

## NEBRASKA STATE BOARD OF EDUCATION MEETING NOTIFICATION AND AGENDA

- Meeting Date:** Thursday, May 2, 2024 11:15 AM
- Meeting Title:** State Board of Education Work Session Meeting and Notification and Agenda
- Location:** NDE Office Building  
Board Room  
500 South 84th Street  
Lincoln, NE 68510
- Agenda:** Except for emergency items added at the time of the meeting, the agenda will not be changed less than 24 hours prior to the start of the meeting and any changes will be immediately posted on the website. The Board will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.
- Interpreter:** If you need interpreter services or other reasonable accommodations, please contact the Nebraska Department of Education at (402) 471-5059 five (5) days prior to the meeting to coordinate arrangements.
- Website:** An electronic version of the agenda and support materials are available on the State Board of Education's Agenda page: [www.education.ne.gov/stateboard/state-board-agendas/](http://www.education.ne.gov/stateboard/state-board-agendas/)
- Lunch:** On Thursday, May 2, 2024, the State Board of Education may also take a recess for lunch. The Board may resume work on the agenda at approximately 1:00 p.m.

1. CALL TO ORDER (The Board may take a recess)  
President Tegtmeier
  - 1.1. Roll Call  
President Tegtmeier
  - 1.2. Pledge of Allegiance  
President Tegtmeier
  - 1.3. Announcement of the placement of the Open Meetings Act information  
President Tegtmeier
2. BUSINESS  
President Tegtmeier
  - 2.1. Legislative Priorities for 2025-2027 Biennium

3. RECESS to 1:00 p.m.  
President Tegtmeier

The Board will now take an hour recess and will reconvene this afternoon at 1:00 p.m.

Handout 1 - Summary of Education-Related Bills 2024  
May 2, 2024

Bill	One Liner and Other Bills/Components	State Board Legislative Priority
LB43 (Sanders; Government, Military, Vet's Affairs Com. Priority)	Adopt the First Freedom Act and the Personal Privacy Protection Act, authorize tribal regalia to be worn by students; change provisions relating to withholding records from the public; provide requirements for interpretation of statutes, rules, and regulations; and prohibit state agencies from imposing certain requirements on charitable organizations. Amends open meetings act to require public comment at all meetings.	
LB71 (Sanders; Meyers Priority)	Change provisions relating to parental involvement in and access to learning materials in schools and provide a process for repeating a grade upon request. Includes LB1201 (Hardin) pertaining to early childhood education programs and kindergarten.	
LB1027 (Clements; Speaker Priority)	Change provisions relating to schools which elect not to meet accreditation and approval requirements	
LB1029 (Conrad)	Change provisions relating to compulsory school attendance regarding illness	Priority 4
<b>LB1306</b> <b>(Education</b> <b>Committee;</b> <b>Speaker</b> <b>Priority)</b>	Eliminate the Professional Practices Commission and provide, change, and eliminate provisions relating to standards for and conduct of teachers and administrators	
<b>LB 1284</b> <b>(Walz; Walz</b> <b>Priority)</b>	<p>Statewide computer science education expansion program. Funding now \$1 million; Additional \$500k with matching funds</p> <p>Also includes:</p> <ul style="list-style-type: none"> <li>● LB985 (Linehan) - Change provisions of Teach in Nebraska Today Act</li> <li>● LB1005 (Walz) - Change provisions of Excellence in Teaching Act</li> <li>● LB1014 (Walz) - Change requirements relating to school psychologists</li> <li>● LB1050 (Conrad) - Create a pilot program to provide menstrual products in certain districts</li> </ul>	<p>Priority 3</p> <p>Priority 6</p>

