

## LEGISLATIVE BILL 529

Approved by the Governor May 27, 1987

Introduced by Education Committee, Withem, 14,  
Chairperson; Chizek, 31; Nelson, 35;  
Dierks, 40; Baack, 47

AN ACT relating to schools; to amend sections 79-4,140.04 to 79-4,140.08 and 79-1247.05, Revised Statutes Supplement, 1986; to authorize the implementation of certain programs when funds are appropriated by the Legislature; to provide for the termination of certain provisions; and to repeal the original sections.

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

Section 1. That section 79-4,140.04, Revised Statutes Supplement, 1986, be amended to read as follows:

79-4,140.04. There is hereby created the Professional Staff Development Program to be administered by the State Department of Education. The department shall adopt and promulgate rules and regulations for the administration of such program and by July 31, 1987, when funds are appropriated by the Legislature to fund such program and make distribution of such funds payable to such program. Administrative costs shall be paid from the department's general budget. Payments, not to exceed fifty dollars for each certificated teacher or administrator in the district or educational service unit, shall be made to each school district or educational service unit which has submitted an inservice plan. Such plan shall have been developed with the participation of teachers and administrators employed by such district or educational service unit and shall be approved by the State Department of Education. The plan shall include components for training administrators in conducting teacher evaluations and any other components which the board may by rule or regulation deem necessary. To assist the department in implementing this section, the Commissioner of Education with the approval of the board shall appoint an Advisory Committee on Staff Development. The size, composition, and duties to be performed by the advisory committee shall be determined by the board, except that the advisory committee shall

be representative of the various elements of the educational community. The advisory committee shall continue for at least three years after July 10, 1984. Thereafter, the board may as deemed necessary continue the advisory committee on an annual basis.

Sec. 2. That section 79-4,140.05, Revised Statutes Supplement, 1986, be amended to read as follows:

79-4,140.05. The State Department of Education shall develop guidelines and the State Board of Education shall adopt and promulgate rules and regulations when funds are appropriated by the Legislature to carry out this section by July 31, 1987, to encourage appropriate use of extended teacher contracts, to improve the educational program of students in need of remedial teaching or individualization, and to provide enrichment curriculum. The Legislature shall appropriate funds for grants-in-aid to school districts or educational service units which submit proposals for extended contracts which are approved by the State Board of Education. Proposals shall demonstrate how grants will be used in an extended contract program to further the aims of instructional remedial teaching, individualization of instruction, and curriculum enrichment. Grants shall be limited to fifty per cent of the cost of the program and the programs shall not involve more than ten per cent of the certificated teachers at each participating school or educational service unit. The State Board of Education through the Commissioner of Education shall make a report on the effectiveness of such program by July 1, 1988 within three years after funds for the program are appropriated. For purposes of this section, extended teacher contract shall mean a contract providing for full-time employment of teachers for a period of time in addition to the period of time covered in the teacher's basic contract.

Sec. 3. That section 79-4,140.06, Revised Statutes Supplement, 1986, be amended to read as follows:

79-4,140.06. The State Board of Education shall, by July 31, 1987 when funds are appropriated by the Legislature for such program, establish and the State Department of Education shall administer a scientist-in-residence program in the public schools of the state for the purpose of encouraging persons with expertise in the sciences to make special presentations, provide direct educational services to students, and provide guidance to teachers.

The scientist-in-residence program shall allow for specialists in the social, physical, or life sciences or in advanced technology to participate as teacher-partners in a school, school district, number of school districts, or educational service unit. A residency may be as short as one week and as long as one semester. Any residency may be extended upon agreement by the scientist-in-residence, the State Department of Education, and the school district, school districts, or educational service unit. The department shall adopt and promulgate rules and regulations necessary for the establishment and administration of the scientist-in-residence program. Such rules and regulations shall include, but not be limited to, provisions regarding the application for scientist-in-residence status, the term of residencies, and evaluation of the program. Nothing in this section shall prohibit funding of the scientist-in-residence program by private sources.

Sec. 4. That section 79-4,140.07, Revised Statutes Supplement, 1986, be amended to read as follows:

79-4,140.07. The State Department of Education shall, by July 1, 1987 when funds are appropriated by the Legislature to carry out this section, identify exemplary curriculum materials for use in Nebraska schools. Such materials may include innovative programs, supplementary materials, unique approaches to presenting existing materials, and materials which make use of new technological developments. All such materials shall have a demonstrable capacity to improve the quality and effectiveness of instruction and shall have been developed in Nebraska or, if developed outside Nebraska, shall have been adapted for use in Nebraska. In order to make such materials fully available to Nebraska schools, the State Department of Education shall establish a dissemination program which shall include summer institutes conducted by teacher education institutions in the state. Dissemination program activities may include:

- (1) Grants to teachers who developed or adapted exemplary curriculum materials;
- (2) Grants to teacher education institutions for the administrative costs of offering institutes; and
- (3) Reproducing and delivering trial materials to schools.

