, disability, age, or national origin.
- 001.17 Possession of any type of firearm during the course of performing their job. The prohibition includes transporting firearms into any work site or in a state vehicle.
- 002 Suspension With Pay. A suspension with pay is an ordered absence from duty while on full pay status for a prescribed period of time. A suspension with pay may be ordered only upon approval of the Deputy Commissioner or the Commissioner. This action allows for: an immediate response to a suspected but not fully substantiated offense; a period in which an investigation can be thoroughly pursued as expediently as possible; or, for other reasons at the discretion of the Deputy Commissioner or the Commissioner. Suspensions with pay are not grievable.
- 002.01A The ordered suspension with pay will be in writing, signed by the Deputy Commissioner or the Commissioner, and will become part of the employee's official personnel file. If the employee is absent when a suspension with pay is ordered, the Deputy Commissioner or the Commissioner will direct written notice to the employee either by Certified Mail with instructions to "Deliver to Addressee Only, Return Receipt Requested," by personal delivery, or deposit to the employee's last known address, or via by email

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to the employee's personal email address ~~employee~~ with agreement of the employee.

002.01B If a suspension with pay is ordered to allow for an investigation of a suspected offense, and if the offense is not substantiated, then the ordered suspension will be removed from the employee's personnel file.

002.01C In the absence of the Deputy Commissioner or the Commissioner, the appropriate Office Administrator may order an employee's suspension with pay for up to ten (10) calendar days. Upon the Deputy Commissioner's or the Commissioner's return, the Deputy Commissioner or the Commissioner will affirm or modify the suspension with pay within five (5) calendar days.

003 Corrective Action.

003.01 Oral Counseling. This is an informal level of corrective action. It is a warning given by an immediate supervisor in conference with an employee in which the matter that caused the corrective action to be taken is discussed and the employee is advised what action is expected of him/her to correct the problem. A written record of the oral counseling may be prepared if a copy is provided to the employee; however, no record of it will be placed in the employee's personnel file.

003.02 Written Warning. When, in the opinion of the supervisor, oral counseling is not an adequate measure to correct the deficiency, a written warning, which will be considered a corrective action, may be imposed. The written warning must be fully documented and must include an oral conference between the supervisor and the employee at the time the written warning is presented or as otherwise agreed to by both parties. The written narrative will be consistent with the oral conference. The written warning will be dated, explain the reason for the warning, and explain the action expected of the employee to correct the cause or problem. Both the supervisor and the employee will sign the written warning, and the employee will be given a copy of the completed and signed warning. The employee's signature thereon does not imply agreement with the contents of the written warning, but documents only that he/she has seen it and the oral conference described above has been held. The written warning will be considered effective on the date that it is issued to and received by the employee.

003.02A Written warnings will be issued on official forms the Department may designate for this purpose.

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003.02B The employee has the opportunity to attach written rebuttal, clarification, or objection to the written warning within five (5) workdays of receipt by the employee.

003.02C The written warning will become inactive ninety (90) calendar days after having been issued to the employee unless the originating supervisor will renew it by additional written commentary on the original form explaining the renewal.

003.02C1 When the written warning is renewed, the employee will again have the opportunity to offer written commentary in response to the renewal and will be provided with a copy of the annotated (renewed) form.

003.02C2 A written warning may be renewed no more than one (1) time.

003.02C3 All record of the written warning will be removed from the employee's personnel file ninety (90) calendar days after it will become inactive. It may only be retained by the Department in a separate file for warnings and may be referenced by the Department or employee in the event of litigation, personnel action, (including subsequent disciplinary or corrective action), audit, or other administrative proceeding or complaint, if relevant.

004 Forms of Discipline. Four (4) forms of disciplinary action are available for supervisory use by the Department. The seriousness and/or nature of the situation will determine the form of discipline to be used. These are:

004.01 Suspension Without Pay. A suspension without pay is an ordered suspension from duty for a prescribed period of time for which no pay, vacation, sick, or holiday leave is granted, nor is vacation, sick, or holiday leave accrued. A suspension without pay may be ordered only upon written approval of the Deputy Commissioner.

004.01A The length of the suspension will be determined by the Deputy Commissioner in view of the seriousness of the violation and/or continued violation after the employee has been duly warned.

004.01B An ordered suspension without pay will be in writing, **and** signed by the Deputy Commissioner, and will become part of the employee's official personnel file. If the employee is absent when a suspension without pay is ordered, the Deputy Commissioner

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will direct written notice to that employee by one of the following methods: Certified Mail with instructions to “Deliver to Addressee Only, Return Receipt Requested;” personal delivery or deposit to the employee’s last known address; or by email to the employee’s personal email address with agreement of the employee.

004.02 Disciplinary Demotion. The movement of an employee from the present position to one of lesser responsibility and/or authority and to a lower salary, may be ordered only upon the written approval of the Deputy Commissioner, a copy of which is provided to the employee.

004.02A A request for disciplinary demotion will be in writing with full documentation, signed by the supervisor and the appropriate Office Administrator. The disciplinary demotion will be signed by the Deputy Commissioner and will become a part of the employee’s official personnel file. An employee who is the subject of a disciplinary demotion will also be placed on secondary probation as described in Chapter 5, Section 003. of this Title.

004.03 Administrative Probation. An administrative probation is a period of time, not more than six (6) calendar months, imposed by the appropriate Office Administrator Team Leader, for disciplinary reasons during which the employee must rectify the performance or behavior which led to the imposition of the disciplinary action. The notice of administrative probation will be in writing, dated, and will inform the employee of the reason for the probation, the action required for improvement, and state that failure to improve may result in further action. The employee will acknowledge receipt of the probation notice by signing the document. The employee’s signature on the notice of administrative probation does not imply agreement with the notice of administrative probation.

004.03A Employees placed in an administrative probationary status will not be promoted or granted pay increases during the administrative probationary period.

004.03B Employees granted vacation, sick, holiday, bereavement, civil, administrative, or military leave while on administrative probation may have their probation extended by the number of days absent on leave.

004.03C The administrative probation may be extended by the Deputy Commissioner for a period not to exceed a cumulative total of one (1) calendar year unless extended in accordance with the provisions of Section 004.03B of this Chapter. Reasons for such

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extension will be made known to the employee in writing.

004.03D The termination of a regular employee on administrative probation does not preclude the filing of a grievance by the employee.

004.03E An employee may be placed on administrative probation, upon return to work, following a suspension.

004.03F An employee may be removed from administrative probation at any time.

004.04 Dismissal. An employee may be dismissed from employment with the Department for failure to respond to previous corrective or disciplinary actions or when circumstances render any preceding steps unnecessary or inappropriate.

004.04A The Office Administrator and the employee's immediate supervisor, if other than the Office Administrator, will recommend dismissal to the Commissioner in writing, and the decision to dismiss or take another action will be made by the Commissioner.

004.04B The Commissioner will inform the employee in writing of a time at which the employee may present any additional facts, material, or evidence regarding his/her dismissal to the Commissioner. Failure by the employee to appear before the Commissioner acts as a waiver by the employee to the aforementioned meeting prior to action by the Board.

004.04C The employee may be represented by a third party in the meeting with the Commissioner, but the time, date, and/or place of said meeting will not be postponed or rescheduled because the representative of the employee is unable to attend unless both the Commissioner and the employee mutually agree to another time, date, and/or place.