	<ul style="list-style-type: none"> <li>● LB1253 (Linehan) - Dyslexia research grant - \$500,000</li> <li>● LB1254 (Linehan) - Foundational literacy professional development -\$2 million 2024-2027</li> </ul>	<p>Priority 1</p> <p>Priority 1</p>
<p><b>LB1329 (Murman; Education Committee Priority)</b></p>	<p>Originally began as an update to the Nebraska Career Scholarship Act.</p> <p>Amendments include:</p> <ul style="list-style-type: none"> <li>● LB1339 (Brewer) - Allows school board or governing body to authorize carrying of firearms in schools AND requires the NDE to draft a model policy in collaboration with Nebraska State Patrol. Includes provisions from LB673 (Hansen) creating Emergency Response Mapping Fund and transfers \$500,000</li> <li>● LB1385 (Kauth at Request of Governor) - Creates reciprocity with other states and allows for endorsements to be earned through completion of content assessment</li> <li>● LB1012 (Walz) - Allows schools safety investments using Qualified Capital Purpose Undertaking Fund (QCPUF)</li> <li>● LB962 (Wayne) - Mercator projects may be used, but only in conjunction with other maps; Clarifies schools do not need to buy new maps</li> <li>● LB855 (Conrad) - Prohibits school use of debt collection agencies to collect outstanding debt from students' school lunch or breakfast accounts</li> <li>● LB550 (Ballard) - Updates and amends option enrollment statutes</li> <li>● LB1377 (Walz at Request fo Governor) - Reasonable reductions in training time requirements</li> </ul> <p>Clean Up Bill (Originally LB1331) includes:</p> <ul style="list-style-type: none"> <li>● Attendance statutes</li> <li>● Option Enrollment – Clarity on role of board to review and establish criteria</li> <li>● FAFSA graduation requirement – clarity on opt out form by school principal</li> <li>● Clarity in the alternate certification statutes</li> <li>● Harmonizing Innovation and Improvement Grants</li> <li>● Non-congregate meal service for summer food program</li> <li>● Definitions and minor adjustments to high ability learning statutes</li> <li>● Eliminating/combining behavioral health points of contact</li> </ul>	<p>Priority 6</p> <p>Priority 3</p> <p>Priority 3</p> <p>Priority 6</p>

## Handout 2 - Feedback from Superintendent Advisory Committee and NDE Staff

- Big wins this biennium:
  - CTE funding
  - Support for early literacy
  - Coalition building around key issues
  - Clean up language with some key changes and clarifications

*What else would you consider a win?*

- Key themes:
  - Superintendents
    - Update legislative priorities with no metric or current data to reflect changes
    - Focus on 2-3 priority areas - literacy resonated school leaders
    - Consider “standing positions”
    - Less is more during the next biennium
  - NDE Staff:
    - Less is more during the next biennium
    - Focus in on implementing the sweeping changes from the last two years
    - Create efficiencies in educator shortage programs
    - Focus on inter-agency collaboration and cooperation, i.e. data sharing and systems alignment
    - Consider strategies to address workforce in early childhood
    - Support NDE capacity building

*What are common themes?*

*What resonates?*

### Handout 3 - Draft Legislative Positions

The Nebraska Constitution establishes a partnership between the Unicameral and State Board of Education in Article VII, noting:

Section 1: The Legislature shall provide for the ***free instruction in the common schools of this state of all persons between the ages of five and twenty-one years.*** The Legislature may provide for the education of other persons in educational institutions owned and controlled by the state or a political subdivision thereof.

Section 2: The State Department of Education shall be comprised of a State Board of Education and a Commissioner of Education. The State Department of Education ***shall have general supervision and administration*** of the school system of the state and of such other activities as the Legislature may direct.

N.R.S 79-301 (2) states:

The State Board of Education, acting as a unit, shall be the ***policy-forming, planning, and evaluative body for the state school program.*** Except in the appointment of a Commissioner of Education, the board shall deliberate and take action with the professional advice and counsel of the Commissioner of Education.

To carry out these constitutional and statutory responsibilities and work in concert with the Legislature, the State Board adopts the following standing positions on legislation:

#### *State Board Authority and Governance:*

- The State Board supports a strong, collaborative working relationship between the Unicameral and the Board and encourages collaboration during the legislative session and in the interim.
- The State Board supports the legislative diffusion of policy matters to the State Board. Examples include assigning responsibilities to the NDE to implement new grant programs and model policy creation.
- The State Board is responsible for the standards associated with teacher certification (79-808). The State Board supports legislative efforts to define parameters for educator certification and endorsement matters, while allowing the State Board to execute its responsibility in developing more detailed rules, regulations, and standards aligned to these parameters. Examples include new pathways, alternative certification, and new or amended certification requirements.
- The State Board supports the continuation of the constitutional composition and election of the body by voters as outlined in Section VII Section Three of the Constitution. The State Board also supports the continued constitutional process and responsibility for selecting the Commissioner.
- When considering responsibilities for carrying out new provisions of education law, legislation should assign based on the following general premises:

- Commissioner (79-305) - Responsible for promoting efficiency, welfare, and improvement of school systems, issuing teaching certificates, prescribing reporting requirements and methods in accordance with law and rule (79-528), and supervising Department staff and programs.
- State Board
  - (79-318) Establish rules and regulations which govern the standards and procedures for the approval and legal operation of all schools and for the accreditation of all schools requesting accreditation, approve education programs in Nebraska postsecondary education institutions, approve general plans and adopt educational policies, standards, rules and regulations.
  - (79-760.01) - Adopt measurable academic content standards for reading, writing, mathematics, science and social studies.
  - Develop a statewide assessment, reporting (79-760.03), and accountability (79-760.06).
- Department of Education (Commissioner & Board) - New legislation should assign responsibility to the Department of Education when it is the clear intention for both the Board and the Commissioner and their staff to engage.

#### *Standards, Curriculum, Instruction*

- The State Board is charged with developing, approving, measuring, and reporting on academic content standards (79-760.01). The State Board requests any additional standard areas or requirements be shared with the State Board to implement through rule change or guidance rather than additional legislation.
- Similarly, core curriculum courses for graduation requirements are set by the State Board (79-729) within parameters set by the Legislature. The State Board believes changes in core curriculum should be set by the State Board, not solely by the Legislature.
- Local districts are charged with purchasing all textbooks, equipment, and supplies necessary for their schools (79-734). The State Board supports continued autonomy in these decision making processes.

#### *NDE Capacity and Expertise*

- The State Board supports additional appropriations be added when the Legislature adds or expands duties and responsibilities to the department. Additional consideration should be given to the unseen costs of running the agency such as data infrastructure and information technology, and financial and legal services.
- The State Board supports legislative efforts encouraging intergovernmental collaboration focused on improving the overall learning, earning, and living of Nebraskans. This collaboration may include, but not limited to, data sharing, joint decision making, and supporting systems-involved youth.
- The State Board encourages legislators and their staff to engage the department when forming or considering new or amended legislation.

- The State Board supports the Legislature annually having the Commissioner provide a “State of the Schools” report to the Legislature or the Education Committee of the Legislature to outline a framework of need and focus for the biennium.

*Education Governance and District Responsibility*

- The State Board supports the Legislature ensuring appropriate funds are available to school districts and educational service units to carry out new or amended requirements.
- Elected School Boards, as representatives of the community, should have the capacity to make the educational policy decisions that best meet the needs of students while still meeting requirements established by the Legislature and State Board.
- The State Board supports the elimination of unnecessary laws that inhibit innovative educational programs that meet the needs of students and their communities while still meeting standards established by the Legislature and State Board.
- The State Board believes effective learning of students occurs when local and state officials work together to create accountability structures matched with adequate support.
- The State Board supports leveraging educator voices in policymaking bodies, commissions, hearings, and testimony.

**Key Questions:**

Elizabeth & Lisa (Zainab)

Do the broad category areas (eg. State Board Authority and Governance, Education Governance and District Responsibility) seem right? Are there any overarching themes missing?
What specific positions stand out? Do any need further emphasis?
Are there any statements that need to be revised or removed?
How will having these standing positions on legislation help take a stance on proposed legislation?

Jacquelyn & Patsy (Allyson)

Do the broad category areas (eg. State Board Authority and Governance, Education Governance and District Responsibility) seem right? Are there any overarching themes missing?

What specific positions stand out? Do any need further emphasis?

Are there any statements that need to be revised or removed?

How will having these standing positions on legislation help take a stance on proposed legislation?

Deborah & Sherry (Kristin)

Do the broad category areas (eg. State Board Authority and Governance, Education Governance and District Responsibility) seem right? Are there any overarching themes missing?

What specific positions stand out? Do any need further emphasis?

Are there any statements that need to be revised or removed?

How will having these standing positions on legislation help take a stance on proposed legislation?

Kirk & Patti (Shirley)

Do the broad category areas (eg. State Board Authority and Governance, Education Governance and District Responsibility) seem right? Are there any overarching themes missing?
What specific positions stand out? Do any need further emphasis?
Are there any statements that need to be revised or removed?
How will having these standing positions on legislation help take a stance on proposed legislation?