NEBRASKA DEPARTMENT OF EDUCATION

TO: Roger Breed, Ed.D.
Commissioner of Education

FROM: Sharon Katt, Administrator Adult Program Services
Kevin Peters, Certification Director

SUBJECT: Approve revisions to Rule 21, "Issuance of Certificates to Teach, Provide Special Services, and Administer in Nebraska Schools"

Proposed Board Action:

Discuss the Hearing Testimony and approval of the revisions to Rule 21 (92 NAC 21), "Issuance of Certificates to Teach, Provide Special Services, and Administer in Nebraska Schools"

Background Information:

Rule 21 (92 NAC 21) addresses the certification of individuals to teach, administer or provide special services in Nebraska. Proposed changes to Rule 21 will update the current version of Rule 21 which became effective in May, 2010. Some of the changes in this revision have been made to enhance clarity and consistency; however, changes are also proposed which will change procedures related to certification of educators, including: changing expiration dates for most certificates to August 31 (as opposed to birth date); increasing the validity of the Substitute Teaching Certificate to 45 days (from 40 days); providing that employment experience for counselors, school psychologists and administrators will qualify an applicant for an administrative certificate after completion of the Educational Administration program (currently only teaching experience is recognized); replacing college credit requirements for renewal of School Nurse and Coaching endorsements on Special Services Certificates with appropriate training requirements; and providing the option for postsecondary institutions to request issuance of a Career Education certificate for instructors teaching in Career Academy arrangements. A more detailed list of proposed changes is provided in the support documentation.

As this revision was developed, the Nebraska Council on Teacher Education (NCTE) membership and other education representatives have been provided an opportunity to review this draft and provide input.

Estimated Cost:

$600.00 for costs associated with the Public Hearing and for print copies for distribution upon approval of the revised rule.

Supporting Documentation Included:

Rule 21 Hearing Draft
Hearing Testimony
List of proposed revisions.

For Additional Information on this item:

Contact:
Dr. Kevin Peters, kevin.peters@nebraska.gov, 402.471.0738

Sharon Katt, sharon.katt@nebraska.gov, 402.471.2405

NEBRASKA DEPARTMENT OF EDUCATION

Roger D. Breed, Ed.D., Commissioner
Scott Swisher, Ed.D., Deputy Commissioner

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TO: State Board of Education

FROM: Scott Summers, Legal Counsel III – Commissioner's Appointed Staff Person to Conduct a Rule Hearing on revisions to Title 92, Nebraska Administrative Code, Chapter 21, *Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*.

DATE: June 15, 2011

RE: Summary of rulemaking hearing on proposed revisions to 92 NAC 21

On May 5, 2011, the State Board of Education approved a hearing draft and authorized the Commissioner to set a hearing date and location as well as designate a staff person to conduct a hearing on the adoption of proposed revisions to Title 92, Nebraska Administrative Code, Chapter 21. By a memorandum dated May 5, 2011, the Commissioner appointed me to conduct a hearing on this Rule on June 14, 2011, commencing at 10:00 a.m. After the proper legal notice was published, this hearing was held at the Nebraska State Office Building, Nebraska Department of Education, V-Tel Conference Room, 301 Centennial Mall South, Sixth Floor, Lincoln, Nebraska. Pursuant to State Board of Education Policy B9, what follows is a written summary of the hearing testimony.

An audio recording of the hearing is available if any members of the Board wish to hear the tape.

SUMMARY OF TESTIMONY ON THE PROPOSED REVISIONS TO 92 NAC 21
Regulations of the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools

Scott Summers, staff attorney and the hearing official, called this hearing to order, read into the record the name of the newspaper in which a legal notice of the hearing was published and the date the notice appeared, outlined the procedures for the hearing and introduced **Sharon Katt, Administrator**, Senior Administrator, Adult Program Services, Nebraska Department of Education.

Ms. Katt introduced and explained the proposed revisions to Title 92, Nebraska Administrative Code, Chapter 21. Ms. Katt testified that the proposed revisions to Rule 21 are centered in four primary areas: 1. Set expiration dates for most certificates to August 31; 2. Clarify the provision related to the limitation of renewals that will be granted to an applicant for provisional and temporary certificates; 3. Increase the validity of the Substitute Teaching Certificate to 45 days; 4. Provide that employment experience for counselors, school psychologists and administrators will qualify an applicant for an administrative certificate; 5. Replace college credit requirements for renewal of School Nurse and Coaching endorsements

on Special Services Certificates with appropriate training requirements; and 6. Provide the option for postsecondary institutions to request issuance of a Career Education certificate for instructors teaching in Career Academy arrangements. A copy of Ms. Katt's testimony is attached.

