

LEGISLATIVE BILL 314

Approved by the Governor March 14, 2001

Introduced by Stuhr, 24; Erdman, 47

AN ACT relating to teachers; to amend sections 79-808, 79-809, and 79-812, Reissue Revised Statutes of Nebraska; to change provisions relating to teaching certificates; 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 79-808, 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, 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 credit, (d) training in human relations, ~~which requirement shall apply to the issuance of first certificates or permits issued after January 1, 1990, and to the issuance of renewal certificates or permits issued after January 1, 1993,~~ (e) successful teaching, and (f) moral, mental, and physical fitness for teaching, all in accordance with sound educational practices.

(2)(a) The board shall establish or designate basic skills competency examinations for prospective teachers. The examinations shall measure competency in the written use of the English language, competency to read, comprehend, and interpret professional writing and other written materials, and competency to work with fundamental mathematical computations.

(b) ~~No~~ Except as provided otherwise in this subdivision, a candidate applying for an entry-level teacher or administrator certificate after July 31, 1989, shall not receive a certificate unless such candidate has received a satisfactory score on the basic skills competency examinations established or designated by the board. A candidate shall be exempt from this requirement if (i) the candidate has three or more successive years of experience in an approved or accredited school with a certificate issued by that state on the basis of successful completion of an approved teacher education program in that state or another state or (ii) the candidate has current credentials from a national nonprofit organization (A) approved by the State Department of Education, (B) the purpose of which is to establish high and rigorous standards in a broad range of educational areas for what accomplished teachers should know and be able to do, and (C) which issues credentials to teachers who demonstrate that they meet those standards. The ~~except that the board may issue a temporary certificate to any teacher or administrator who is first employed in a Nebraska school after April 1 of any year and who meets all other requirements but has not taken or received a satisfactory score on the examinations. The temporary certificate shall be valid only for the ensuing school year and may be renewed for one additional year. Each Nebraska teacher education institution approved by the board 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, at a time and place designated by the commissioner, 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.~~

(c) The board may issue a temporary certificate, valid for a period not to exceed two years, to any applicant for certification who has not completed the human relations training requirement pursuant to subdivision (1)(d) of this section or the special education competencies requirement specified in section 79-816. No applicant for certification shall receive any manner of temporary certification which exceeds two years in duration. The board may also issue such temporary certification, valid for not more than two years, pursuant to the Interstate Agreement on Qualification of Educational Personnel found in section 79-893.

(d) The board may issue substitute teaching certificates or permits in the absence of training in human relations required pursuant to subdivision

(1)(d) of this section, the basic skills competency examinations required pursuant to subdivision (2)(b) of this section, or the special education competencies requirement specified in section 79-816.

(3) Members of any advisory committee established by the board to assist the board in teacher certification matters shall be reimbursed for their actual and necessary 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 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 which conflict with any advisory committee duties.

Sec. 2. Section 79-809, Reissue Revised Statutes of Nebraska, is amended to read:

79-809. The maximum which the board may require for the ~~first~~ issuance of any entry-level certificate or permit, valid for teaching only in all schools for a term of not less than three years, shall be that the applicant is of sound mental and physical health and of good moral character and a statement countersigned by an authorized official of a standard institution of higher education which certifies the grade levels and subject fields or areas of specialization and that the applicant (1) has a baccalaureate degree, except that a master's degree shall be required for the ~~first~~ issuance of any entry-level teaching certificate with a speech-language pathologist endorsement, (2) has filed a complete set of his or her legible fingerprints for a criminal history record information check if required by section 79-8,111, (3) in the case of any person who matriculates in a teacher training program, has satisfactorily completed, within two years of the date of application, the institution's regular approved or accredited program of preparation for teaching and has met all other appropriate requirements of the institution as a teacher, (4) has achieved a satisfactory score on the basic skills competency examinations established or designated by the State Board of Education pursuant to section 79-808 prior to (a) admission into a Nebraska teacher training program or (b) certification in the case of individuals recommended for certification by a postsecondary institution outside of Nebraska or individuals not matriculating in a teacher training program, and (5) has performed at a satisfactory level, as determined by the State Board of Education, on a subject area examination established or designated by the State Board of Education in each area for which endorsement is sought.

Sec. 3. Section 79-812, Reissue Revised Statutes of Nebraska, is amended to read:

79-812. ~~The Except as otherwise provided in sections 79-808 to 79-816, the board may authorize the issuance of certificates or permits upon recommendation from institutions of higher education located in states other than Nebraska if the respective State Department of Education or similar agency fully approves the teacher education programs of the institution based on standards for approving the institution and its education programs which are comparable and equivalent to those required by the board. Any applicant for a Nebraska teacher or administrator certificate who is recommended for certification by a teacher training institution from outside Nebraska and who does not hold a current out-of-state certificate to teach or administer shall receive a satisfactory rating or score on the basic skills competency examinations and a subject matter examination as prescribed by the State Board of Education pursuant to section 79-808 or meet comparable equivalent requirements as prescribed by law or regulation of the state in which such teacher training institution is located.~~

Sec. 4. Original sections 79-808, 79-809, and 79-812, Reissue Revised Statutes of Nebraska, are repealed.

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