

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1124

Introduced by Council, 11; Ashford, 20; Harr, 8; Mello, 5;
Nordquist, 7.

Read first time January 19, 2012

Committee: Education

A BILL

1 FOR AN ACT relating to schools; to amend section 79-1201, Reissue
2 Revised Statutes of Nebraska, section 79-1248, Revised
3 Statutes Cumulative Supplement, 2010, and section 79-757,
4 Revised Statutes Supplement, 2011; to provide for
5 designation of priority schools; to provide duties for
6 the State Department of Education, the Commissioner of
7 Education, the Educational Service Unit Coordinating
8 Council, and educational service units; to provide for a
9 kindergarten readiness advisory group and assessment
10 standard; to provide for priority school intervention
11 teams; to harmonize provisions; and to repeal the
12 original sections.

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

1 Section 1. Section 79-757, Revised Statutes Supplement,
2 2011, is amended to read:

3 79-757 Sections 79-757 to 79-762 and sections 2 to 5 of
4 this act shall be known and may be cited as the Quality Education
5 Accountability Act.

6 Sec. 2. The State Board of Education shall establish an
7 accountability system to be used to measure the performance of
8 individual public schools and school districts beginning with school
9 year 2012-13. The accountability system shall combine multiple
10 measures, including, but not limited to, graduation rates, student
11 growth and student improvement on the assessments provided in section
12 79-760.03, student attendance rates, kindergarten readiness rates,
13 parental involvement, suspensions and expulsions, college and career
14 readiness, postsecondary enrollment rates, postsecondary retention
15 rates per high school, and other indicators of the performance of
16 public schools and school districts as established by the board. The
17 measures selected by the state board for the accountability system
18 may be combined into a school performance score and district
19 performance score. The performance score shall take into
20 consideration the growth of students who score in the top quartile
21 and bottom quartile on the assessments to ensure that the
22 accountability system identifies schools and school districts which
23 are not sufficiently meeting the needs of both high-performing and
24 low-performing students.

25 The board shall establish levels of growth for the

1 indicators used in the accountability system in order to classify the
2 performance of public schools and school districts. Any school that
3 does not meet the minimum level of growth established by the board
4 shall be designated as a priority school. The department shall
5 annually report the performance of individual public schools and
6 school districts, including, but not limited to, the growth of
7 students who score in the top quartile and bottom quartile on the
8 assessments, as part of the statewide assessment and reporting
9 system.

10 Sec. 3. On or before December 1, 2012, the Commissioner
11 of Education shall report to the Legislature and the Governor on the
12 indicators and measures of performance selected by the State Board of
13 Education to create school performance scores, district performance
14 scores, and priority school designations pursuant to section 2 of
15 this act.

16 On or before August 1, 2013, and annually thereafter, the
17 commissioner shall report to the Governor, the Legislature, and the
18 Educational Service Unit Coordinating Council on all schools
19 designated as priority schools. The report shall include the name of
20 the school, the grades included in the priority school designation,
21 the name of the school district, the years for which the school was
22 designated a priority school, a summary of the progress plan, and the
23 measurement of progress.

24 Sec. 4. (1) The school board of a school district
25 containing a priority school shall permit the priority school

1 intervention teams established under section 7 of this act and any
2 person performing duties on behalf of the intervention teams full
3 access to the priority school, school personnel of the priority
4 school, the school district, school district personnel, academic
5 information, financial information, and any other requested
6 information. The intervention teams, in collaboration with the
7 priority school and the district, shall develop a progress plan for
8 approval by the State Board of Education. The progress plan shall
9 include specific actions required by the school and the district in
10 order to remove its classification as a priority school. Compliance
11 with progress plans shall be a requirement to maintain accreditation
12 for any school district that has at least one priority school.