Jay Sears, Program Director Instructional Advocacy, Nebraska State Education Association provided written testimony in support of the revisions to Rule 21, which is attached to this summary.

No other oral or written testimony was received.

NEBRASKA DEPARTMENT OF EDUCATION

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June 14, 2011

My name is Sharon Katt and I serve the Nebraska Department of Education as Senior Administrator responsible for the Adult Program Services team with specific responsibility for Teacher Education and oversight for Teacher Certification.

The primary revisions to Rule 21 *Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools* include:

1. Set expiration dates for most certificates to August 31 (changed from using birth date).
2. Clarify the provision related to the limitation of renewals that will be granted to an applicant for provisional and temporary certificates (which are issued to individuals needing to complete basic skills, special education, or the human relations requirements).
3. Increase the validity of the Substitute Teaching Certificate to 45 days (from 40 days).
4. Provide that employment experience for counselors, school psychologists and administrators will qualify an applicant for an administrative certificate after completion of the Educational Administration program (currently only teaching experience is recognized).
5. Replace college credit requirements for renewal of School Nurse and Coaching endorsements on Special Services Certificates with appropriate training requirements.
6. Provide the option for postsecondary institutions to request issuance of a Career Education certificate for instructors teaching in Career Academy arrangements.

In addition changes have been made to enhance clarity and consistency throughout the rule.

I will be happy to answer any questions.

Sharon Katt
Adult Program Services

Nebraska State Education Association

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June 14, 2011

Sharon Katt,
Administrator, Adult Program Services
Nebraska Department of Education
301 Centennial Mall South
Lincoln, NE 68509-4987

Reference: Chapter 21 (92 NAC 21) Hearing

Dear Ms Katt:

The Nebraska State Education Association supports the proposed revisions to Chapter 21 (92 NAC 21) Regulations for the Issuance of Certificates to Teach, Provide Special Services, and Administer in Nebraska Schools contained in the hearing draft dated May 5, 2011. As representatives of the Nebraska Council on Teacher Education (NCTE), an advisory council to the State Board of Education, the NSEA has taken part in extensive discussion on the merits of these proposed changes to Rule 21. We urge the State Board of Education to adopt these changes at their next Board meeting.

Sincerely,

Jay Sears, Program Director Instructional Advocacy
Nebraska State Education Association

Proposed Revisions to Rule 21 *Issuance of Certificates and Permits to Teach, Counsel, Supervise and Administer in Nebraska Schools*

The following list identifies selected changes to Rule 21, with the most significant items indicated in **bold**. This is not a complete list; other changes were made to enhance clarity and consistency throughout the Rule and do not create a change in current practice or procedure.

Overall changes:

- All certificate names were capitalized for consistency.
- **Certificates that currently read "shall expire on the applicant's date of birth", will now read "shall expire August 31".**
    - 003.08 Life or Permanent
    - 004.02 Standard Administrative
    - 004.04 Professional Administrative
    - 005.02 Initial Teaching
    - 005.05 Standard Teaching
    - 005.07 Professional Teaching
    - 005.17 Career Education Teaching
    - 005.20 Dual Credit Teaching
    - 005.23 Substitute Teaching
    - 005.26 Local Substitute Teaching
    - 007.02 Standard Special Services
- References to Teacher Education have been updated to Educator Preparation.
- Language in the Rule was updated to reflect definition changes (Section 002).

Specific changes by Section:

Section	Description of Changes
002.03	Added language to include educator preparation.
002.04	Further defined basic skills competency, including reference to other states.
002.07	Revised definition of Certification Officer for consistency with other Rules.
002.10	Added definition of content area.
002.13	Revised definition for education-related coursework.
002.14	Changed wording to students (from children).
002.20	Clarified grade level to include any PreK-12 grade level.
002.22	Clarified comparable and equivalent.
004.01F	**Added language to allow evidence of two years of employment as an administrator, school counselor or school psychologist to qualify for issuance of an administrative certificate (previously 2 years of teaching experience was the only option).**

Proposed Revisions to Rule 21 *Issuance of Certificates and Permits to Teach, Counsel, Supervise and Administer in Nebraska Schools*