Sec. 5. That section 79-4,140.08, Revised Statutes Supplement, 1986, be amended to read as

follows:

79-4,140.08. The State Department of Education shall, by July 1, 1987 when funds are appropriated by the Legislature to carry out this section, in consultation with the Nebraska educational television network, colleges and universities in the state, the educational service units, such other public and private committees and groups as are deemed to have expertise in the field of educational technology, and the Policy Research Office, establish a state-level consortium which shall:

(1) Identify, evaluate, and publish a list of high-quality courseware which is available to be used by teachers to supplement curriculum;

(2) Provide guidelines to assist local school districts and educational service units in making decisions regarding:

(a) Acquiring of technological hardware, software, and related services;

(b) Training current and prospective staff in the use of educational technology, including, but not limited to, computers, video discs, and interactive cable television; and

(c) Utilizing technology in instruction and support services to increase the effectiveness of and individual access to education;

(3) Devise a pilot project program for implementing specific approaches to the use of technology in education;

(4) Develop and maintain an inventory of applications of technology to education in the state and provide for the sharing of the information within the state;

(5) Develop a plan for the orderly introduction of technology in the schools. The plan shall include methods of providing financial support for schools to obtain equipment, modify facilities, train staff, conduct comprehensive need analysis, appropriately share resources, and provide reasonable equality of access to technology by students in all regions of the state; and

(6) Propose the organizational structure of a state educational technology consortium for the purpose of carrying out the ongoing programs described in subdivisions (1) to (4) of this section.

Sec. 6. That section 79-1247.05, Revised Statutes Supplement, 1986, be amended to read as follows:

79-1247.05. (1) The board shall establish,

adopt, and promulgate appropriate rules, regulations, and procedures governing the issuance, renewal, conversion, revival, cancellation, suspension, and revocation of certificates and permits to teach, counsel, supervise, and administer in all elementary and secondary schools in this state based upon (a) earned college credit in humanities, social and natural sciences, mathematics, and practical arts, (b) earned college credit, or its equivalent in professional education, for particular teaching, counseling, supervisory, or administrative assignments, (c) scholarship attained in earning such college credit, (d) successful teaching, and (e) moral, mental, and physical fitness for teaching, all in accordance with sound educational practices.

(2) On or before July 31, 1987, the State Board of Education shall establish or designate basic skills competency examinations for prospective teachers. Such examinations shall measure:

(a) Competency in the written use of the English language;

(b) Competency to read, comprehend, and interpret professional writing and other written materials; and

(c) Competency to work with fundamental mathematical computations.

No candidate applying for an entry-level teacher or administrator certificate after July 31, 1989, shall receive such certificate unless such candidate has received a satisfactory score on the basic skills competency examinations established or designated by the State Board of Education. Each Nebraska teacher education institution approved by the State Board of Education shall administer the basic skills competency examinations as a condition for entry into such institution's teacher or administrator program. The State Department of Education shall administer the examinations for teachers and administrators being recommended for certification from outside of Nebraska and for prospective teachers and administrators who have not matriculated in or completed a teacher training program at a time and place designated by the Commissioner of Education.

(3) In order to ensure that all teachers throughout the state maintain and continue to develop effective teaching skills, the State Board of Education shall, when funds are appropriated by the Legislature to carry out this subsection, on or before July 31, 1987, adopt four career certification levels in addition to

other temporary, provisional, service, or emergency certification classifications. Each certification level shall reflect a level of achievement attained by a teacher based on such teacher's professional growth and academic achievement and years of successful teaching experience. The certification levels prescribed in this subsection shall be applicable to teachers receiving their first Nebraska teaching certificate after the adoption of such certification levels by the State Board of Education. The levels of certification shall be as follows:

(a) The first level of certification shall be known as the apprentice teaching certificate. To be eligible to receive an apprentice teaching certificate, a teacher shall, after three years following the adoption of the certification levels by the State Board of Education, have completed the requirements prescribed in subsection (2) of this section and received a satisfactory score or rating on a subject matter examination established or designated by the State Board of Education. Such certificate shall be valid for three years;

(b) The second level of certification shall be known as the initial teaching certificate. To be eligible to receive an initial teaching certificate, a teacher shall have served as an apprentice teacher for at least two years and successfully completed the requirements of the entry-year assistance program as provided in subsection (5) of this section, if applicable. Such certificate shall be valid for five years and be nonrenewable, except that any teacher who fails to continue to teach during the life of an initial teaching certificate shall be eligible to reenter teaching at such certification level and to teach under the initial teaching certificate for not longer than five school years;