13 (2) A progress plan is required for a school for each
14 year that it is classified as a priority school. The State Board of
15 Education shall annually review any progress plans and work with the
16 Educational Service Unit Coordinating Council and the intervention
17 teams to determine whether any modifications are needed. If a school
18 has been designated as a priority school for the third consecutive
19 year, the state board shall determine whether further steps shall be
20 taken. If a school has been designated as a priority school for the
21 fifth consecutive year, the state board shall determine whether
22 further steps should be taken or whether the school district shall
23 lose its accreditation and be subject to dissolution by the State
24 Committee for the Reorganization of School Districts pursuant to
25 section 79-498.

1 Sec. 5. The State Department of Education shall establish
2 a kindergarten readiness advisory group to develop a kindergarten
3 readiness assessment standard by December 1, 2012, which may be
4 utilized as a baseline to measure student growth and to assess
5 performance of early childhood education systems which utilize public
6 funding.

7 Sec. 6. Section 79-1201, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 79-1201 Sections 79-1201 to 79-1249 and section 7 of this
10 act shall be known and may be cited as the Educational Service Units
11 Act.

12 Sec. 7. (1) The Educational Service Unit Coordinating
13 Council shall establish and assign priority school intervention teams
14 in each educational service unit containing a priority school
15 designated pursuant to section 2 of this act. The intervention teams
16 shall be established on or before the August 1 immediately following
17 the report of priority school designations pursuant to section 3 of
18 this act.

19 (2) Each educational service unit containing a priority
20 school shall work in collaboration with the council and the State
21 Department of Education to create intervention teams focused on the
22 following areas:

23 (a) The student intervention team which shall provide
24 care management for students having the greatest behavioral and
25 social needs who often disrupt and derail classroom instruction and

1 require the intervention of outside providers. The student
2 intervention team shall review high-risk students' needs and develop
3 and monitor interagency intervention plans for interventions
4 including, but not limited to, in-school counseling, school-based
5 health centers as defined in 68-907, enrollment in public assistance
6 programs, and referral to outside services;

7 (b) The instructional support team which shall provide
8 support to students with academic needs that can be met through
9 school and classroom-based resources and strategies. The
10 instructional support team shall identify unmet needs of both high-
11 performing and low-performing students, coordinate care and
12 intervention strategies with staff members, and provide professional
13 development for teachers; and

14 (c) The core team which shall focus on overall school
15 safety and culture, disciplinary codes and behavioral norms,
16 classroom practices, and parent and community engagement.

17 Sec. 8. Section 79-1248, Revised Statutes Cumulative
18 Supplement, 2010, is amended to read:

19 79-1248 The powers and duties of the Educational Service
20 Unit Coordinating Council include, but are not limited to:

21 (1) Providing public access to lists of qualified
22 distance education courses;

23 (2) Collecting and providing school schedules for
24 participating educational entities;

25 (3) Facilitation of scheduling for qualified distance

1 education courses;

2 (4) Brokering of qualified distance education courses to
3 be purchased by educational entities;

4 (5) Assessment of distance education needs and evaluation
5 of distance education services;

6 (6) Compliance with technical standards as set forth by
7 the Nebraska Information Technology Commission and academic standards
8 as set forth by the State Department of Education related to distance
9 education;

10 (7) Establishment of a system for scheduling courses
11 brokered by the council and for choosing receiving educational
12 entities when the demand for a course exceeds the capacity as
13 determined by either the technology available or the course provider;

14 (8) Administration of learning management systems, either
15 through the staff of the council or by delegation to an appropriate
16 educational entity, with the funding for such systems provided by
17 participating educational entities; ~~and~~

18 (9) Coordination with educational service units and
19 postsecondary educational institutions to provide assistance for
20 instructional design for both two-way interactive video distance
21 education courses and the offering of graduate credit courses in
22 distance education; and -

23 (10) Establish priority school intervention teams as
24 provided in section 7 of this act.

25 Sec. 9. Original section 79-1201, Reissue Revised

1 Statutes of Nebraska, section 79-1248, Revised Statutes Cumulative
2 Supplement, 2010, and section 79-757, Revised Statutes Supplement,
3 2011, are repealed.