

LEGISLATIVE BILL 438

Approved by the Governor April 9, 2014

Introduced by Adams, 24.

FOR AN ACT relating to the Quality Education Accountability Act; to amend sections 79-757 and 79-760.06, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to the accountability system for schools and school districts; to provide for designation of priority schools, appointment of intervention teams, and development of progress plans; to require reports; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-757, Revised Statutes Cumulative Supplement, 2012, is amended to read:

79-757 Sections 79-757 to 79-762 and section 3 of this act shall be known and may be cited as the Quality Education Accountability Act.

Sec. 2. Section 79-760.06, Revised Statutes Cumulative Supplement, 2012, is amended to read:

79-760.06 (1) On or before August 1, 2012, the State Board of Education shall establish an accountability system to be used to measure the performance of individual public schools and school districts. The accountability system shall combine multiple measures, indicators, including, but not limited to, graduation rates, student growth and student improvement on the assessment instruments provided in section 79-760.03, and other indicators of the performance of public schools and school districts as established by the state board.

(2) Beginning with the reporting of data from school year 2014-15, the indicators The measures selected by the state board for the accountability system may shall be combined into a school performance score and district performance score. The state board may shall establish levels of performance for the indicators used in the accountability system based upon school performance scores and district performance scores in order to classify the performance of public schools and school districts beginning with the reporting of data from school year 2013-14, 2014-15. The state board shall designate priority schools based on such classification. Schools designated as priority schools shall be at the lowest performance level at the time of the initial priority school designation. Schools designated as priority schools shall remain priority schools until such designation is removed by the state board. No more than three schools may have a priority school designation at one time. Schools designated as priority schools shall be subject to the requirements of section 3 of this act. Progress plans for the initial schools designated as priority schools shall be approved by the state board no later than August 1, 2016. The State Department of Education shall annually report any the performance levels established by the board regarding the performance level of individual public schools and school districts as part of the statewide assessment and reporting system.

Sec. 3. (1) For each school designated as a priority school, the Commissioner of Education shall appoint an intervention team. The intervention team shall assist the school district with diagnosing issues that negatively affect student achievement in the priority school, designing and implementing strategies to address such issues through the progress plan, and developing measurable indicators of progress.

(2) The intervention team shall be composed of up to five people with the education and experience to carry out the responsibilities of the team. Any member of the intervention team may receive pay for work performed in conjunction with his or her duties as a member of such team. Such pay shall be determined and provided (a) by the State Department of Education for any member of the intervention team who is not an employee of the school district containing the priority school for which such intervention team is appointed or (b) by the school district containing the priority school for which the intervention team is appointed for any member of the intervention team who is an employee of such school district. Any member of the intervention team who is eligible to receive pay from the department pursuant to subdivision (a) of this subsection shall also be eligible for reimbursement of actual and necessary expenses incurred in carrying out his or her duties as a member of such team as provided in sections 81-1174 to 81-1177. Reimbursement of actual and necessary expenses for any member of the intervention team who is an employee of the school district containing the priority school for which

the intervention team is appointed shall be provided in accordance with the policies and procedures of such school district.

(3) The intervention team, in collaboration with the priority school staff and the administration and school board of the school district with control of the priority school, shall develop a progress plan for approval by the State Board of Education. Any progress plan shall include specific actions required by the school and the district in order to remove its classification as a priority school, including any required level of progress as indicated by the measurable indicators.

(4) Compliance with progress plans shall be a requirement to maintain accreditation for any school district that contains a priority school. The state board shall annually review any progress plans and determine whether any modifications are needed. If a school has been designated as a priority school for the fifth consecutive school year, the state board shall reevaluate the progress plan to determine if (a) a significant revision of the progress plan is necessary, (b) an entirely new progress plan is developed, or (c) an alternative administrative structure is warranted.

(5) The school board of a school district containing a priority school as designated pursuant to section 79-760.06 shall provide the intervention team with full access to the priority school, priority school staff, the school district, school district staff, academic information, financial information, and any other requested information.

(6) The Commissioner of Education shall annually report to the Governor and electronically to the Clerk of the Legislature and the chairperson of the Education Committee of the Legislature on all schools designated as priority schools. The report shall include the name of the school, the grades included in the priority school designation, the name of the school district, the years for which the school was designated a priority school, a summary of the progress plan, and the level of progress as indicated by the measurable indicators.

Sec. 4. Original sections 79-757 and 79-760.06, Revised Statutes Cumulative Supplement, 2012, are repealed.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.