004.04D Within five (5) workdays following the scheduled date of the meeting with the Commissioner, the Commissioner will provide the employee a copy of his/her decision and the action which the Commissioner has decided to impose. This written decision may be hand-delivered, sent by Certified Mail, sent by regular U.S. Mail to the employee, or provided via by email to the employee's personal email address with prior agreement of the employee. The five (5) workday period may be extended upon agreement between the Commissioner and the employee. For the purposes

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of this subsection, the date the written decision is “provided” to the employee is (a) two (2) business days after it was deposited in the regular U.S. Mail; or (b) the date of personal or certified delivery; or the date it was e-mailed.

004.04D1 The employee may obtain a hearing before the Board or, at the Board’s option, its designated hearing officer, by delivering a written request to the Commissioner within ten (10) workdays of receipt of the Commissioner’s letter of notice; and

004.04D2 The date, time, and place of the hearing will be communicated in writing to the employee.

004.04D3 When a hearing is held, the employee may be present and be heard, be represented by counsel, examine documentary evidence presented, cross-examine witnesses, offer documentary evidence, and present witnesses. Hearings are conducted in accordance with Title 92, Nebraska Administrative Code, Chapter 61.

004.04D3a The Hearing Officer’s findings of fact and recommendation to the Board and the Board’s order in a contested case are public records.

004.04E If the Commissioner’s decision is to dismiss the employee, the Commissioner may elect to take whatever action he/she chooses which affects the employee until the dismissal becomes final, including placing the employee on suspension without pay. Such action will be in writing and be included with the written decision provide under Section 004.04D of this Chapter.

004.04F If no timely written request of a hearing is received by the Commissioner, the dismissal decision becomes final and will appear in the Commissioner’s Report for the next regularly scheduled Board meeting.

004.04G When the Department determines that immediate disciplinary action is required for an employee not officed in Lincoln, the Commissioner or a Deputy Commissioner may designate an individual to sign and deliver the notice of disciplinary action to the employee for the Commissioner or a Deputy Commissioner. The disciplinary action will be effective immediately upon the receipt of such notice by the employee. The Commissioner or a

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Deputy Commissioner will subsequently sign and forward a copy of such notice to the disciplined employee.

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CHAPTER 14 – GRIEVANCE PROCEDURE

- 001 Eligibility. All regular employees have grievance rights. Applicants, temporary employees, contract employees, and employees on original probation have no grievance rights within this Chapter. An employee who has successfully completed an original probation period will retain grievance rights during subsequent probation periods per Chapter 5, ~~–Section 003,~~ of this Title.
- 002 Definition. A grievance is defined as a contention of misapplication or violation of any of the following: Department policies, rules or regulations including these Personnel Rules, written administrative policies, other written operating procedures, laws, or written instructions pertaining to employees.
- 002.01 Effective Dates of Management Actions. Filing of a grievance does not delay the effective date of any management action. In the event ~~that~~ a suspension without pay or demotion is not supported through the grievance procedures, the employee will be returned to his or her position as though said suspension without pay or demotion had not taken place.
- 003 Non-Grievable Matters. The following issues, when done in compliance with established law, rule, or Department policy, are examples of non-grievable matters. The list below is not to be considered all-inclusive:
- 003.01 Performance appraisals;
003.02 Department appointments, including promotions to positions;
003.03 Involuntary transfers not requiring the employee to relocate;
003.04 Leave of absence decisions;
003.05 Payment of moving expenditures;
003.06 Merit increase allocations;
003.07 Position classification, including, but not limited to, reclassification per Chapter 6 of this Title;
003.08 Investigatory suspensions with pay;
003.09 Pay adjustments pursuant to Chapter 7 of this Title; ~~and~~
003.10 Federal Fair Labor Standards Act (FLSA) status determinations;
003.11 Placement on suspension without pay or other action of the Commissioner following a decision recommending an employee’s dismissal to the Board as described in Chapter 13, Section 004.04, ~~of this Title;~~
003.12 Regardless of compliance with laws, rules, regulations, or Department policies, an employee may not grieve actions or inactions that were alleged to have been done to or concern another employee;~~-~~
003.13 Maternity Leave Donation Program participation; ~~and-~~
003.14 Corrective Action.
- 004 An employee may grieve layoffs (and/or transfer, recall and re-employment rights) only on the grounds of unlawful discrimination or failure to follow the provisions of the Personnel Rules in regard to the layoff.

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005 Disciplinary Dismissals. Employees may contest disciplinary dismissals according to the provisions in Chapter 13, ~~–~~Section 004.04, of this Title.

006 Grievance Procedure. The employee may be accompanied at any step of the grievance procedure by a representative of the employee's selection. The Department may also be accompanied by a representative at any step. A grievance form will be provided by the Department and made available to each and every employee upon request. This form is reproduced in Appendix A of this Title. No employee will be denied the right to a grievance hearing by reason of the employee's failure to properly fill out or fully complete the grievance form. However, a signed grievance form must be utilized in order to file a grievance. The Grievance Procedure will be as follows:

006.01 Step One. Within fifteen (15) workdays of the employee's knowledge of the event or condition which caused the grievance, the grievant will present the completed grievance form to the Office Administrator ~~first request a meeting with the immediate supervisor and the next level of supervision.~~ If an employee is placed on suspension with pay, the workdays within that period are not counted against the fifteen (15) workday time frame. Within fifteen (15) workdays after receiving the completed grievance form, the supervisor, Office Administrator, or designee if applicable, and grievant will meet to discuss the grievance and attempt to resolve the matter, and the Office Administrator will arrive at a response and communicate the same to the grievant in writing. ~~In cases where the next level of supervision is the Deputy Commissioner, then the Director of Human Resources will attend the meeting as the Deputy Commissioner's designee. At the time the request is made, the employee will notify the supervisor(s) in writing that the meeting will constitute Step One in the grievance procedure. Within five (5) workdays of the request, the immediate supervisor, next level supervisor, or designee if applicable, and grievant will meet. The supervisors will arrive at a response and communicate the same to the grievant, in writing, within four (4) workdays of the meeting. If the response is not satisfactory to the grievant, Step One of the grievance will be reduced to writing by the employee on the approved form within three (3) workdays of receipt of the supervisors' response and the supervisors will have five (5) workdays upon receipt of the written grievance to provide the grievant with a written answer. The grievant will specifically identify the rules, procedures, or policies, as defined in Section 002 of this Chapter, that are contended to be misapplied.~~

006.01A In cases of disciplinary demotion or disciplinary suspension without pay the grievant will proceed as specified in Step Three ~~Four~~ of this procedure by filing an appeal to the Board without having to convene the meeting described in Section 006.01 of this Chapter. The appeal to the Board referred to in Step Three ~~Four~~ below must be filed with the Commissioner, in writing on the

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appropriate form, within fifteen (15) workdays of the grievant's receipt of the Deputy Commissioner's suspension order or disciplinary demotion approval.

006.01B In cases of administrative probation, the grievant will submit the grievance to the Deputy Commissioner in writing on the appropriate form within ~~fifteen (15) ten (10)~~ workdays of the date of the receipt of the notice described in Chapter 13, ~~Section 004.03,~~ of this Title without having to convene the meeting described in Step One. The Deputy Commissioner will give a written answer within ~~fifteen (15) ten (10)~~ workdays of receipt of the grievance. If a resolution to the grievance is not reached, the employee may proceed as specified in Step Four of this procedure within fifteen (15) workdays of the receipt of the Deputy Commissioner's answer.