(c) The third level of certification shall be known as the standard teaching certificate. To be eligible for the standard teaching certificate, the teacher shall have served at least two years with an apprentice teaching certificate and at least three years with an initial teaching certificate and earned at least eighteen college credit hours or its equivalent in continuing education units. The State Board of Education shall adopt and promulgate rules and regulations establishing and defining continuing education units. For purposes of this section, credit hour shall mean units earned in a master's degree program, a fifth-year program, or towards an additional

teaching endorsement or in an area of such teacher's assigned duties or specialization.

Such certificate shall be valid for a period of five years and may be renewed for a second five-year period if a teacher verifies the completion of thirty-six hours of college credit or its equivalent in continuing education units. Thereafter the standard teaching certificate may be renewed for additional five-year periods if such teacher verifies at least two years of successful teaching experience during the life of the certificate or completes six hours of college credit or its equivalent in continuing education units. Any teacher who fails to continue to teach during the life of a standard certificate shall be eligible to return to teaching at such certification level and to teach under the standard certificate for no longer than five school years; and

(d) The fourth level of certification shall be known as the professional teaching certificate. To be eligible for a professional teaching certificate, the teacher shall have completed a master's degree program or fifth-year program and served at least three years with an initial teaching certificate and at least three years with a standard teaching certificate.

Such certificate shall be valid for ten years and may be renewed for additional ten-year periods if the teacher verifies at least three years of successful teaching experience during the life of the certificate or completes nine hours of college credit or its equivalent in continuing education units. College credit hours shall have been completed within five years of the date of the renewal application.

(4) Any teacher who, prior to the adoption of the certification levels by the State Board of Education, holds a valid Nebraska prestandard, standard, or professional certificate and who is fifty-five years of age or older shall be eligible to renew such certificates pursuant to the rules and regulations adopted and promulgated by the State Board of Education on July 8, 1977. Those persons holding a Professional Life Certificate issued prior to July 11, 1977, shall be exempt from certificate renewal.

(5) When funds are appropriated by the Legislature to carry out this subsection, on or before July 31, 1987, the State Board of Education shall adopt an entry-year assistance program. The purpose of such program shall be to provide assistance to beginning teachers. Participation in such program shall be required for all teachers who have not, prior to the

adoption of the certification levels by the State Board of Education, held any Nebraska teaching certificate, except that any teacher employed by a private, denominational, or parochial school shall be exempt from participation in the entry-year assistance program. The State Board of Education shall adopt and promulgate rules and regulations governing such program which take into consideration the size and geographical location of schools and the special needs of schools located in sparsely populated areas. Such rules and regulations shall provide for reasonable compensation for individuals who provide service and assistance to entry-year teachers subject to this subsection. It is the intent of the Legislature to appropriate additional funds to the operational budget of the State Department of Education sufficient to meet the costs of the entry-year assistance program.

(6) When funds are appropriated by the Legislature to carry out this subsection, on or before July 31, 1989, the State Board of Education shall adopt minimum standards for the initial and continuing certification of principals, supervisors, and superintendents in the state's elementary and secondary schools which shall include, but not be limited to, the following:

(a) Each candidate for an initial certificate shall receive a satisfactory rating or score on the basic skills competency examinations prescribed in subsection (2) of this section; and

(b) Each candidate for an initial certificate shall demonstrate proficiency in personnel management and educational leadership and demonstrate satisfactory teaching performance.

The State Board of Education may establish internship programs for principals, supervisors, and superintendents which are substantially equivalent in purpose and requirements to the entry-year assistance program established in subsection (5) of this section.

(7) Members of any advisory committee established by the State Board of Education to assist such board in teacher certification matters shall be reimbursed for their actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees. Each school district which has an employee who serves as a member of such committee and which is required to hire a person to replace such member during the member's attendance at meetings or activities of the committee or any subcommittee thereof shall be reimbursed from the General Fund for the expense it



incurs from hiring a replacement. School districts may excuse employees who serve on such advisory committees from certain duties if such duties conflict with any advisory committee duties.

Sec. 7. If funds have not been appropriated by the Legislature to fund subsections (3), (4), (5), and (6) of section 79-1247.05 by July 1, 1990, such subsections shall terminate and shall be repealed in their entirety along with all amendments thereto.

Sec. 8. That original sections 79-4,140.04 to 79-4,140.08 and 79-1247.05, Revised Statutes Supplement, 1986, are repealed.