- 004.03B Specified Master's degree requirements for Administrative certificates.
- 004.05B Updated requirements for Professional Administrative certificates; 36 hours of coursework in Educational Administration or Educational Leadership after receiving a master's degree.
- 004.05E2 Clarified employment requirements for Professional Administrative certificates.
- 004.06F Clarified that coursework must be education-related and taken after the bachelor's degree.
- 004.07C,D Clarified requirements for Administrative certificate renewal.
- **004.08 Clarified Provisional Administrative certificate may be renewed 2 times for a total of 3 years.**
- 005.03D2 Clarified that coursework requirement for Initial Teaching certificate is taken after receiving a bachelor's degree.
- 005.04C,D Clarified requirements for renewal of an initial certificate.
- 005.08C Added Educational Technology to Master's options for the Professional Teaching Certificate and added a 10-year limitation for the Master's to qualify for the Professional Teaching certificate.
- 005.09C Clarified requirements for Standard and Professional Teaching renewal prior to expiration or less than 5 years after expiration to include administration or teaching employment.
- 005.10C Added language to provide for renewal of a Nebraska certificate with out of state experience.
- 005.10D Clarify requirements for Teaching Certificate renewal 5 years after expiration.
- **005.14 Clarified the Provisional Teaching Certificate can be renewed only 2 times for a total of 3 years.**
- 005.16C Simplified language regarding Provisional Teaching Certificate renewal requirements.
- 005.18C Requires a District Verification Form for the Career Education Teaching Certificate.
- **005.18D New language to allow postsecondary institutions to request issuance of the Career Education Teaching Certificate for Career Academy instructors.**
- 005.19D Updated requirements for Career Education Teaching Certificate Renewal.
- 005.21B Added a Postsecondary Verification form requirement for the Dual Credit Teaching Certificate.
- **005.26 Increase Local Substitute Teaching certificate validity from 40 to 45 days.**
- 005.27B Clarified coursework requirements for the Local Substitute Teaching Certificate.
- **006.01 Changed Temporary certificate expiration date from 2 years to 180 days after issuance and added language that the Temporary certificate is not renewable.**
- 007.04 Special Service Certificate renewal requirements clarified.
- 007.04D Clarified coursework requirements for the Special Services Certificate renewal.
- **007.05 Created new section for renewal of the Special Services certificate-School Nurse endorsement.**
- **007.06 Created new section for renewal of the Special Services certificate-Coaching endorsement.**
- **007.07 Clarified that Provisional Special Services certificates can be renewed 2 times for a total of 3 years and that Provisional Special Services certificates are not issued for School Nurse or Coaching endorsements.**
- **008.02 Simplified Conditional Permit issuance requirements; investigation done by certification office.**

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 21 - ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH, PROVIDE SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA SCHOOLS

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TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 21 - ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH, PROVIDE SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA SCHOOLS

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TITLE 92
CHAPTER 21

001 Scope and Authority

001.01 Statutory Authority. This Chapter is adopted pursuant to Sections 79-318, and 79-806 through 79-815 of the Revised Statutes of Nebraska (R.R.S.).

001.02 Scope and Application. This Chapter provides procedures for the issuance of ~~t~~Teaching, ~~a~~Administrative, and ~~s~~Special ~~s~~Services certificates and permits for use in accredited or approved Nebraska school systems.

001.03 Related Chapters. Throughout this Chapter, reference is made to other Nebraska Department of Education regulations that relate to certification. Title 92, Nebraska Administrative Code, Chapter 20 (92 NAC 20), contains regulations for teacher education program approval. Title 92, Nebraska Administrative Code, Chapter 22 (92 NAC 22), contains regulations for the approval of credentialing organizations for teachers. Title 92, Nebraska Administrative Code, Chapter 23 (92 NAC 23), contains regulations relating to basic skills testing. Title 92, Nebraska Administrative Code, Chapter 24 (92 NAC 24), contains regulations relating to endorsements.

002 Definitions. As used in this Chapter:

002.01 ~~Administered~~ Administer shall mean to manage or direct one or more of the offices, departments, or services of a Nebraska school system, or a comparable school system in another state.

002.02 Application shall mean the appropriate form as prescribed by the Commissioner, is properly signed by the applicant, all professional conduct and professional fitness questions are completed with answers that permit the issuance of a Nebraska certificate under this Chapter, is accompanied by the payment of the certification fee, and is filed and recorded by the Department.

002.03 Approved Educator Preparation program ~~for the preparation of teachers~~ or Approved Teacher Education program shall mean a program approved pursuant to 92 NAC 20, a program approved in another state or country pursuant to standards which are comparable and equivalent to 92 NAC 20, or a program capable of meeting such standards.