~~006.01C In cases where an Office Administrator other than the Director of Human Resources was one of the supervisors that was party to the meeting at Step One, Section 006.01 of this Chapter, then the grievant will skip Step Two below and proceed directly to Step Three within five (5) workdays of the employee's receipt of the written answer to the employee's written grievance described in Section 006.01 of this Chapter.~~

006.02 Step Two. When the written answer in the preceding step is not satisfactory to the grievant, the grievant may, within ~~fifteen (15) five (5)~~ workdays of the receipt of the ~~Office Administrator's supervisor's~~ written answer, ~~appeal the decision to the Deputy Commissioner in writing. The Deputy Commissioner present the completed grievance form to the appropriate Office Administrator who~~ will give a written response to the grievant within ~~fifteen (15) five (5)~~ workdays thereafter. ~~The Deputy Commissioner may hold a meeting with the grievant in order to better understand the facts and circumstances before rendering a decision. If the next level of supervision above the grievant's supervisor is the Deputy Commissioner, Step Two will be skipped and the grievant may proceed directly to Step Three by presenting the completed grievance form to the Deputy Commissioner within five (5) workdays of the employee's receipt of the supervisors' written answer in Step One above.~~

~~006.03 Step Three. When the response in the preceding step is not satisfactory to the grievant, the grievant may, within five (5) workdays of receiving the response from the appropriate Office Administrator, present the grievance to the Deputy Commissioner by submitting the completed grievance form. The Deputy Commissioner will give a written answer to the grievant within five (5) workdays, thereafter.~~

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~~006.03~~ ~~006.04~~ Step Three Four. If a resolution to the grievance is not reached, the grievant may, within fifteen (15) workdays after receipt of the Deputy Commissioner's decision, appeal the grievance to the Board. The appeal at this level will be directed to the Commissioner as Secretary of the Board. This appeal will include the filing of the grievance form as described in Section 006.01 of this Chapter.

~~006.03A~~ ~~006.04A~~ Within ninety (90) calendar days after receiving the appeal, the Commissioner will place the matter on the agenda of a meeting of the Board for a determination on if the Board or a hearing officer will conduct the hearing in accordance with Section ~~006.03B~~ ~~006.04B~~ of this Chapter.

~~006.03B~~ ~~006.04B~~ The Board may elect to conduct the hearing or may designate that a hearing officer, not an employee of the Department, conduct a hearing and recommend a decision to the Board. The employee will be notified of the Board's determination of who will conduct the hearing and the time and place of the hearing. In cases in which the Board elects to have a hearing officer conduct the hearing, the hearing officer will cause a complete record to be made of all evidence offered at the time of the hearing. The hearing officer will prepare written findings of fact and recommend a decision to the Board. The hearing officer will deliver these findings of fact and recommendation to the Board together with a complete transcript of all evidence offered at the time of the hearing. Hearings will be conducted in accordance with Title 92, Nebraska Administrative Code, Chapter 61. The hearing will take place within ninety (90) calendar days of the Board meeting at which the matter appeared on the agenda under Section ~~006.03A~~ ~~006.04A~~ of this Chapter.

~~006.03C~~ ~~006.04C~~ Both parties in a hearing pursuant to Step ~~Three Four~~ may present witnesses, and these witnesses will be subject to cross examination. If the witness is an employee of the Department, he/she will be paid for those hours outside his/her normal hours of work.

~~006.03D~~ ~~006.04D~~ The Board may affirm, modify, or reverse the decision of the Deputy Commissioner. The Board will notify, in writing, the aggrieved employee of the Board's decision within a reasonable time period.

007 Arbitration. At the time said appeal is filed pursuant to Step ~~Three Four~~, the

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employee and/or representative and the Commissioner may mutually agree to submit the dispute to voluntary binding arbitration. Otherwise, the dispute will be submitted to the Board in accordance with this Chapter.

007.01 If both parties choose to submit the appeal to voluntary binding arbitration, they will sign a waiver within ten (10) workdays indicating they acknowledge that the decision of the arbitrator is final, except as provided in the Uniform Arbitration Act, and cannot be appealed.

007.02 The arbitrator's scope of review will be to determine whether or not term(s) of these Personnel Rules has/have been violated, and whether the Department's action was taken in good faith and for cause. Arbitration hearings will be informal and the rules of evidence will not apply. The parties may be represented by attorneys in arbitration hearings. In cases involving discipline, the Department will present its case first, and in all other cases the employee will present his/her case first. The decision of the arbitrator will be final and may not be appealed. The arbitrator will decide the grievance in question based upon the issues presented in the written grievance filed pursuant to the grievance procedure. The arbitrator may interpret relevant provisions of the Personnel Rules and apply them to the particular case presented to him/her, but the arbitrator will have no authority to add to, subtract from, or in any way modify the terms of the Personnel Rules. The fee and expenses of an arbitrator will be borne equally by all parties. Arbitrators will be selected from lists developed and mutually agreed upon by the parties. If the parties cannot agree upon an arbitrator, a method of alternate striking of names will be employed.

007.03 The Commissioner or the Deputy Commissioner will have the authority to set time limitations for: the length of time within which an arbitrator must be chosen; the amount of time the parties will have to present their case (each party will receive the same amount of time); the time within which a case must be heard after an arbitrator is appointed; the length of time that will be allowed for the parties to submit post-hearing briefs; and the period of time after a hearing within which the arbitrator must enter his/her decision. Post-hearing briefs will not be allowed in any case unless the parties and the arbitrator are all in agreement as to the need for such briefs.

007.04 The decision of the arbitrator will be made in writing within sixty (60) calendar days of the hearing and will include findings of fact and conclusions of law. The findings of fact will consist of a concise statement of the conclusions upon each contested issue of fact. Parties to the proceeding and the Human Resources Office will receive a copy of the decision by first class U.S. mail. The arbitrator's decision will become public record upon submittal to the parties. If the arbitrator does not

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render a decision within ninety (90) calendar days from the date the arbitration hearing was held, a penalty of fifty dollars (\$50) per day will be imposed and deducted from the arbitrator's fee for each day over ninety (90) calendar days the decision is late, until the decision is received. This penalty may only be waived upon mutual agreement of the parties.

007.05 Both parties must provide the other party and the arbitrator with a listing of all exhibits to be introduced at the hearing, a copy of each exhibit, and a listing of individuals that the party plans to call as witness(es) in the arbitration/hearing, at least five (5) calendar days prior to the hearing. Such requests and/or notice will be addressed to the party from which the discovery is sought. Only discovery requests which are relevant or would lead to relevant evidence for the grievance will be granted; however, in no case will discovery be granted which seeks evidence which is recognized as privileged by the Courts of this State. Discovery requests must be provided within ten (10) workdays of the receipt of the request, unless objections are entered. Objections to discovery will be made to the arbitrator, and the arbitrator will consider the matter and issue a decision.

008 Number of Days. The number of days indicated in each step of the procedure will be the maximum. Failure of the grievant to proceed to the next step within the maximum time limit will be considered as termination of the grievance. Failure of the Department in any step to render a decision to the aggrieved employee(s) within the maximum time limits will automatically allow the aggrieved employee(s) to proceed to the next step.

“Days” will mean regularly scheduled workdays when the Nebraska Department of Education, ~~Nebraska State~~ Office Building offices, are open, excluding, however, such regularly scheduled workdays during which employees involved in the procedure are absent from the work site on approved leave or travel status. For all employees who are permanently located at work sites other than ~~500 South 84th Street 301 Centennial Mall South~~, Lincoln, Nebraska, days as defined above will be counted from the date of receipt. The day in which an item is received is not counted as a day for the receiving party.

