

LEGISLATIVE BILL 803

Approved by the Governor April 17, 2018

Introduced by Stinner, 48.

A BILL FOR AN ACT relating to early childhood education; to amend section 79-1104, Reissue Revised Statutes of Nebraska; to change State Board of Education rulemaking authority as prescribed; to provide authority to exempt a prekindergarten program from teacher and administrator certificate or permit requirements; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-1104, Reissue Revised Statutes of Nebraska, is amended to read:

79-1104 (1) Any school board in its discretion may (a) establish and financially support programs providing before-and-after-school or prekindergarten services, to which attendance shall be voluntary and which the board may deem beneficial to the education of prekindergarten or school-age children and (b) provide or financially support transportation for children to, from, or to and from programs as defined in section 71-1910. The board may charge a fee, not to exceed the actual cost, for providing such programs and services but may waive such fee on the basis of need. This section does not allow any school district to fail to meet its responsibilities under the Special Education Act.

(2) Prekindergarten programs established by school boards or educational service units shall be approved by the State Department of Education subject to regulations adopted and promulgated by the State Board of Education and may include such components as (a) the utilization of appropriately qualified staff, (b) an appropriate child-to-staff ratio, (c) appropriate group size, (d) compliance with minimum health and safety standards, (e) appropriate facility size and equipment, (f) a strong family development and support component, (g) developmentally and culturally appropriate curriculum, practices, and assessment, (h) well-defined language development and early literacy emphasis, and (i) a plan for ongoing professional development of staff, all in accordance with sound early childhood educational practice, research, and evaluation. All teachers and administrators in prekindergarten programs established pursuant to this section shall hold a valid certificate or permit issued pursuant to sections 79-806 to 79-815, except that the State Board of Education may shall adopt and promulgate rules and regulations that exempt a prekindergarten program from the requirement for teachers and administrators in prekindergarten programs to hold a valid certificate or permit if such program is in compliance with such rules and regulations for the issuance of such permits or certificates required by this section.

Sec. 2. Original section 79-1104, Reissue Revised Statutes of Nebraska, is repealed.