002.04 Basic skills competency shall mean either (a) proficiency in (i) the written use of the English language, (ii) reading, comprehending, and interpreting professional writing and other written materials, and (iii) working with fundamental mathematical computations as demonstrated by successful completion of an

examination designated by the Board in 92 NAC 23; ~~and taken by teacher education students at a standard institution of higher education;~~ or (b) successful employment experiences of three (3) or more consecutive years in an approved, accredited~~,~~ or otherwise legally operated school in another state (i) while holding or qualifying to hold a regular Initial, Standard, or Professional certificate ~~issued by another state~~ or a comparable certificate based on the ~~basis of~~ completion of an approved ~~teacher education~~ educator preparation program, or (ii) holding current credentials from a credentialing organization approved pursuant to 92 NAC 22 (Master Teacher Program) as referenced in this Chapter.

002.05 Board shall mean the Nebraska State Board of Education.

002.06 Certificate shall mean authorization issued by the Commissioner to an individual who meets the qualifications to engage in teaching, administration, or providing of special services as required by law.

002.07 Certification ~~o~~Officer shall mean ~~one full-time~~ an employee ~~staff member~~ designated by the chief academic officer or ~~head of the education~~ unit administrator of each standard institution of higher education with an approved educator preparation program to receive correspondence regarding this Chapter from the Department and to provide certified records, transcripts, reports, and/or recommendations to the Department, as ~~requested~~ required, for the purpose of certification and/or endorsement.

002.08 Commissioner shall mean the Nebraska State Commissioner of Education.

002.09 Comparable and equivalent certificate shall mean a certificate issued by another state, by the U. S. Department of Defense, or by a foreign country pursuant to standards comparable and equivalent to those in 92 NAC 21. The certificate, for the purpose of supporting or justifying the initial issuance of a Nebraska certificate, will be given the same consideration as if it were a Nebraska certificate.

002.10 Content area shall mean college coursework taken by an individual for the purpose of gaining a college recommended endorsement on their Administrative, Teaching or Special Services certificate.

002.~~10~~11 Department shall mean the Nebraska State Department of Education, which is comprised of the Board and the Commissioner.

002.~~11~~12 Dual Credit Course shall mean a course taught to students for credit at both a high school and a Nebraska postsecondary educational entity.

002.~~12~~13 Education-related coursework shall mean any education preparation course~~(s) in teacher education~~ from a standard institution of higher education, or coursework in an applicant's content area.

002.~~13~~14 Employment experiences shall mean work by an individual as an employee (a) in an approved, accredited, or otherwise legally operated school while holding or qualifying to hold a regular certificate issued by another state, by the U. S. Department of Defense, or by a foreign country based upon the successful completion of an approved ~~teacher education~~ educator preparation program~~,~~; (b) in post~~-~~secondary education~~,~~; or (c) in a community organization or agency that provides services to ~~children~~ students.

002.~~14~~15 Entry Level Certificate shall mean the first regular certificate acquired in Nebraska by an applicant.

002.16 [Moved from 002.21] Faculty member shall mean a person who is employed half-time or more to teach professional education courses in an approved educator preparation program.

002.~~15~~17 Governing body shall mean the school board of a public school district, a board elected or appointed to provide direction to a nonpublic school, or an individual or corporate owner of a nonpublic school.

002.~~16~~18 Human relations training shall mean ~~course work~~ coursework or employment experiences that lead to (a) an awareness and understanding of the values, lifestyles, contributions, and history of a pluralistic society~~,~~; (b) the ability to recognize and deal with dehumanizing biases, including, but not limited to, sexism, racism, prejudice, and discrimination, and an awareness of the impact such biases have on interpersonal relations~~,~~; (c) the ability to translate knowledge of human relations into attitudes, skills, and techniques which result in favorable experiences for students~~,~~; (d) the ability to recognize the ways in which dehumanizing biases may be reflected in instructional materials~~,~~; (e) respect for human dignity and individual rights~~,~~; and (f) the ability to relate effectively to other individuals and to groups in a pluralistic society other than the applicant's own.

002.~~17~~19 Local Substitute Teaching Certificate Consortium shall mean a group of school systems that have an agreement for the purpose of managing the placement of a group of Local Substitute Teaching Certificate holders. A list of the

school systems included in the consortium shall be provided to the Teacher Certification office when applications for ~~l~~Local ~~s~~Substitute ~~t~~Teaching certificates are submitted for use in the consortium.

002.~~18~~20 Nebraska school system shall mean an institution ~~organized to provide elementary or secondary instruction~~ that is accredited or approved by the Department to provide instruction at any grade level prekindergarten through grade twelve (12), an educational service unit accredited by the Department, or a special education service agency approved by the Department.