Any time period established herein may be extended upon the written consent of the employee and the Deputy Commissioner.

009 Grievance Statement. The original Employee Grievance Statement will remain unchanged throughout the grievance procedure. Copies of the grievance statement and response at each step will be filed with the Human Resources Office by the grievant.

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001 Working Schedule. A schedule of working hours, which reflect individual job requirements, will be determined by the appropriate Office Administrator and the immediate supervisor. All employees will use the electronic calendar provided by the Department that will be accessible with full details to the immediate supervisor, indirect supervisor of the employee, and to others as directed by anyone in the employee's chain of command. All employees will establish their schedule of work hours approved by their supervisor, and record that schedule of work hours in their electronic calendar. All employees are accountable for a forty (40) hour workweek unless employed less than full-time for which work hours for a workweek are equivalent to the percentage of their employment for each week. All employees will record in advance on their electronic calendar all meetings, travel, and leave time. Emergencies or unforeseen medical needs are exceptions to advance recording so long as an employee immediately provides a written explanation to their supervisor no later than when first returning to work and promptly records the leave on their electronic calendar.

001.01 Change in Work Schedule. Supervisors will provide ten (10) workdays written notice to the affected employees prior to making changes in their permanent work schedules. The supervisor may temporarily change an employee's work schedule for cause without the ten (10) workday notification.

001.02 Lunch. Each day, employees will have an unpaid lunch break of at least thirty (30) minutes and no more than sixty (60) minutes unless they are scheduled to work six (6) hours or less that day. If an employee is working six (6) hours or less and would like to forgo the lunch break, the supervisor can approve the request. Scheduling the time of the lunch break is subject to the approval of the immediate supervisor. Schedule requests will not be unreasonably denied by the supervisor. Employees may not take a lunch break for a shorter period of time than one-half (1/2) hour. A lunch break may not be saved for use in shortening the workday.

001.03 Breaks. A rest break of fifteen (15) minutes may be taken during each four (4) hours an employee is on the job. Break time may not be saved for use in shortening the workday or in extending the lunch break. Rest breaks are considered work time.

001.04 Overtime. Nothing contained in this Chapter will be construed as limiting the Department's right to require overtime work by employees, subject to the provisions of Chapter 8 of this Title.

001.05 Job Sharing. Job sharing may be allowed by mutual agreement of the Deputy Commissioner, the appropriate Office Administrator, and the immediate supervisor. The Department will attempt to maintain job sharing arrangements in effect as of the effective date of this Chapter for

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as long as is practical and both involved employees remain employed in their current positions.

002 Drug-Free ~~Workplace~~ ~~Work-Place~~. The unlawful manufacture, distribution, possession, or use of any illicit drugs or of alcohol is prohibited in the workplace ~~work~~ ~~plae~~. Employees who violate the standards of conduct are subject to referral for prosecution.

002.01 Employees, who are convicted of a criminal-drug-statute violation occurring in the workplace ~~work~~ ~~plae~~, will be subject to disciplinary action up to and including termination; or will be required to satisfactorily participate in an approved drug/alcohol abuse or drug/alcohol rehabilitation program approved for such purposes by a federal, state, or local health law enforcement or other appropriate agency.

002.02 Temporary employees or contractors who are convicted of a criminal-drug-statute violation occurring in the workplace ~~work~~ ~~plae~~ will be subject to termination of employment/contract; or will be required to participate satisfactorily in an approved drug/alcohol abuse or drug/alcohol rehabilitation program.

002.03 Conviction for any criminal-drug-statute violation occurring in the workplace ~~work~~ ~~plae~~ must be reported by the employee or contractor to the Human Resources Office no later than five (5) calendar days after the conviction.

003 Discrimination. Unlawful workplace ~~work~~ ~~plae~~ discrimination (harassment), based in whole or in part on sex, race, color, religion, marital status, national origin, age, disability, protected activity (such as an employee's opposition to discrimination or participation in complaint proceedings), or genetic information (as prohibited by the federal Genetic Information Non-discrimination Act [GINA] and Neb. Rev. Stat. § Section 48-236 R.R.S.); constitutes unlawful workplace ~~work~~ ~~plae~~ discrimination (harassment). Employees who commit unlawful workplace ~~work~~ ~~plae~~ discrimination (harassment) while performing duties for the Department may be subject to disciplinary action, up to and including dismissal from employment. Employees who make complaints or assist in investigations of unlawful workplace ~~work~~ ~~plae~~ discrimination (harassment) will be protected against retaliation. Reports of alleged unlawful discrimination will be made to a staff member of the Human Resources Office, or any NDE Office Administrator. Employees covered by the Agreement may utilize grievance procedures contained in the Agreement, and employees not covered by the Agreement may utilize the grievance procedures contained in Chapter 14 of this Title.

003.01 Sexual Harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute

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sexual harassment when:

003.01A Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

003.01B Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

003.01C Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

003.01D Sexual harassment does not include personal compliments welcomed by the recipient or social interaction, or relationships freely entered into by employees or prospective employees.

003.01E Behavior Constituting Sexual Harassment. In determining whether alleged conduct constitutes sexual harassment, the Department will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual behavior and the context in which the behavior occurred. The determination of the legality of a particular action will be made from the facts on a case-by-case basis. Sexual harassment will not be permitted during the workday, nor will acts of sexual harassment be condoned outside the work environment if such are construed to encroach on the normal working relationship.

004 Political Activities. Unless specifically restricted by federal or state law, employees may participate in political activities except during office hours or when otherwise engaged in the performance of their official duties. Employees may not, however, participate in political activity using their status as a state employee to influence others.

005 Nepotism and Supervision of Family Members. Employees will not engage in nepotism. Nepotism means the act of hiring, promoting, or advancing a family member in state government or recommending the hiring, promotion, or advancement of a family member in state government. This includes within the Department and with other State Agencies. "Family Member" means an individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption, of an official or employee of the Department. Employees will not be assigned to positions in which they directly supervise, evaluate, or review the appraisal of a family member or to positions in which they are directly supervised, evaluated, or reviewed by a family member.

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006 Employee Education Opportunities

006.01 Postsecondary Coursework During Work Time. Employees may request approval to use work time to take up to seven (7) credit hours each calendar year from postsecondary institutions that award credit on the semester schedule or up to nine (9) credit hours each calendar year from postsecondary institutions that award credit on the quarter schedule. However, no more than four (4) credit hours may be taken in any one (1) semester, or no more than four and one-half (4.5) credit hours in any one (1) quarter, during work time without loss of pay. All summer sessions combined will be considered equivalent to one (1) semester period. If a class crosses calendar years, eligibility to take a course will be determined based on the start date of the class. Approval under this section is intended to allow employees to use work time to attend courses that have a regular meeting schedule as opposed to self-paced, online courses or credits for activities such as thesis or doctoral work. Depending on the distance and location, travel time may also be considered regular work time. Prior approval of course work and/or related travel time during work hours must be obtained from the immediate supervisor, Office Administrator, and the Deputy Commissioner. Management may limit the amount of work release time granted. Requests and subsequent documentation must be submitted on a form provided by the Department. Requests will be directed through the employee's immediate supervisor to the Human Resources Office. Any additional credit hours may be scheduled outside the normal workday. Approval under this Section will not be unreasonably denied; however, approval is discretionary and may be made on bases such as, but not limited to, fiscal considerations, workload, and documented evidence of employee performance concerns in the prior two-year period. For purposes of this Chapter, the term "postsecondary institution" means an institution of higher learning accredited by an accrediting body that is recognized by the United States Secretary of Education and is authorized to grant associate, baccalaureate, or postbaccalaureate degrees.

