

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 724

Introduced by Vargas, 7; Hughes, 24.

Read first time January 18, 2023

Committee: Education

1 A BILL FOR AN ACT relating to teachers and administrators; to amend
2 section 79-809, Reissue Revised Statutes of Nebraska, and sections
3 79-806, 79-807, 79-808, and 79-8,145, Revised Statutes Cumulative
4 Supplement, 2022; to eliminate a defined term; to remove basic
5 skills and content knowledge test requirements; to harmonize
6 provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-806, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 79-806 (1) The Legislature finds that and ~~declares: (a) That~~ there
4 is an educator workforce shortage in this state and that efforts need to
5 be made to recruit, prepare, retain, and support the teaching profession
6 while maintaining high-quality educators in our classrooms around the
7 state. ÷

8 ~~(b) That the pool of qualified individuals for the teaching~~
9 ~~profession has been reduced statewide, in part, due to requirements in~~
10 ~~place as of July 21, 2022, for applicants to prove proficiency in basic~~
11 ~~skills competency by passing a prescribed examination in reading,~~
12 ~~writing, and mathematics before being accepted into a teacher education~~
13 ~~program of a standard institution of higher education approved by the~~
14 ~~State Board of Education pursuant to subdivision (5)(g) of section 79-318~~
15 ~~or issued any certificate under sections 79-806 to 79-815 and the rules~~
16 ~~and regulations adopted and promulgated by the board pursuant to such~~
17 ~~sections as of July 21, 2022;~~

18 ~~(c) That candidates for certification should possess academic~~
19 ~~competency to teach effectively and that multiple measures can~~
20 ~~proficiently demonstrate such competency. A demonstration of basic skills~~
21 ~~competency should not be based solely on a single assessment high-stakes~~
22 ~~examination because such an examination does not accurately portray a~~
23 ~~teacher candidate's general knowledge in mathematics, reading, and~~
24 ~~writing when measured within such a testing environment; and~~

25 ~~(d) That candidates for certification, including candidates coming~~
26 ~~to Nebraska from other states, should be able to use a portfolio of~~
27 ~~options to demonstrate basic skills competency, such as coursework taken~~
28 ~~to satisfy college degree requirements and college admissions~~
29 ~~examinations.~~

30 (2) The ~~Therefore, it is declared to be the purpose of sections~~
31 79-806 to 79-815 is to provide more flexibility in the certification of

1 qualified educators for Nebraska schools and not to decrease any
2 requirements for certificates to teach, provide special services, and
3 administer in Nebraska schools.

4 Sec. 2. Section 79-807, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 79-807 For purposes of sections 79-806 to 79-815, unless the context
7 otherwise requires:

8 ~~(1) Basic skills competency means either (a) proficiency in (i) the~~
9 ~~written use of the English language, (ii) reading, comprehending, and~~
10 ~~interpreting professional writing and other written materials, and (iii)~~
11 ~~working with fundamental mathematical computations as demonstrated by~~
12 ~~successful completion of an examination designated by the board or (b)~~
13 ~~successful employment experiences;~~

14 (1) ~~(2)~~ Board means the State Board of Education;

15 (2) ~~(3)~~ Certificate means an authorization issued by the
16 commissioner to an individual who meets the qualifications to engage in
17 teaching, providing special services, or administering in prekindergarten
18 through grade twelve in the elementary and secondary schools in this
19 state;

20 (3) ~~(4)~~ Commissioner means the Commissioner of Education;

21 (4) ~~(5)~~ Department means the State Department of Education;

22 (5) ~~(6)~~ Human relations training means course work or employment
23 experiences that lead to (a) an awareness and understanding of the
24 values, lifestyles, contributions, and history of a pluralistic society,
25 (b) the ability to recognize and deal with dehumanizing biases,
26 including, but not limited to, sexism, racism, prejudice, and
27 discrimination, and an awareness of the impact such biases have on
28 interpersonal relations, (c) the ability to translate knowledge of human
29 relations into attitudes, skills, and techniques which result in
30 favorable experiences for students, (d) the ability to recognize the ways
31 in which dehumanizing biases may be reflected in instructional materials,

1 (e) respect for human dignity and individual rights, and (f) the ability
2 to relate effectively to other individuals and to groups in a pluralistic
3 society other than the applicant's own;