002.~~19~~21 Postsecondary educational entity shall mean a community college, a state college or university, or a regionally accredited nonprofit private postsecondary educational institution.

002.~~20~~22 Regular certificate shall mean an ~~i~~Initial, ~~s~~Standard, or ~~p~~Professional Nebraska certificate, or a comparable and equivalent certificate from another state.

[Moved to 002.16 Faculty member] ~~002.21 Regular faculty member shall mean a faculty member who is employed by the teacher or administrator program and is teaching courses in that program, but is not considered a visiting professor, adjunct faculty, or other designation that implies no continuing responsibility for the program.~~

002.~~22~~23 Resident shall mean an individual who has established a home where the individual is habitually present and to which having departed there from, intends to return.

002.~~23~~24 Special education training shall mean ~~course work~~ coursework or employment experiences that provide an individual with the knowledge of (a) the exceptional needs of the disabilities defined under the Special Education Act~~,~~; (b) the major characteristics of each disability in order to recognize its existence in children~~,~~; (c) the various alternatives for providing the least restrictive environment for children with disabilities~~,~~; (d) methods of teaching children with disabilities in the regular classroom~~,~~; and (e) ~~prereferral~~ pre-referral alternatives, referral systems, multidisciplinary team responsibilities, the individualized education plan process, and the placement process.

002.~~24~~25 Standard institution of higher education shall mean any college or university whose ~~teacher education~~ educator preparation program is fully approved by the Board, or by a comparable agency in any other state or country.

002.~~25~~26 Teaching shall mean and include, but not be limited to, the following responsibilities: (a) The organization and management of the classroom or the physical area in which the learning experiences of pupils take place; (b) the assessment and diagnosis of the individual educational needs of the pupils; (c) the planning, selecting, organizing, prescribing, and directing of the learning experiences of pupils; (d) the planning of teaching strategies and the selection of available materials and equipment to be used; and (e) the evaluation and reporting of student progress.

002.~~26~~27 Teaching Day shall mean any day during which more than three (3) hours is spent teaching.

002.~~27~~28 Teaching Half Day shall mean any day during which three (3) hours or less is spent teaching. For computation under this Chapter, two (2) teaching half days equal one (1) teaching day.

003 General Provisions

003.01 Transcripts. All transcripts submitted pursuant to certification or renewal requirements shall be sufficiently legible so that microfilm copies of them are readable.

003.02 Armed Forces Extension. Upon application, the Commissioner may extend the term of any certificate of any person who has served in the armed forces of the United States and whose certificate was in force on the day of induction or the spouse of such person. This extension shall be equal in length of time to the total number of months which intervene between the date of entrance into military service and the date of discharge there from. Each person applying for an extension of the term of a certificate shall furnish the Commissioner with proper evidence of service in the armed forces and of sound physical and mental health at the time the person applies for such extension.

003.03 False Information. Failure by an applicant to submit accurate information in support of an application for certification or renewal shall be cause for denial or revocation of such certificate.

003.04 Conversion of Certificates. Any person holding a certificate valid only in Nebraska nonpublic school systems may convert such certificate to one valid in all Nebraska school systems, both public and nonpublic, upon request and payment of a fifty-five (55) dollar fee to the Department. Alternately, a certificate valid in both public and nonpublic Nebraska school systems may be converted to a certificate valid only in Nebraska nonpublic school systems upon request and payment of a

forty (40) dollar fee to the Department. In either case, the expiration date of the converted certificate shall be the same as that of the original certificate.

003.05 Fees. Applicants for a certificate valid only in nonpublic schools shall pay a forty (40) dollar fee. Applicants for a certificate valid in all schools, public and nonpublic, shall pay a fifty-five (55) dollar fee. Applicants requesting to add an endorsement to a valid certificate shall pay a forty (40) dollar fee. Applicants requesting a duplicate of their certificate shall pay a thirty (30) dollar fee. Changes to a certificate that are the result of errors by the Department, and written requests by an applicant to change a name or address on a certificate shall be made at no charge to an applicant.

003.06 Statement Signed by Certification Officer. A statement signed by a certification officer on forms provided by the Department may be accepted as evidence of completion of the academic requirements for issuance of a certificate pursuant to 92 NAC 21 or of an endorsement pursuant to 92 NAC 24.

003.07 Certificates Issued on The Basis of Equivalency. The Commissioner may issue any certificate provided for herein to an applicant who files with the office of the Commissioner evidence of possession of the required qualifications or of education and experience equivalent to the required qualifications.