006.02 Reimbursement for Postsecondary Coursework Expenses. As an alternative to the above, employees may be eligible to receive not more than seven (7) credit hours each calendar year of tuition reimbursement for courses from postsecondary institutions that award credit on the semester schedule or not more than nine (9) credit hours each calendar year of tuition reimbursement for courses from postsecondary institutions that award credit on the quarter schedule for job-related courses. If a class crosses calendar years, eligibility to take a course will be determined based on the start date of the class. Job relatedness will be determined by the Deputy Commissioner, whose decision will be final. Reimbursement may be for any portion of the tuition cost, required course fees, and books, with the employee being notified of the amount of reimbursement prior to the

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beginning of the course.

Reimbursement for course-related expenses will be prorated based on the number of credit hours reimbursed. Approval for reimbursement will not be unreasonably denied; however, approval is discretionary and may be made on bases such as, but not limited to, fiscal considerations, workload, and documented evidence of employee performance concerns in the prior two-year period. Eligibility for reimbursement requires:

006.02A A course grade of “C” or better for undergraduate courses, ~~or~~

006.02B A “pass” for pass/fail courses, or

006.02C A course grade of “B” or better for graduate courses; and

006.02D Proof of payment or a deferred payment agreement with the postsecondary institution and/or federal student aid loan servicing entity.

006.02E Requests for reimbursement and substantiating documentation must be made in writing prior to the beginning of the course on a form provided by the Department. Requests will be directed through the employee’s immediate supervisor to the Human Resources Office. Employees who receive tuition reimbursement will be required to reimburse the Department if they voluntarily leave their employment with the Department within one (1) year of the course completion date. The Department requires written documentation to verify enrollment including course dates and times, course completion and the grade earned.

006.03 Employees Directed to take Postsecondary Coursework. If an employee is directed by the Department to take a job-related course at a postsecondary institution, the Department will pay for all costs of said course including tuition, books, other required instructional materials, mandatory fees, and associated travel costs. Job relatedness will be determined by the Deputy Commissioner whose decision will be final. The employee so directed will be considered to be working for the Department during classroom time, and any travel incurred to attend such courses will be treated as travel for the Department. The Department will require written documentation to verify the employee’s enrollment, course completion, and the grade earned.

006.03A Employees may use Department computers, Internet access, printers, and office supplies for online courses ~~or~~ and related homework if the employee has been directed to take a job-

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related course for professional development per Section 006.02 of this Chapter, or if an employee elects and receives supervisory approval to take an online course available through the State's Employee Development Center – Learning. If employees voluntarily take an online postsecondary or other educational or vocational course, the Department's computers, Internet access, printers, and office supplies may not be used.

006.04 Online Coursework. Online postsecondary coursework may be taken, and reimbursement for any portion of the tuition cost, required course fees, and books may be allowed, if the course is job-related and prior approval to take the course is granted by the immediate supervisor, Office Administrator, and the Deputy Commissioner. Online courses may not be taken on work time unless dedicated online sessions with the instructor, or related to the class, are required as specified by a course catalog and only occur during the employee's regular work time. Employees may use Department computers, Internet access, printers, and office supplies for online courses and related homework if the employee has been directed to take a job-related course for professional development per Section 006.03 of this Chapter, or if an employee elects and receives supervisory approval to take an online course available through the State's learning management system ~~Employee Development Center – Learning~~. If employees voluntarily take an online postsecondary or other educational or vocational course, the Department's computers, Internet access, printers, and office supplies may not be used.

006.05 Conference or Meeting Participation. In addition to the assigned activities of each employee, the appropriate Office Administrator will maintain and carry out a policy of approving a reasonable request of each employee to participate in meetings, conferences, or in-service activities related to the employee's job. Determination of reasonable requests and job relatedness will rest with the appropriate Office Administrator. Upon approval of such a request, the employee may attend such meeting, conference, or in-service activity without loss of pay and at the expense of the Department. Additionally, an employee may be permitted to participate in at least one (1) meeting, conference, or in-service activity per year relating to the employee's job consisting of a total of not more than five (5) workdays at the expense of said employee without loss of pay.

006.06 All decisions made by management pursuant to the application of this Chapter are final.

007 Solicitation Policy. Soliciting employees during work hours is not authorized.

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- 007.01 Vendors offering non-work-related products for sale to employees are not authorized to contact employees during the employee's duty hours or to sell, promote, or distribute information on state property.
- 007.02 Employees who sell products for a secondary income may only contact other employees during non-duty hours.
- 007.03 Employees located at all other work sites may, upon the approval of the local administrator, post information on products for sale, and non-duty contact times in locations provided for that purpose.
- 008 Workers' Compensation. All injuries, no matter how slight, occurring in the course of employment, are to be reported immediately to the supervisor and the Human Resources Office. An Employee Report of Alleged Occupational Injury Form (available from the Human Resources Office) must be completed and forwarded to the Human Resources Office by the employee as soon as possible. In the event ~~that~~ the employee is incapable of completing and signing the report, the employee's immediate supervisor will complete the report to the best of his/her knowledge. The Employee Report of Alleged Occupational Injury will be completed and signed by the employee at the earliest possible date.
- 009 Usage of State Telephone/Telecommunications Resources. Employees should exercise professional judgment in their use of business phones. The State telephone network is provided for official State business only. Long distance personal calls are not authorized and must be charged to one's resident telephone or personal credit card. Such calls may also be placed from a toll phone.
- 010 Nonexempt Employee Travel Time. Required travel time for nonexempt employees will be considered work time per the requirements as set forth in the federal Fair Labor Standards Act (29 CFR Part 785).
- 010.01 Under this federal regulation, the Department does not consider time spent in overnight travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile to be "work time."
- 011 Personal Vehicles. When reasonably requested by the Department, or when requested by the employee and approved by the Department, employees may use their own automobile for work-related travel at a rate of reimbursement per the Department's policies regarding employee expense reimbursement.
- 012 Lodging and Meal Reimbursement. The Department will reimburse lodging and meal expenses per the Department's policies regarding employee expense reimbursement.
- 013 Lodging Arrangements. Single occupancy lodging will be made available to any employee traveling on Department business unless the employee: waives the option,

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prefers multiple accommodation lodging, or lodging availability in the town precludes single occupancy.

014 Transportation. Employees including full-time, part-time, contract, temporary, and fixed-term, as defined in Chapter 4 of this Title, may be authorized to use a State vehicle on official State business. State vehicles are not to be used for personal use.

014.01 Valid Driver's License Requirement. All persons who operate State or personal vehicles while on Department business are required to have a valid driver's license and to successfully complete a defensive driving course as offered by the State. Should persons who drive on Department business have their driver's license revoked or suspended for any reason, the employee must report such revocation or suspension to their immediate supervisor.

014.02 Supervisor Responsibility. It will be the responsibility of the Office Administrator to ascertain that each person who drives on Department business possess a current valid driver's license and has satisfactorily completed a Defensive Driving Course, as prescribed. This responsibility may be delegated to the section head or person in a division who has the responsibility to authorize/permit use of a vehicle on Department business.

015 Employment Outside of Working Hours. Employees may engage in employment outside of working hours in a private business interest. Such employment outside of Department work or in a private business interest will not interfere with the efficient performance of duties or conflict with the interests of the Department of Education or with State statutes. The Department may require disclosure of outside employment.

