

## ENGROSSED LEGISLATIVE BILL 1022

Introduced by Murman, 38; Andersen, 49; Ballard, 21; Clements, 2; Juarez, 5; Kauth, 31; Lippincott, 34; Lonowski, 33; Meyer, G., 17; Storer, 43.

A BILL FOR AN ACT relating to education; to amend sections 79-807, 79-808, 79-813, and 79-8,145.01, Reissue Revised Statutes of Nebraska, and section 79-810, Revised Statutes Supplement, 2025; to eliminate definitions; to eliminate the human relations training requirement for obtaining a certificate or permit to teach, provide special services, or administer; to harmonize provisions; and to repeal the original sections.

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

**Section 1.** Section 79-807, Reissue Revised Statutes of Nebraska, is amended to read:

79-807 For purposes of sections 79-806 to 79-815, unless the context otherwise requires:

- (1) Board means the State Board of Education;
- (2) Certificate means an authorization issued by the commissioner to an individual who meets the qualifications to engage in teaching, providing special services, or administering in prekindergarten through grade twelve in the elementary and secondary schools in this state;
- (3) Commissioner means the Commissioner of Education;
- (4) Department means the State Department of Education;
- (5) Special education training means course work or employment experiences that provide an individual with the knowledge of (a) the exceptional needs of the disabilities defined under the Special Education Act, (b) the major characteristics of each disability in order to recognize its existence in children, (c) the various alternatives for providing the least restrictive environment for children with disabilities, (d) methods of teaching children with disabilities in the regular classroom, and (e) prereferral alternatives, referral systems, multidisciplinary team responsibilities, the individualized education program process, and the placement process;

(6) Special services means supportive services provided to students that do not primarily involve teaching, including, but not limited to, (a) audiology, psychology, and physical or occupational therapy, (b) the coaching of extracurricular activities, and (c) subject areas for which endorsement programs are not offered by a standard institution of higher education; and

(7) Standard institution of higher education means any college or university, the teacher education programs of which are fully approved by the board or approved in another state pursuant to standards which are comparable and equivalent to those set by the board.

**Sec. 2.** Section 79-808, Reissue Revised Statutes of Nebraska, is amended to read:

79-808 (1) The board shall establish, adopt, and promulgate appropriate rules, regulations, and procedures governing the issuance, renewal, conversion, suspension, and revocation of certificates and permits to teach, provide special services, and administer based upon (a) earned college credit in humanities, social and natural sciences, mathematics, or career and technical education, (b) earned college credit, or its equivalent in professional education, for particular teaching, special services, or administrative assignments, (c) criminal history record information if the applicant has not been a continuous Nebraska resident for five years immediately preceding application for the first issuance of a certificate, (d) successful teaching, administration, or provision of special services, and (e) moral, mental, and physical fitness for teaching, all in accordance with sound educational practices. Such rules, regulations, and procedures shall also provide for endorsement requirements to indicate areas of specialization on such certificates and permits. Such rules and regulations shall not require any test of basic skills.

(2) Members of any advisory committee established by the board to assist the board in teacher education and certification matters shall be reimbursed for expenses as provided in sections 81-1174 to 81-1177. 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 Certification Fund for the expense it incurs from hiring a replacement. School districts may excuse employees who serve on such advisory committees from certain duties which conflict with any advisory committee duties.

**Sec. 3.** Section 79-810, Revised Statutes Supplement, 2025, is amended to read:

79-810 (1) Certificates and permits shall be issued by the commissioner upon application on forms prescribed and provided by him or her which shall include the applicant's social security number.

(2) Each certificate or permit issued by the commissioner shall indicate the area of authorization to teach, provide special services, or administer and any areas of endorsement for which the holder qualifies. During the term of any certificate or permit issued by the commissioner, additional endorsements may be made on the certificate or permit if the holder submits an application, meets the requirements for issuance of the additional endorsements, and pays a nonrefundable fee as set by the commissioner, not to exceed fifty-five dollars.