003.08 Life or Permanent Certificates. For purposes of Nebraska certification, Life or Permanent certificates issued in another state will be considered to have expired five (5) years after the date of the applicant's last regular employment as a teacher or administrator under that certificate. The holder of a ~~permanent or life~~ Life or Permanent certificate issued by the Department that submits an application seeking additional endorsement(s) shall have the ~~permanent or life~~ Life or Permanent certificate converted to a ~~p~~Professional certificate with an expiration date ~~on the applicant's date of birth~~ of August 31 in the tenth year following the issuance of the converted certificate.

003.09 Master of Arts in Teaching. The Master of Arts in Teaching (MAT) will be accorded equivalence with a baccalaureate degree when used for initial certification purposes in this Chapter.

003.10 Mental Fitness. All applicants shall not have an emotional or mental incapacity to practice the profession as evidenced by a legal adjudication or determination thereof by other lawful means. Such evidence shall be any of the following:

003.10A Such person is, at the time of the consideration of the person's fitness to hold a certificate, a mentally ill dangerous person under Section 83-1009 R.R.S. as evidenced by a declaration or order to that effect by a mental health board of this state, or as evidenced by a similar finding by a similar body of another state.

003.10B Such person is, at the time of the consideration of the person's fitness to hold a certificate, a mentally ill individual as defined in Section 20-164 R.R.S., ("an individual who has a significant mental illness or emotional impairment as determined by a mental health professional qualified under the laws, rules and regulations of this state and who is an inpatient or resident in a facility for mentally ill individuals."), or a similar determination has been made by similarly qualified mental health professional(s) of another state.

003.10C Such person has been declared by a court as mentally incompetent in relation to standing trial for a criminal charge pursuant to Sections 29-1822 or 29-1823 R.R.S., or similar laws of another state, and has not been found by a court to have recovered from such incompetency.

003.10D Such person has been acquitted of a criminal charge on the basis of a finding of insanity under Section 29-2203 R.R.S. or similar laws of another state, unless a court, subsequent to such an acquittal, has found that such person is not dangerous to himself, herself, or others by reason of mental illness or defect and has released such person from court ordered treatment pursuant to Sections 29-3702 and 29-3703 R.R.S., or similar laws of another state.

003.10E A court has found such person to be an incapacitated person in need of a court appointed guardian pursuant to Sections 30-2601 and 30-2620 R.R.S., or similar laws of another state, and no court order has been entered that such person's incapacity has terminated.

003.10F A court has appointed a conservator or made other protective order(s) due to a court's finding that such person is unable to manage his or her property and property affairs effectively for reasons which include any of the following: (i) mental illness; (ii) mental deficiency; (iii) chronic use of drugs; and (iv) chronic intoxication, pursuant to Section 30-2630 R.R.S. or similar laws of another state, and no court order has been entered that the disability of the person has ceased.

003.11 Felony Convictions. For purposes of this Chapter, felony conviction shall mean any felony offense under the laws of any jurisdiction, including misdemeanor convictions in other jurisdictions that would constitute a felony if committed in Nebraska.

003.12 Misdemeanor Convictions. For purposes of this Chapter, a misdemeanor conviction involving abuse, neglect, or sexual misconduct shall mean an offense under the laws of any jurisdiction, which, if committed in Nebraska, would constitute one of the following misdemeanors (with the applicable sections of the Revised Statutes of Nebraska in parenthesis):

003.12A	Assault (third degree) (28-310)
003.12B	Child Enticement (28-311)
003.12C	Stalking (28-311.03)
003.12D	Hazing (28-311.06)
003.12E	Unlawful Intrusion (28-311.08)
003.12F	Violating a Harassment Protection Order (28-311.09)
003.12G	False Imprisonment (28-315)
003.12H	Sexual Assault (third degree) (28-320)
003.12I	Domestic Assault (28-323)
003.12J	Child/Vulnerable Adult Contact with Methamphetamine (28-457)
003.12K	Abandonment of Spouse or Child (28-705)
003.12L	Child Abuse (28-707)
003.12M	Contributing to the Delinquency of a Child (28-709)
003.12N	Prostitution (28-801)
003.12O	Keeping a Place of Prostitution (28-804)
003.12P	Debauching a Minor (28-805)
003.12Q	Public Indecency (28-806)
003.12R	Sale of Obscene Material to Minor (28-808)
003.12S	Obscene Motion Picture Show, Admitting Minor (28-809)
003.12T	Obscene Literature Distribution (28-813)
003.12U	Sexually Explicit Conduct (28-813.01)
003.12V	Resisting Arrest (28-904(1)(a)), when the conviction involves use or threat of physical force or violence against a police officer
003.12W	Indecency with an Animal (28-1010)
003.12X	Intimidation by Phone Call (28-1310)
003.12Y	Violating a Protection Order (42-924)

