

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 314
FINAL READING

Introduced by Stuhr, 24; Erdman, 47

Read first time January 8, 2001

Committee: Education

A BILL

1 FOR AN ACT relating to teachers; to amend sections 79-808, 79-809,
2 and 79-812, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to teaching certificates; to
4 harmonize provisions; to repeal the original sections;
5 and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-808, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-808. (1) The board shall establish, adopt, and
4 promulgate appropriate rules, regulations, and procedures governing
5 the issuance, renewal, conversion, revival, cancellation,
6 suspension, and revocation of certificates and permits to teach,
7 counsel, supervise, and administer in all elementary and secondary
8 schools in this state based upon (a) earned college credit in
9 humanities, social and natural sciences, mathematics, and practical
10 arts, (b) earned college credit, or its equivalent in professional
11 education, for particular teaching, counseling, supervisory, or
12 administrative assignments, (c) scholarship attained in earning
13 such credit, (d) training in human relations, ~~which requirement~~
14 ~~shall apply to the issuance of first certificates or permits issued~~
15 ~~after January 1, 1990, and to the issuance of renewal certificates~~
16 ~~or permits issued after January 1, 1993,~~ (e) successful teaching,
17 and (f) moral, mental, and physical fitness for teaching, all in
18 accordance with sound educational practices.

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

25 (b) ~~Ne~~ Except as provided otherwise in this subdivision,
26 a candidate applying for an entry-level teacher or administrator
27 certificate after July 31, 1989, shall not receive a certificate
28 unless such candidate has received a satisfactory score on the

1 basic skills competency examinations established or designated by
2 the board. A candidate shall be exempt from this requirement if
3 (i) the candidate has three or more successive years of experience
4 in an approved or accredited school with a certificate issued by
5 that state on the basis of successful completion of an approved
6 teacher education program in that state or another state or (ii)
7 the candidate has current credentials from a national nonprofit
8 organization (A) approved by the State Department of Education, (B)
9 the purpose of which is to establish high and rigorous standards in
10 a broad range of educational areas for what accomplished teachers
11 should know and be able to do, and (C) which issues credentials to
12 teachers who demonstrate that they meet those standards. The
13 ~~except that the~~ board may issue a temporary certificate to any
14 teacher or administrator who is first employed in a Nebraska school
15 after April 1 of any year and who meets all other requirements but
16 has not taken or received a satisfactory score on the examinations.
17 The temporary certificate shall be valid only for the ensuing
18 school year and may be renewed for one additional year. Each
19 Nebraska teacher education institution approved by the board shall
20 administer the basic skills competency examinations as a condition
21 for entry into such institution's teacher or administrator program.
22 ~~The State Department of Education shall administer, at a time and~~
23 ~~place designated by the commissioner, the examinations for teachers~~
24 ~~and administrators being recommended for certification from outside~~
25 ~~of Nebraska and for prospective teachers and administrators who~~
26 ~~have not matriculated in or completed a teacher training program.~~

27 (c) The board may issue a temporary certificate, valid
28 for a period not to exceed two years, to any applicant for

1 certification who has not completed the human relations training
2 requirement pursuant to subdivision (1)(d) of this section or the
3 special education competencies requirement specified in section
4 79-816. No applicant for certification shall receive any manner of
5 temporary certification which exceeds two years in duration. The
6 board may also issue such temporary certification, valid for not
7 more than two years, pursuant to the Interstate Agreement on
8 Qualification of Educational Personnel found in section 79-893.

9 (d) The board may issue substitute teaching certificates
10 or permits in the absence of training in human relations required
11 pursuant to subdivision (1)(d) of this section, the basic skills
12 competency examinations required pursuant to subdivision (2)(b) of
13 this section, or the special education competencies requirement
14 specified in section 79-816.

15 (3) Members of any advisory committee established by the
16 board to assist the board in teacher certification matters shall be
17 reimbursed for their actual and necessary expenses as provided in
18 sections 81-1174 to 81-1177. Each school district which has an
19 employee who serves as a member of such committee and which is
20 required to hire a person to replace such member during the
21 member's attendance at meetings or activities of the committee or
22 any subcommittee thereof shall be reimbursed from the General Fund
23 for the expense it incurs from hiring a replacement. School
24 districts may excuse employees who serve on such advisory
25 committees from certain duties which conflict with any advisory
26 committee duties.

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

1 79-809. The maximum which the board may require for the
2 ~~first~~ issuance of any entry-level certificate or permit, valid for
3 teaching only in all schools for a term of not less than three
4 years, shall be that the applicant is of sound mental and physical
5 health and of good moral character and a statement countersigned by
6 an authorized official of a standard institution of higher
7 education which certifies the grade levels and subject fields or
8 areas of specialization and that the applicant (1) has a
9 baccalaureate degree, except that a master's degree shall be
10 required for the ~~first~~ issuance of any entry-level teaching
11 certificate with a speech-language pathologist endorsement, (2) has
12 filed a complete set of his or her legible fingerprints for a
13 criminal history record information check if required by section
14 79-8,111, (3) in the case of any person who matriculates in a
15 teacher training program, has satisfactorily completed, within two
16 years of the date of application, the institution's regular
17 approved or accredited program of preparation for teaching and has
18 met all other appropriate requirements of the institution as a
19 teacher, (4) has achieved a satisfactory score on the basic skills
20 competency examinations established or designated by the State
21 Board of Education pursuant to section 79-808 prior to (a)
22 admission into a Nebraska teacher training program or (b)
23 certification in the case of individuals recommended for
24 certification by a postsecondary institution outside of Nebraska or
25 individuals not matriculating in a teacher training program, and
26 (5) has performed at a satisfactory level, as determined by the
27 State Board of Education, on a subject area examination established
28 or designated by the State Board of Education in each area for

1 which endorsement is sought.

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

4 79-812. ~~The Except as otherwise provided in sections~~
5 ~~79-808 to 79-816, the board may authorize the issuance of~~
6 ~~certificates or permits upon recommendation from institutions of~~
7 ~~higher education located in states other than Nebraska if the~~
8 ~~respective State Department of Education or similar agency fully~~
9 ~~approves the teacher education programs of the institution based on~~
10 ~~standards for approving the institution and its education programs~~
11 ~~which are comparable and equivalent to those required by the board.~~
12 ~~Any applicant for a Nebraska teacher or administrator certificate~~
13 ~~who is recommended for certification by a teacher training~~
14 ~~institution from outside Nebraska and who does not hold a current~~
15 ~~out-of-state certificate to teach or administer shall receive a~~
16 ~~satisfactory rating or score on the basic skills competency~~
17 ~~examinations and a subject matter examination as prescribed by the~~
18 ~~State Board of Education pursuant to section 79-808 or meet~~
19 ~~comparable equivalent requirements as prescribed by law or~~
20 ~~regulation of the state in which such teacher training institution~~
21 ~~is located.~~

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

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