

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 389**

FINAL READING

Introduced by Sanders, 45; Blood, 3; Brewer, 43; Gragert, 40; Murman, 38;  
at the request of the Governor.

Read first time January 14, 2021

Committee: Education

- 1 A BILL FOR AN ACT relating to teachers; to amend section 79-813, Reissue
- 2 Revised Statutes of Nebraska; to require the issuance of
- 3 certificates and permits to military spouses as prescribed; to
- 4 harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-813, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 79-813 (1)(a) The board shall authorize the issuance of a  
4 certificate or permit to any applicant for such certificate or permit  
5 who:

6 (i) Is a military spouse;

7 (ii) Holds a valid certificate or permit currently in force in  
8 another state to teach, administer, or provide special services;

9 (iii) Has held such certificate or permit for at least one year;

10 (iv) Is in good standing in all states where a certificate or permit  
11 to teach, administer, or provide special services is held;

12 (v) Does not have any pending investigations or complaints against  
13 any such certificate or permit;

14 (vi) Meets all residency and background check requirements otherwise  
15 required for a Nebraska certificate or permit; and

16 (vii) Pays any applicable fees.

17 (b) The commissioner shall verify that the applicant for a  
18 certificate or permit under this subsection meets the requirements of  
19 subdivisions (a)(iv) and (v) of this subsection. Such applicant shall not  
20 be required to meet the human relations training requirement under  
21 section 79-808 to obtain such certification or permit. Such certificate  
22 or permit shall be valid for at least three years and shall include the  
23 same or similar endorsements to teach in all subject areas for which the  
24 applicant had been certified to teach in such other state if a similar  
25 endorsement is offered in Nebraska.

26 (c) A preliminary permit shall be issued to an applicant upon  
27 submission of the application, payment of the applicable fees, and the  
28 successful completion of the criminal history record information check as  
29 provided in section 79-814.01. The preliminary permit shall remain in  
30 force until the commissioner completes the review of all requirements in  
31 subdivision (1)(a) of this section and either issues a certificate or

1 permit or notifies the applicant of the reason such certificate or permit  
2 cannot be issued.

3 (d) The board shall adopt and promulgate rules and regulations to  
4 (i) expedite the processing of an application submitted under this  
5 subsection by an applicant whose spouse is serving on active duty at the  
6 time of such submission and (ii) specify the documentation necessary to  
7 establish the applicant's status as a spouse of a person who is serving  
8 on active duty at the time of such submission.

9 (e) For purposes of this subsection:

10 (i) Active duty means full-time duty status in the active uniformed  
11 service of the United States, including members of the National Guard and  
12 Reserve on active duty orders pursuant to 10 U.S.C. chapters 1209 and  
13 1211; and

14 (ii) Military spouse has the same meaning as in section 38-118.01.

15 (2) In addition to certificates and permits issued pursuant to  
16 subsection (1) of this section, the ~~The~~ board may authorize the issuance  
17 of certificates or permits to applicants who hold a valid certificate or  
18 permit currently in force in another a state ~~other than Nebraska~~ if the  
19 requirements for the certificate or permit held by the applicant are  
20 comparable and equivalent to those required for a similar type of  
21 certificate or permit issued under sections 79-806 to 79-815.

22 Sec. 2. Original section 79-813, Reissue Revised Statutes of  
23 Nebraska, is repealed.