

LEGISLATIVE BILL 389

Approved by the Governor March 31, 2021

Introduced by Sanders, 45; Blood, 3; Brewer, 43; Gragert, 40; Murman, 38; at the request of the Governor.

A BILL FOR AN ACT relating to teachers; to amend section 79-813, Reissue Revised Statutes of Nebraska; to require the issuance of certificates and permits to military spouses as prescribed; to harmonize provisions; and to repeal the original section.

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

Section 1. Section 79-813, Reissue Revised Statutes of Nebraska, is amended to read:

79-813 (1)(a) The board shall authorize the issuance of a certificate or permit to any applicant for such certificate or permit who:

- (i) Is a military spouse;
- (ii) Holds a valid certificate or permit currently in force in another state to teach, administer, or provide special services;
- (iii) Has held such certificate or permit for at least one year;
- (iv) Is in good standing in all states where a certificate or permit to teach, administer, or provide special services is held;
- (v) Does not have any pending investigations or complaints against any such certificate or permit;
- (vi) Meets all residency and background check requirements otherwise required for a Nebraska certificate or permit; and
- (vii) Pays any applicable fees.

(b) The commissioner shall verify that the applicant for a certificate or permit under this subsection meets the requirements of subdivisions (a)(iv) and (v) of this subsection. Such applicant shall not be required to meet the human relations training requirement under section 79-808 to obtain such certification or permit. Such certificate or permit shall be valid for at least three years and shall include the same or similar endorsements to teach in all subject areas for which the applicant had been certified to teach in such other state if a similar endorsement is offered in Nebraska.

(c) A preliminary permit shall be issued to an applicant upon submission of the application, payment of the applicable fees, and the successful completion of the criminal history record information check as provided in section 79-814.01. The preliminary permit shall remain in force until the commissioner completes the review of all requirements in subdivision (1)(a) of this section and either issues a certificate or permit or notifies the applicant of the reason such certificate or permit cannot be issued.

(d) The board shall adopt and promulgate rules and regulations to (i) expedite the processing of an application submitted under this subsection by an applicant whose spouse is serving on active duty at the time of such submission and (ii) specify the documentation necessary to establish the applicant's status as a spouse of a person who is serving on active duty at the time of such submission.

(e) For purposes of this subsection:

- (i) Active duty means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. chapters 1209 and 1211; and
- (ii) Military spouse has the same meaning as in section 38-118.01.

(2) In addition to certificates and permits issued pursuant to subsection (1) of this section, the board may authorize the issuance of certificates or permits to applicants who hold a valid certificate or permit currently in force in another state other than Nebraska if the requirements for the certificate or permit held by the applicant are comparable and equivalent to those required for a similar type of certificate or permit issued under sections 79-806 to 79-815.

Sec. 2. Original section 79-813, Reissue Revised Statutes of Nebraska, is repealed.