016 Moving Expense Reimbursement Allowance. ~~Employees who are involuntarily relocated to another geographical location for the benefit of the Department, and newly hired employees, excluding temporary employees, may be reimbursed for certain ordinary, necessary, and reasonable moving expenses subject to the requirements of the Department of Administrative Services Accounting Manual and the prior written approval of the Commissioner. Reimbursement must be submitted to the Department's Accounting Section within sixty (60) days of the final day on which the expenses were incurred in accordance with Neb. Rev. Stat. § 81-1174 and Department procedures. Employees transferring to or relocating in another geographical section of the State for the benefit of the Department will be eligible for reimbursement of moving expenses in accordance with the State Accounting Manual issued by the Department of Administrative Services, upon approval of the Commissioner. For purposes of this Section, a relocation to another geographical section of the state is when the employee is directed to work at a primary work site that is at least thirty (30) miles from both the present work site and the employee's current residence, whichever is the shorter distance.~~

016.01 Payment. ~~No payment of moving expense will be made until an invoice is~~

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~~received and approved by the Commissioner or his or her designee.~~

~~016.02 Leave. Employees who are transferred to or relocating in another geographical location of the State will be allowed sixteen (16) hours with pay to attend to their personal affairs in their present location and to establish their personal affairs in their new location. Additional required time off will be vacation leave, compensatory time, or leave without pay at the employee's discretion.~~

~~016.03 Reimbursement. The Department may reimburse newly appointed employees for reasonable expenses incurred in relocating to their place of employment provided that the employee agrees, in writing, to remain in the employment of the State for a period of one (1) year. Termination within the one (1) year period for any reason within their control may be cause to require them to reimburse the Department for moving expenses.~~

~~016.04 Commuting Costs. Commuting costs related to transfers and relocations are not reimbursable by the Department.~~

017 Severability. If any section or portion of the Chapters in this Title, or the applicability thereof, to any person or circumstance is held to be invalid by a court, the remainder of these Chapters will not be affected thereby.

018 Recognition Programs. The Commissioner may implement an Employee Recognition Program, which may include items such as Employee-of-the-Year/Manager-of-the-Year meals; framed certificates; clocks; bookends; platters; desk accessories; pens; letter openers; gift certificates; food and refreshments; trophies; shirts; plaques, pins, and/or monetary recognition.

019 Business Attire. All employees are expected to dress in attire that is appropriate for conducting his or her work responsibilities. Office Administrators and supervisors may identify specific attire requirements depending on the nature of the employee's work.

020 Retiree Health Insurance. In addition to the provisions outlined in Neb. Rev. Stat. § Sections 84-1601 through 84-1615 R.R.S., employees who are eligible for retirement and do retire, will be afforded the opportunity to continue health insurance coverage in the group plan until they become Medicare eligible. The employee will be responsible for the entire cost of the premium for the plan chosen, which includes the normal employee contribution and the normal State contribution.

021 Insurance Coverage Consistency with Master Contract. The Department agrees to provide employees with the same health, dental and vision insurance plans at the same cost sharing ratio as the Department will provide to its employees who are subject to the Agreement. In the event ~~that~~ such insurance programs grant to the

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employee various options, the Department's obligation will apply only to the mandatory portion to be paid by the Department under the program. The Department further agrees to provide all employees all other insurance plans that are made available in the Master Contract at the same cost.

022 Reporting of Waste, Fraud, or Violations of Law. Employees who are aware of fraud, fiscal waste, or violations of law will report such information to the Commissioner, any Deputy Commissioner, or staff in the Human Resources Office. Employees may also give such information to the Office of Auditor of Public Accounts.

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CHAPTER 16 – CODE OF ETHICS

001 General. Employees will comply with the Code of Ethics as provided in this Chapter.

002 Nebraska Political Accountability and Disclosure Act. Employees will comply with the Nebraska Political Accountability and Disclosure Act, which provides that:

002.01 No person will offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based on an agreement that the vote, official action, or judgment of any public official, public employee, or candidate would be influenced thereby:

002.01A A public official, public employee, or candidate;

002.01B A member of the immediate family of an individual listed in Section 002.01A of this Chapter; or

002.01C A business with which an individual listed under Sections 002.01A or 002.01B of this Chapter is associated.

002.02 No person listed in Section 002.01A of this Chapter will solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment, based on an agreement that the vote, official action, or judgment of the public official, public employee, or candidate would be influenced thereby.

002.03 An employee will not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

002.04 An employee will not use or authorize the use of personnel, resources, property, or funds under that person's official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law.

003 Impairing Independent Judgment. Employees are additionally prohibited from accepting other employment or entering into contractual arrangements which will impair independence of judgment in the exercise of official duties.

004 Securing Unwarranted Privileges. Employees are additionally prohibited from using, or attempting to use their position in the Department to secure unwarranted privileges or exemptions for themselves or others.

005 Conflict of Interest. Employees are additionally prohibited from engaging in any

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transaction as representatives or agents of the Department with any entity in which direct or indirect financial interests might reasonably tend to conflict with the proper discharge of official duties.

- 006 Personal Investments. Employees are additionally prohibited from making personal investments in enterprises which might be directly involved in decisions to be made by them as employees of the Department.
- 007 Selling Goods or Services. Employees are additionally prohibited from selling goods or services to any persons, firms, corporations, public or government entities, or associations which are licensed or whose rates are fixed by the Department, or from having any substantial interest in persons, firms, corporations, or associations which sell goods or services to other persons, firms, corporations, or associations which are licensed by the Department.
- 008 Partnerships. Employees are additionally prohibited from accepting, or agreeing to accept, or being in partnership with any persons who accept or agree to accept any employment, fees, gifts, or services for taking any action on behalf of the other persons regarding licensing or regulatory matters before the Board.
- 009 Business Transactions. Employees are additionally prohibited from entering into any private business transactions with any persons or entities that have matters pending, or to be pending, upon which such employees are, or will be, called upon to render decisions or pass judgments in an official capacity as representatives of the Department. If any such employees are already engaged in the business transactions at the time the matters arise, they will be disqualified from rendering any decisions or passing any judgments upon the same.
- 010 Vested Interest in Contracts. Employees are additionally prohibited from influencing the making of any contracts, or courses of action leading to the making of contracts, between the Department and persons, firms, corporations, or associations in which they may have a direct or indirect vested interest.
- 011 Gifts or Loans. Employees are additionally prohibited from accepting any gifts of value or loans from any person doing business with the Department. Gifts or favors are to be courteously refused or returned if they are the kind that might influence the conduct of employees.
- 012 Employee Consulting, Presentations and Speeches. Periodically, employees are asked to consult or to make presentations or speeches in their area of expertise. When such a request is received, the employee involved will discuss the request with the appropriate Office Administrator through their immediate supervisor. If it is determined that providing the consultation or making the presentation or speech will relate to the service, leadership, or regulatory functions of the Department, then any expenses incurred should be reimbursed from the program's budget.