003.13 Other Convictions. For purposes of this Chapter, in addition to the offenses listed above, felony convictions, and misdemeanor convictions involving abuse, neglect, or sexual misconduct shall also include convictions related to such crimes, including: (with the applicable sections of the Revised Statutes of Nebraska in parenthesis)

003.13A Attempt to Commit A Crime (28-201)
003.13B Criminal Conspiracy (28-202)
003.13C Accessory to a Felony (28-204)
003.13D Aiding, Abetting, Procuring, or Causing Another to Commit an Offense (28-206)

003.14 Pardons or Convictions Set Aside. Convictions which have been set aside, nullified, expunged, or pardoned shall not be considered convictions for purposes of this Chapter, unless the laws of the jurisdiction of the conviction would allow the conviction to be used as the basis for denial of a certificate to teach, administer, or provide special services in schools. However, the applicant shall report such convictions on his or her application filed with the Department.

003.15 Withdrawal of Application. An applicant may request in writing that his or her application for a certificate be withdrawn without refund of any fees submitted. The Department shall notify the applicant in writing if the request will be granted. Any request granted by the Department shall end consideration of that application, and shall not be subject to appeal pursuant to this Chapter.

003.16 Expiration Dates. The expiration date on a valid certificate that was issued by the Department prior to the effective date of this Chapter shall remain in effect, unless otherwise suspended or revoked as provided by law, or converted as provided in Section 003.08 of this Chapter.

004 Administrative Certificates

004.01 Administrative Certificates, Types, General Requirements. The Department may issue ~~s~~Standard, ~~p~~Professional, and ~~p~~Provisional ~~a~~Administrative certificates. Each applicant for any such ~~a~~Administrative certificate shall:

004.01A Complete the appropriate application forms prescribed by the Department, and meet the requirements of lawful presence in the United States as set forth in Sections 4-108 through 4-112 R.R.S.;

004.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of 92 NAC 21;

004.01C Pay the prescribed fee as provided in Section 003.05 of this Chapter;

004.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14;

004.01E Qualify for or hold a Nebraska ~~s~~Standard or ~~p~~Professional teaching certificate or a comparable and equivalent certificate;

004.01F Submit verified evidence of two (2) years of teaching experience or employment as an administrator, school counselor or school psychologist in an approved or accredited or otherwise legally operated prekindergarten through grade twelve (12) school;

004.01~~F~~G Submit evidence of human relations training as defined by this Chapter;

004.01~~G~~H Submit evidence of basic skills competency if applying for an entry-level Nebraska ~~a~~Administrative certificate after July 31, 1989;

004.01~~H~~I Submit evidence of special education training as defined in this Chapter if applying for ~~the first issuance of a~~ an entry level Nebraska ~~a~~Administrative certificate after September 1, 1992;

004.01~~I~~J Fulfill the additional requirements in Sections 004.03, 004.05, 004.06, 004.07, 004.09, or 004.10 for the type of certificate or renewal for which the applicant is applying;

004.01~~J~~K Submit a complete, legible set of the applicant's fingerprints and pay a fee of fifty (50) dollars to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application;

004.01~~K~~L Be of good moral character; and

004.01~~L~~M Shall not have an emotional or mental incapacity to practice the profession as defined in Section 003.10.

004.02 Standard Administrative Certificate. The ~~s~~Standard ~~a~~Administrative certificate shall be valid for teaching and administration in all Nebraska school systems, except that such certificate shall be valid for the position of superintendent of schools only if so endorsed. If requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~s~~Standard ~~a~~Administrative certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance or renewal.

004.03 Standard Administrative Certificate Additional Requirements. Each applicant for a first Nebraska ~~s~~Standard ~~a~~Administrative certificate shall:

004.03A Fulfill the requirements in Section 004.01;

004.03B Have received a ~~m~~Master's degree in ~~education~~ Educational Administration or Educational Leadership, or received a subject area Master's degree with completion of additional coursework in ~~for which there is an endorsement from a standard institution of higher education with~~ an approved program for the preparation of school administrators in the area(s) of endorsement sought by the applicant;

004.03C Qualify for or hold one or more educational administration endorsements pursuant to 92 NAC 24; and

004.03D Within five (5) years prior to the date of application, have received six (6) semester hours of graduate credit for ~~course work~~ coursework recognized in 92 NAC 24 as meeting all or part of the requirements for an ~~a~~Administrative endorsement; however, if the applicant has never held a regular ~~a~~Administrative certificate in any state and applies more than five (5) years after completion of an approved administrative program, then the applicant shall meet this requirement with fifteen (15) semester hours of graduate credit as described in this Chapter; or

004.03E Within five (5) years prior to the date of application, have administered half-time or more for two (2) consecutive school years in the same accredited, approved, or otherwise legally operated school or educational service unit in another state wherein the applicant qualified for or held a ~~s~~Standard ~~a~~Administrative certificate or its equivalent.