4 (6) ~~(7)~~ Special education training means course work or employment
5 experiences that provide an individual with the knowledge of (a) the
6 exceptional needs of the disabilities defined under the Special Education
7 Act, (b) the major characteristics of each disability in order to
8 recognize its existence in children, (c) the various alternatives for
9 providing the least restrictive environment for children with
10 disabilities, (d) methods of teaching children with disabilities in the
11 regular classroom, and (e) prereferral alternatives, referral systems,
12 multidisciplinary team responsibilities, the individualized education
13 program process, and the placement process;

14 (7) ~~(8)~~ Special services means supportive services provided to
15 students that do not primarily involve teaching, including, but not
16 limited to, (a) audiology, psychology, and physical or occupational
17 therapy, (b) the coaching of extracurricular activities, and (c) subject
18 areas for which endorsement programs are not offered by a standard
19 institution of higher education; and

20 (8) ~~(9)~~ Standard institution of higher education means any college
21 or university, the teacher education programs of which are fully approved
22 by the board or approved in another state pursuant to standards which are
23 comparable and equivalent to those set by the board.

24 Sec. 3. Section 79-808, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 79-808 (1) The board shall establish, adopt, and promulgate
27 appropriate rules, regulations, and procedures governing the issuance,
28 renewal, conversion, suspension, and revocation of certificates and
29 permits to teach, provide special services, and administer based upon (a)
30 earned college credit in humanities, social and natural sciences,
31 mathematics, or career and technical education, (b) earned college

1 credit, or its equivalent in professional education, for particular
2 teaching, special services, or administrative assignments, (c) criminal
3 history record information if the applicant has not been a continuous
4 Nebraska resident for five years immediately preceding application for
5 the first issuance of a certificate, (d) human relations training, (e)
6 successful teaching, administration, or provision of special services,
7 and (f) moral, mental, and physical fitness for teaching, all in
8 accordance with sound educational practices. Such rules, regulations, and
9 procedures shall also provide for endorsement requirements to indicate
10 areas of specialization on such certificates and permits. Such rules and
11 regulations shall not require any test of basic skills or content
12 knowledge.

13 (2) The board may issue a temporary certificate, valid for a period
14 not to exceed two years, to any applicant for certification who has not
15 completed the human relations training requirement.

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

26 Sec. 4. Section 79-809, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-809 In addition to the requirements in section 79-808, the
29 maximum which the board may require for the issuance of any entry-level
30 certificate or permit shall be that the applicant (1) has a baccalaureate
31 degree that qualifies for a certificate to teach, (2) has satisfactorily

1 completed, within two years of the date of application, an approved
2 program at a standard institution of higher education, (3) has
3 ~~satisfactorily demonstrated basic skills competency,~~ (4) has special
4 education training, (4) (5) has earned college credit in an approved
5 program, at a standard institution of higher education, for which
6 endorsement is sought, and (5) (6) has paid a nonrefundable fee to the
7 department as provided in section 79-810.

8 Sec. 5. Section 79-8,145, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 79-8,145 (1) In addition to certificates issued pursuant to sections
11 79-806 to 79-815:

12 (a) The Commissioner of Education shall, subject to the provisions
13 of subsection (3) of this section, grant a temporary certificate to teach
14 on a full-time basis to any applicant who:

15 (i) Has completed a teacher education program at a standard
16 institution of higher education as defined in section 79-807; and

17 (ii) Currently possesses a certificate to teach in good standing
18 from another state; and

19 (b) The commissioner may, subject to the provisions of subsection
20 (3) of this section, grant a temporary certificate to teach on a full-
21 time basis to any applicant who has ~~:(i) Has~~ earned and been awarded a
22 bachelor's degree, graduate degree, or professional degree from a college
23 or university accredited by an accrediting organization recognized by the
24 United States Department of Education; and

25 (ii) Has ~~satisfactorily demonstrated basic skills competency~~ and
26 passed any appropriate subject area examination as designated by the
27 State Board of Education.

28 (2) Any temporary certificate to teach issued pursuant to this
29 section shall be valid for a period not to exceed two years, during which
30 the holder of such temporary certificate must obtain a certificate to
31 teach pursuant to sections 79-806 to 79-815 by completing the

1 requirements contained in such sections.

2 (3) Issuance of a temporary certificate to teach pursuant to this
3 section shall be subject to a criminal history record information check
4 pursuant to section 79-814.01 and payment of any required fees.

5 Sec. 6. Original section 79-809, Reissue Revised Statutes of
6 Nebraska, and sections 79-806, 79-807, 79-808, and 79-8,145, Revised
7 Statutes Cumulative Supplement, 2022, are repealed.