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- 013 Honorariums. If an honorarium is received for consulting or making a presentation or speech, while on Department time and/or on a (work-related) subject area for which the employee has responsibility in the Department, the honorarium will be submitted to Central Accounting for deposit against the employee's line of coding. In this instance, the Department will be responsible for employee expenses.
- 014 Private Consulting. The following restrictions apply to employees providing private consultation services on personal time:
- 014.01 Employees may not provide outside consulting services for compensation (monetary or non-monetary) to any entity coming under the supervision or regulation of the Department.
- 014.02 Employees may not provide outside consulting services for compensation (monetary or non-monetary) to any agency within the state for which the service is available from the Department without charge.
- 014.03 All consulting activities will require the use of personal vacation time with prior approval of the immediate supervisor and appropriate Office Administrator. Approval of the use of vacation time will be based on the extent to which regular duties are not compromised. Approved consulting may not be done in conjunction with any Department related activity and/or travel.
- 014.04 Employees may not solicit or invite consultative service opportunities for private or personal gain during the discharge of duties as a State employee.
- 014.05 Employees may not use State resources or products for private consulting even if the cost of such are paid to the State from outside sources.
- 015 Teaching. College or university teaching is allowed whenever the following conditions are met:
- 015.01 The employee has received approval of their immediate supervisor and the appropriate Office Administrator; ~~and~~
- 015.02 Such teaching, preparation, and other activities associated with the teaching duties, will take place totally outside the regular duty hours of the employee, unless vacation leave is used; ~~and~~,
- 015.03 No Department equipment or resources are used for the teaching activities; ~~and~~,
- 015.04 The employee has received advance approval of vacation time for such teaching including duty hours spent in travel, preparation, and other

TITLE 93 – NEBRASKA DEPARTMENT OF EDUCATION PERSONNEL RULES
CHAPTER 16 – CODE OF ETHICS

activities associated with the teaching duties. Whenever vacation time is used, the outside teaching responsibilities must not interfere or limit the performance of the duties and responsibilities required by the Department; and,

015.05 There is a written agreement between the institution of higher education and the employee outlining the terms and conditions of their teaching and such agreement has been approved by the immediate Department supervisor and is on file in that supervisor's office and in the Human Resources Office. ~~and/or,~~

015.06 Teaching assignments may be approved or assigned as part of the employee's regular duties. Additional compensation may not be accepted when teaching duties are part of the employee's regular workday.

016 Professional Organization Participation. Employees may be granted time during work hours to participate in the activities of professional organizations which, in the estimation of the appropriate Office Administrator, are considered to be job-related. The appropriate Office Administrator will determine whether or not travel expenses will be reimbursed.

Date Received: _____

Date of Decision: _____

Date Filed: _____

Grievance Number: _____

Deputy Commissioner Signature

Date Received

Date Answered

~~STEP 4: Grievance to the STATE BOARD OF EDUCATION within fifteen (15) workdays after the written response in Step 3.~~

~~Date Received: _____~~

~~Date of Decision: _____~~

Date Filed: _____

Grievance Number: _____

STATEMENT OF GRIEVANCE

A. **Identify** the management action that you believe involved a misinterpretation or misapplication of Department policies, rules or regulations including Title 93, NDE Personnel Rules, written administrative policies, other written operating procedures, laws, or written instructions pertaining to employees.

B. **Describe** the event or condition that caused the grievance.

C. **Describe** the relief you are requesting.

Employee/Grievant Signature (required)

Date

Summary of Proposed Changes to the NDE Personnel Rules
Title 93, Nebraska Administrative Code, Chapters 1-16
3/20/2023

Throughout Document

- Updated reference from “Agency” to “Department”
- Updated “Team Leader” to “Office Administrator”

Chapter 1: Coverage

- No changes

Chapter 2: Management Authority

- No changes

Chapter 3: Definitions

- Revised definition of Deputy Commissioner (§013, p. 5)
- Revised definition of Office Administrator (§028, p. 6)

Chapter 4: Employee Selection

- No changes

Chapter 5: Probationary Periods

- Added language regarding applicability to various levels within a job family (§001.01, p. 10)
- Added new job titles (§001.02, pp. 10-11)
- Added requirement for supervisors to hold performance management sessions with employees outside of formal appraisal conferences (§006, p. 12)
- Removed requirement for 90-day appraisal for those on a six-month probationary period (§006.01, p. 12)
- Removed requirement for 6-month appraisal for those on a twelve-month probationary period (§006.02, p. 13)

Chapter 6: Classification Plan

- Changed the effective date of a reclassification pay adjustment to the next pay period (§002.03, p. 15)
- Revised reclassification and demotion rates from percentages to placement in the new classification on the same numbered step on the pay scale as the employee’s previous classification (§§003.01, p. 15 & §004.02, p. 16)

Chapter 7: Salary Administration

- No changes

Chapter 8: Overtime

- Updated name of Disability Determination Services (§003, p. 19)
- Removed requirement for prior approval of overtime by Deputy or Commissioner (§003, p. 19)
- Revised dates for compensatory time use and payment (§004.02B, p. 20)

Chapter 9: Leave and Holidays

- Added Juneteenth holiday and “Indigenous Peoples’ Day” to the Columbus Day holiday listing (§003, p.22)
- Added 60-calendar-day window for exempt employees to take deferred holiday leave when they worked on a holiday (§003.05, p. 22)
- Updated language to reflect biweekly pay periods (§004, p. 23 and §005, p. 25)
- Replaced redundant language about prorated leave earnings in §004.01, p. 23 & 005.01, p. 25 with §016, p. 42
- Expanded allowable use of sick leave to include uses in conjunction with approved leave under the Family Medical Leave Act (§005.02, p. 26)
- Clarified use of sick leave in instances of worker’s compensation (§005.12, p. 29)
- Added “nieces/nephews” and “aunts/uncles” to definition of immediate family and clarified eligible “children” for use of bereavement leave (§008, p. 34)
- Revised language to align with state statute (§012.06B, p. 38)
- Clarified eligibility for adoption leave (§012.08, pp. 39-40)
- Added leave accrual language to replace deleted sections (§016, p. 42)

Chapter 10: Performance Appraisals

- No changes

Chapter 11: Personnel File Information

- Reflected maintenance of electronic rather than paper personnel files (§002, p. 44)
- Updated “General Counsel” to “Legal Services” (§002.02, p. 44)

Chapter 12: Layoff, Recall and Resignation

- No changes

Chapter 13: Corrective and Disciplinary Actions

- Added personal email as a delivery option (§§002.01A, p.50 & 004.04D, p. 55)

Chapter 14: Grievance Procedure

- Added “corrective action” as a non-grievable matter (§003.14, p. 57)
- Removed step one of the grievance process; made response times consistent at 15 workdays (§§006.01, 006.01A, 006.01B, 006.01C, 006.02, 006.03, 006.04C, pp. 58-60)
- Updated building name and address (§008, p. 62)

Chapter 15: Miscellaneous

- Added language regarding coursework reimbursement eligibility (§006.02D, p. 68)
- Changed reference to state’s learning management system (§006.04, p. 69)
- Updated language regarding moving expense reimbursement (§016, pp. 71-72)

Chapter 16: Code of Ethics

- No changes

Appendix A: Grievance Form

- Updated grievance form to correspond to process changes (pp. 78-79)



TEL 402.471.2295
FAX 402.471.0117



P.O. Box 94987
Lincoln, NE 68509-4987



education.ne.gov



From: Tamra L. Walz, General Counsel

Date: May 31, 2023

Re: Summary of rulemaking hearing on proposed revision of 93 NAC 1-16

On May 30, 2023, a hearing on the revision of 93, Nebraska Administrative Code, Chapters 1-16, *Nebraska Department of Education Personnel Rules*, was held virtually over Zoom in conjunction with hearings on revisions to Rules 20, 21, and 24. Public notice was published in the Omaha World Herald on April 27, 2023. Tamra Walz was 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 93 NAC 1-16

Tamra Walz called the hearing to order, introduced herself, 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 received testimony on Rules 20, 21, and 24 before receiving testimony on the proposed revision of Title 93. Ms. Walz introduced Joel Scherling, Human Resources Administrator at the Nebraska Department of Education to summarize the proposed changes to Title 93.

