

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 960

Introduced by Vargas, 7; McKinney, 11.

Read first time January 11, 2022

Committee:

1 A BILL FOR AN ACT relating to teachers and administrators; to amend
2 section 79-809, Reissue Revised Statutes of Nebraska, sections
3 79-807 and 79-808, Revised Statutes Cumulative Supplement, 2020, and
4 section 79-8,145, Revised Statutes Supplement, 2021; to remove basic
5 skill and content test requirements; to harmonize provisions; and to
6 repeal the original sections.

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

1 Section 1. Section 79-807, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 79-807 For purposes of sections 79-806 to 79-815, unless the context
4 otherwise requires:

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

11 ~~(1)~~ (2) Board means the State Board of Education;

12 ~~(2)~~ (3) Certificate means an authorization issued by the
13 commissioner to an individual who meets the qualifications to engage in
14 teaching, providing special services, or administering in prekindergarten
15 through grade twelve in the elementary and secondary schools in this
16 state;

17 ~~(3)~~ (4) Commissioner means the Commissioner of Education;

18 ~~(4)~~ (5) Department means the State Department of Education;

19 ~~(5)~~ (6) Human relations training means course work or employment
20 experiences that lead to (a) an awareness and understanding of the
21 values, lifestyles, contributions, and history of a pluralistic society,
22 (b) the ability to recognize and deal with dehumanizing biases,
23 including, but not limited to, sexism, racism, prejudice, and
24 discrimination, and an awareness of the impact such biases have on
25 interpersonal relations, (c) the ability to translate knowledge of human
26 relations into attitudes, skills, and techniques which result in
27 favorable experiences for students, (d) the ability to recognize the ways
28 in which dehumanizing biases may be reflected in instructional materials,
29 (e) respect for human dignity and individual rights, and (f) the ability
30 to relate effectively to other individuals and to groups in a pluralistic
31 society other than the applicant's own;

1 ~~(6)~~ ~~(7)~~ Special education training means course work or employment
2 experiences that provide an individual with the knowledge of (a) the
3 exceptional needs of the disabilities defined under the Special Education
4 Act, (b) the major characteristics of each disability in order to
5 recognize its existence in children, (c) the various alternatives for
6 providing the least restrictive environment for children with
7 disabilities, (d) methods of teaching children with disabilities in the
8 regular classroom, and (e) prereferral alternatives, referral systems,
9 multidisciplinary team responsibilities, the individualized education
10 program plan ~~plan~~ process, and the placement process;

11 ~~(7)~~ ~~(8)~~ Special services means supportive services provided to
12 students that do not primarily involve teaching, including, but not
13 limited to, (a) audiology, psychology, and physical or occupational
14 therapy, (b) the coaching of extracurricular activities, and (c) subject
15 areas for which endorsement programs are not offered by a standard
16 institution of higher education; and

17 ~~(8)~~ ~~(9)~~ Standard institution of higher education means any college
18 or university, the teacher education programs of which are fully approved
19 by the board or approved in another state pursuant to standards which are
20 comparable and equivalent to those set by the board.

21 Sec. 2. Section 79-808, Revised Statutes Cumulative Supplement,
22 2020, is amended to read:

23 79-808 (1) The board shall establish, adopt, and promulgate
24 appropriate rules, regulations, and procedures governing the issuance,
25 renewal, conversion, suspension, and revocation of certificates and
26 permits to teach, provide special services, and administer based upon (a)
27 earned college credit in humanities, social and natural sciences,
28 mathematics, or career and technical education, (b) earned college
29 credit, or its equivalent in professional education, for particular
30 teaching, special services, or administrative assignments, (c) criminal
31 history record information if the applicant has not been a continuous

1 Nebraska resident for five years immediately preceding application for
2 the first issuance of a certificate, (d) human relations training, (e)
3 successful teaching, administration, or provision of special services,
4 and (f) moral, mental, and physical fitness for teaching, all in
5 accordance with sound educational practices. Such rules, regulations, and
6 procedures shall also provide for endorsement requirements to indicate
7 areas of specialization on such certificates and permits. Such rules and
8 regulations shall not require any test of basic skills or content
9 knowledge.

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

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

23 Sec. 3. Section 79-809, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 79-809 In addition to the requirements in section 79-808, the
26 maximum which the board may require for the issuance of any entry-level
27 certificate or permit shall be that the applicant (1) has a baccalaureate
28 degree that qualifies for a certificate to teach, (2) has satisfactorily
29 completed, within two years of the date of application, an approved
30 program at a standard institution of higher education, (3) ~~has~~
31 ~~satisfactorily demonstrated basic skills competency,~~ (4) has special

1 education training, ~~(4)~~ ~~(5)~~ has earned college credit in an approved
2 program, at a standard institution of higher education, for which
3 endorsement is sought, and ~~(5)~~ ~~(6)~~ has paid a nonrefundable fee to the
4 department as provided in section 79-810.

5 Sec. 4. Section 79-8,145, Revised Statutes Supplement, 2021, is
6 amended to read:

7 79-8,145 (1) In addition to certificates issued pursuant to sections
8 79-806 to 79-815:

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

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

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

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

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

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

30 (3) Issuance of a temporary certificate to teach pursuant to this
31 section shall be subject to a criminal history record information check

1 pursuant to section 79-814.01 and payment of any required fees.

2 Sec. 5. Original section 79-809, Reissue Revised Statutes of
3 Nebraska, sections 79-807 and 79-808, Revised Statutes Cumulative
4 Supplement, 2020, and section 79-8,145, Revised Statutes Supplement,
5 2021, are repealed.