(3) The department shall make available on a portal on the department's website the option or ability for an individual with a certificate or permit to apply for an endorsement. Such portal shall also include a list of courses that an individual with a certificate or permit may take to add an endorsement to such certificate or permit. The commissioner shall allow an individual with a certificate or permit the following alternative methods of obtaining an endorsement:

(a) Taking a subject-specific content examination in designated endorsement areas and indicating such subject as an endorsement on such individual's certificate or permit based solely on passage of the examination;  
or

(b) Completing an approved program of equivalent professional education in a designated endorsement area that is provided by an accredited public school.

(4) The Certification Fund is created. Any fee received by the department under sections 79-806 to 79-815 shall be remitted to the State Treasurer for credit to the fund. The fund shall be used by the department in paying the costs of certifying educators pursuant to such sections and to carry out subsection (2) of section 79-808. For issuance of a certificate or permit valid in all schools, the nonrefundable fee shall be set by the commissioner, not to exceed sixty-five dollars. Transfers may be made from the Certification Fund to the Education Future Fund at the direction of the Legislature. Any money in the Certification Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 4.** 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 or has been offered employment to teach, administer, or provide special services by an accredited school district in Nebraska or an approved and accredited private, denominational, or parochial school in Nebraska;

(ii) Holds a valid certificate or permit, in force in another state at the time of application, 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 in which the applicant holds a certificate or permit to teach, administer, or provide special services;

(v) Does not have any pending investigation or complaint 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 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)(a) The board shall authorize the issuance of a certificate or permit to any applicant for such certificate or permit who:

(i) Holds a valid certificate or permit to teach in force in another state at the time of application;

(ii) Is in good standing in all states in which the applicant holds a certificate or permit to teach;

(iii) Does not have any pending investigation or complaint against any such certificate or permit;

(iv) Meets all residency and background check requirements otherwise

required for a Nebraska certificate or permit; and

(v) Pays any applicable fees.

(b) The commissioner shall verify that the applicant for a teaching certificate or permit under this subsection meets the requirements of subdivisions (2)(a)(ii) and (iii) of this section. Such certificate or permit 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 conditional 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 conditional permit shall remain in force until the commissioner completes the review of all the requirements of subdivision (2)(a) of this section and either issues a certificate or permit to teach or notifies the applicant of the reason such certificate or permit cannot be issued.

(d) The department shall make available on a portal on the department's website the option or ability for individuals to apply for a certificate to teach pursuant to this subsection.

(3) In addition to certificates and permits issued pursuant to subsections (1) and (2) of this section, the board may authorize the issuance of other certificates or permits to applicants who hold a valid certificate or permit currently in force in another state 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. 5.** Section 79-8,145.01, Reissue Revised Statutes of Nebraska, is amended to read:

79-8,145.01 (1) In addition to certificates issued pursuant to section 79-806 to 79-815, the Commissioner of Education shall, subject to subsections (2) and (3) of this section, issue an alternative certificate to teach on a full-time basis to any applicant who:

- (a) Possesses a baccalaureate degree; and
- (b) Has successfully completed an alternative teacher program operated by an organization that satisfies the following criteria:
  - (i) The organization operates in at least five states;
  - (ii) The organization has operated an alternative teacher certification program for at least ten years; and
  - (iii) The program requires candidates to pass a subject area examination and a pedagogy examination to receive a documentation of successful completion of such program.

(2) An alternative certificate issued by the Commissioner of Education under this section only authorizes an individual to teach the subject and educational levels for which the individual has successfully completed an alternative teacher program.

(3) Issuance of an alternative certificate pursuant to this section shall also be subject to any rules, regulations, or procedures established pursuant to subdivisions (1)(c) and (e) of section 79-808 and section 79-810.

(4) An individual who receives an alternative certificate pursuant to this section shall:

- (a) Participate in a school district clinical experience for one semester in such individual's first semester of employment as a teacher pursuant to this section; and

- (b) Be subject to the same certification criteria as an individual who completes a traditional teacher preparation program if converting the alternative certificate to a standard certificate to teach.

**Sec. 6.** Original sections 79-807, 79-808, 79-813, and 79-8,145.01, Reissue Revised Statutes of Nebraska, and section 79-810, Revised Statutes Supplement, 2025, are repealed.

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 1022 was passed by the One Hundred Ninth Legislature of Nebraska at its Second Session on the ..... day of ..... 20.....*

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**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

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**GOVERNOR**