Mr. Scherling presented a summary of the proposed changes to Title 93, which align with corollary changes made in the collective bargaining agreement. Department staff were advised of the hearing and invited to testify or to submit written testimony. The plan is to request approval from the State Board of Education at the meeting on June 2, 2023. The significant revisions will:

- Require performance management sessions to be held outside of formal appraisal conferences
- Remove requirements to complete a 90-day appraisal for a 6-month probationary period or a 6-month appraisal for a 12-month probationary period
- Base reclassification and demotion salary changes on placement in the new classification on the same numbered step on the pay scales as the previous classification
- Remove Deputy or Commissioner prior approval for overtime
- Add Juneteenth as a holiday
- Add Indigenous Peoples' Day to the Columbus Day description
- Add a 60-calendar-day window for exempt employees to take deferred holiday leave
- Authorize sick leave to be used in conjunction with leave under the Family Medical Leave Act
- Expand the definition of immediate family definition to include nieces, nephews, aunts, and uncles and clarify eligible children for the use of bereavement leave
- Clarify adoption leave provisions
- Remove Step One of the grievance process, and make response times consistent at 15 workdays
- Add language regarding coursework reimbursement eligibility
- Updated language regarding moving expense reimbursement

No other testifiers presented comments.

Joel Scherling did not provide any closing comments.

Ms. Walz closed the day's hearings.

Summary of Written Testimony on the Proposed Revisions to 93 NAC 1-16

Joel Scherling provided a written copy of his oral testimony.

**Testimony for the Hearing on Proposed Revisions to the
Nebraska Department of Education Personnel Rules
(Title 93, NAC, Chapters 1-16)
May 30, 2023**

For the record, I am Joel Scherling, Human Resources Administrator. The purpose of this hearing is to receive testimony on the proposed changes to the NDE Personnel Rules. The Personnel Rules have been revised, largely, to update provisions to align with corollary changes made to the collective bargaining agreement for 2023-25.

Staff members were advised of the hearing via an e-mail, which included links to the summary of changes as well as the entire document showing proposed changes in legislative format. Staff members were invited to attend and testify at the hearing or to submit written testimony if they were unable to attend.

Now, I'll highlight some of the proposed changes to the Personnel Rules. Because we have previously disseminated a summary of the major changes, as well as the entire document in legislative format, I will review just a few of the significant revisions that are proposed.

In Chapter 5, a requirement was added for supervisors to hold performance management sessions with employees outside of formal appraisal conferences (§006, p. 12). The requirements for probationary appraisals were changed. Supervisors would no longer be required to complete a ninety-day appraisal for those on a six-monthly probationary period, and a six-month appraisal for those on a twelve-month probationary period. (§§006.01& 006.02, pp. 12-13)

In Chapter 6, reclassification and demotion salary changes will be based on placement in the new classification on the same numbered step on the pay scales as the employee's previous classification. (§§003.01, p. 15 & §004.02, p. 16)

In Chapter 8, Deputy or Commissioner prior approval would no longer be required for overtime requests. (§003, p. 19)

There were several changes of note in Chapter 9, Leave and Holidays. Those include:

- Added Juneteenth holiday and "Indigenous Peoples' Day" to the Columbus Day holiday listing (§003, p.22)
- Added 60-calendar-day window for exempt employees to take deferred holiday leave when they worked on a holiday (§003.05, p. 22)
- Expanded allowable use of sick leave to include uses in conjunction with approved leave under the Family Medical Leave Act (§005.02, p. 26)
- Added "nieces/nephews" and "aunts/uncles" to definition of immediate family and clarified eligible "children" for use of bereavement leave (§008, p. 34)
- Clarified eligibility for adoption leave (§012.08, pp. 39-40)

In Chapter 14, Grievance Procedures, step one of the grievance process was removed; response times were made consistent at 15 workdays. (§§006.01, 006.01A, 006.01B, 006.01C, 006.02, 006.03, 006.04C, pp. 58-60)

In Chapter 15, Miscellaneous, language was added regarding coursework reimbursement eligibility (§006.02D, p. 68) and language regarding moving expense reimbursement was updated. (§016, pp. 71-72)

This concludes my overview of some of the proposed changes to the NDE Personnel Rules. At this time, we plan to request approval of the proposed revisions at the State Board of Education's meeting on June 2, 2023. I would be happy to respond to any questions.

TO: Deborah A. Frison, Ed.D, Deputy Commissioner

FROM: Bryce Wilson, Denise Thege

DATE: June 2, 2023

SUBJECT: MONTHLY LIST OF CONTRACTS \$10,000 TO \$50,000

RATIONALE: As stated in the Nebraska State Board of Education Policy Manual P5 the Commissioner shall provide the Board each month with a list of contracts between \$10,000 and \$50,000.

1. Contractor(s): Brenda Saxe
Contract Amount: \$12,500
Funding Source: Federal/General
Scope of Services: Coaching and training services.
Date of Contract: 5/15/23-5/14/24
Contact Person: Melody Hobson
2. Contractor(s): Eagle Delivery Service
Contract Amount: \$16,941
Funding Source: Federal
Scope of Services: Mail services.
Date of Contract: 7/1/23-6/30/24
Contact Person: Krysti Michl
3. Contractor(s): Teaching Strategies
Contract Amount: \$38,472
Funding Source: Federal/General
Scope of Services: Training services.
Date of Contract: 7/1/23-6/30/24
Contact Person: Melody Hobson
4. Contractor(s): Literacy Pro Systems
Contract Amount: \$46,670
Funding Source: Federal
Scope of Services: Serve as online student data management system.
Date of Contract: 7/1/23-6/30/24
Contact Person: Tate Lauer
5. Contractor(s): Partners for Insightful Evaluation
Contract Amount: \$22,155
Funding Source: Federal
Scope of Services: Identify and collect data to understand the scope of the COVID-19 pandemic on Nebraskans with brain injury and facilitate discussion with key stakeholders to identify strategies to incorporate into the state plan regarding how to mitigate the identified effects and impacts.
Date of Contract: 5/5/23-5/14/24
Contact Person: Lindy Foley

6. Contractor(s): Southeast Community College
Contract Amount: \$18,200
Funding Source: Federal
Scope of Services: Plan and conduct professional development.
Date of Contract: 5/30/23-6/21/23
Contact Person: Katie Graham
7. Contractor(s): Megan Shepherd
Contract Amount: \$28,800
Funding Source: Federal
Scope of Services: Monitor online coursework.
Date of Contract: 6/1/23-5/31/24
Contact Person: Melody Hobson
8. Contractor(s): Kelcy Sass
Contract Amount: \$49,142.52
Funding Source: General
Scope of Services: Administer Excellence in Teaching Act.
Date of Contract: 7/11/23-7/5/24
Contact Person: Shirley Vargas
9. Contractor(s): UNL
Contract Amount: \$46,423
Funding Source: Federal
Scope of Services: Develop high school courses.
Date of Contract: 5/15/23-6/30/23
Contact Person: Katie Graham
10. Contractor(s): NE Dept of Environment and Energy
Contract Amount: \$10,200
Funding Source: Federal
Scope of Services: Conduct health inspections.
Date of Contract: 6/1/23-8/31/23
Contact Person: Zainab Rida