

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 645**

Introduced by Haar, 21.

Read first time January 23, 2013

Committee: Education

A BILL

1 FOR AN ACT relating to teachers; to amend section 79-804, Reissue  
2 Revised Statutes of Nebraska, and section 79-1007.25,  
3 Revised Statutes Cumulative Supplement, 2012; to provide  
4 requirements for the fall personnel report; to change  
5 provisions relating to an allowance under the Tax Equity  
6 and Educational Opportunities Support Act; to harmonize  
7 provisions; and to repeal the original sections.  
8 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 79-804, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           79-804 (1) Each teacher or administrator shall register  
4 his or her certificate with the public, private, denominational, or  
5 parochial school in which the teacher or administrator is employed.  
6 The superintendent or administrator of the school shall endorse upon  
7 the certificate that it has been registered and the date of  
8 registration. Such registration shall be without fee. No employment  
9 of a teacher or administrator shall be valid until the certificate is  
10 so registered. On or before September 15 of each year, the public,  
11 private, denominational, and parochial schools shall file with the  
12 State Department of Education a fall personnel report which shall  
13 specify the names, salaries, years of experience, benefits,  
14 certificate level, postsecondary education degree level, hours of  
15 postsecondary education, and highest degree level attained of all  
16 individuals employed by the school who are required by law to hold a  
17 certificate and such other information as the Commissioner of  
18 Education directs. The fall personnel report shall also include  
19 information on the salary, benefits, years of experience, and  
20 education level of instructional paraprofessionals employed by the  
21 school. The superintendent or administrator of the school shall  
22 transmit within ten days to the State Department of Education the  
23 name of the teacher, paraprofessional, or administrator to be  
24 employed, together with the position to which employed, if the  
25 teacher, paraprofessional, or administrator is employed after the

1 submission of the fall personnel report. The Commissioner of  
2 Education shall certify to the school the name of any teacher or  
3 administrator who has not been issued a certificate or given evidence  
4 of application to the State Department of Education and qualification  
5 for a certificate or permit. The teacher or administrator shall not  
6 be reimbursed for any services to the school after the date of  
7 receipt of notification by the school.

8 (2) The Commissioner of Education shall notify the county  
9 treasurer to withhold all school money belonging to any district  
10 employing an uncertificated teacher or administrator until the  
11 teacher or administrator has obtained a certificate or has been  
12 dismissed by the board employing such teacher or administrator. The  
13 county treasurer shall withhold such money.

14 Sec. 2. Section 79-1007.25, Revised Statutes Cumulative  
15 Supplement, 2012, is amended to read:

16 79-1007.25 (1) For school fiscal year ~~2010-11~~ and each  
17 ~~school fiscal year thereafter,~~ years before school fiscal year  
18 2013-14, the department shall calculate a teacher education allowance  
19 for each district as follows:

20 ~~(1)-(a)~~ (a) Teacher education points shall be calculated for  
21 each district by the department based upon data from the fall  
22 personnel report required pursuant to section 79-804 for the school  
23 fiscal year immediately preceding the school fiscal year in which aid  
24 is to be paid. Each full-time equivalent teacher shall ~~(a)-(i)~~ (i) be  
25 under contract with a school district as required pursuant to section

1 79-818 and ~~(b)-(ii)~~ only be counted one time in awarding any points  
2 pursuant to this section. Each district shall receive one point for  
3 each full-time equivalent teacher who has earned and been awarded a  
4 master's degree or an education specialist's degree and two points  
5 for each full-time equivalent teacher who has earned and been awarded  
6 a doctoral degree;

7 ~~(2)-(b)~~ A teacher education index shall be calculated for  
8 each district by dividing the ratio of teacher education points for  
9 the district divided by the number of full-time equivalent teachers  
10 in the district by the ratio of teacher education points for all  
11 districts divided by the number of full-time equivalent teachers in  
12 all districts; and

13 ~~(3)-(c)~~ The teacher education allowance for each district  
14 shall equal eight and one-half percent of the statewide average  
15 general fund operating expenditures per formula student multiplied by  
16 the district's formula students and multiplied by the difference of  
17 the product of the district's teacher education index minus one,  
18 except that if the result is less than zero, the teacher education  
19 allowance shall equal zero.

20 (2) For school fiscal year 2013-14 and each school fiscal  
21 year thereafter, the department shall calculate a teacher education  
22 allowance for each school district based on the weighted number of  
23 certificated teachers assigned to teach classes in the subject area  
24 or field of their degree as follows:

25 (a) Each certificated teacher holding a baccalaureate

1 degree assigned to teach classes in the same subject field of his or  
2 her degree shall be counted as 1.0;

3 (b) Each certificated teacher holding a baccalaureate  
4 degree with nine additional credit hours of postsecondary education  
5 shall be counted as 1.05;

6 (c) Each certificated teacher holding a baccalaureate  
7 degree with eighteen additional credit hours of postsecondary  
8 education shall be counted as 1.10;

9 (d) Each certificated teacher holding a baccalaureate  
10 degree with twenty-seven additional credit hours of postsecondary  
11 education shall be counted as 1.15;

12 (e) Each certificated teacher holding a master's degree  
13 shall be counted as 1.20;

14 (f) Each certificated teacher holding a master's degree  
15 with nine additional credit hours of postsecondary education shall be  
16 counted as 1.25;

17 (g) Each certificated teacher holding a master's degree  
18 with eighteen additional credit hours of postsecondary education  
19 shall be counted as 1.30;

20 (h) Each certificated teacher holding a master's degree  
21 with twenty-seven additional credit hours of postsecondary education  
22 shall be counted as 1.35;

23 (i) Each certificated teacher holding a master's degree  
24 with thirty-six additional credit hours of postsecondary education  
25 shall be counted as 1.40; and

1                   (j) Each certificated teacher holding a doctorate degree  
2 shall be counted as 1.45; and

3                   (b) The department shall calculate the teacher education  
4 allowance for each school district by determining the total weighted  
5 teacher count for the district and multiplying that figure by an  
6 amount equal to twenty-five million dollars divided by the total  
7 weighted teacher count for the state.

8                   Sec. 3. Original section 79-804, Reissue Revised Statutes  
9 of Nebraska, and section 79-1007.25, Revised Statutes Cumulative  
10 Supplement, 2012, are repealed.