004.04 Professional Administrative Certificate. The ~~p~~Professional ~~a~~Administrative certificate shall be valid for teaching and administration in all Nebraska school systems, except that such certificate shall be valid for the position of superintendent of schools only if so endorsed. If so requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~p~~Professional ~~a~~Administrative certificate shall expire ~~on the applicant's date of birth~~ August 31 in the tenth year following the year of issuance or renewal.

004.05 Professional Administrative Certificate Additional Requirements. Each applicant for a ~~p~~Professional ~~a~~Administrative certificate shall:

004.05A Fulfill the requirements in Section 004.01;

004.05B Have received a ~~six-year~~ six (6) year specialist's certificate, completed thirty-six (36) hours of Educational Administration or Educational Leadership coursework in an approved program for school administrators taken after earning a Master's degree in Educational Administration or Educational Leadership or received a doctorate degree in ~~e~~Educational ~~a~~Administration or Educational Leadership; from a standard institution of higher education~~ with an approved program for the preparation of school administrators in the area(s) of endorsement sought by the applicant~~;

004.05C Qualify for or hold a Nebraska ~~s~~Standard ~~a~~Administrative certificate or a comparable and equivalent certificate with one or more ~~a~~Administrative endorsements pursuant to 92 NAC 24; and

004.05D Within five (5) years prior to the date of application, have received six (6) semester hours of graduate credit for ~~course work~~ coursework recognized in 92 NAC 24 as meeting all or part of the requirements for an ~~a~~Administrative endorsement; or

004.05E Within five (5) years prior to the date of application, have for two (2) consecutive school years:

004.05E1 administered half-time or more in the same accredited, approved, or otherwise legally operated school system or educational service unit; or

004.05E2 been employed as a ~~regular~~ faculty member in the ~~teacher or administrator~~ educator preparation program of a standard institution of higher education as stated in Section 002.16 with employment verified by a written statement from the Dean in the College of Education; or

004.05E3 been employed in the Department.

004.06 Standard and Professional Administrative Certificates. Renewal Prior to Expiration or Less Than Five Years After Expiration. Requirements. Each applicant for renewal of a ~~s~~Standard or ~~p~~Professional ~~a~~Administrative certificate prior to or less than five (5) years after the date of expiration of such certificate shall:

004.06A Fulfill the requirements in Sections 004.01A through ~~F~~G, 004.01~~K~~L and 004.01~~L~~M;

004.06B Hold or have held a Nebraska ~~s~~Standard or ~~p~~Professional ~~a~~Administrative certificate which shall not have expired or which expired less than five (5) years prior to the date of application; and

004.06C Within five (5) years prior to the date of application, have administered half-time or more for one (1) school year:

004.06C1 in a Nebraska school system;

004.06C2 in a pre-kindergarten early childhood program which is required by law to employ certificated teachers;

004.06C3 in an accredited, approved, or otherwise legally operated school in another state; or

004.06C4 in a U.S. Department of Defense school system; or

004.06D Within five (5) years prior to the date of application, have been employed as a ~~regular~~ faculty member in the ~~teacher or administrator~~ educator preparation program of a standard institution of higher education as stated in Section 002.16 with employment verified by a written statement from the Dean in the College of Education; or

004.06E Have been employed in the Department; or

004.06~~E~~F Have received six (6) semester hours of graduate credit in education-related coursework from a standard institution of higher education taken after the completion of the baccalaureate degree within five (5) years prior to the date of application.

004.07 Standard and Professional Administrative Certificates. Renewal Five or More Years After Expiration. Requirements. Each applicant for renewal of a ~~s~~Standard or ~~p~~Professional ~~a~~Administrative certificate five (5) or more years after the date of expiration of such certificate shall:

004.07A Fulfill the requirements in Sections 004.01A through ~~F~~G, 004.01~~K~~L and 004.01~~L~~M;

004.07B Have qualified for or held a ~~s~~Standard or ~~p~~Professional ~~a~~Administrative certificate which ~~shall have~~ has expired five (5) or more years prior to the date of application; and

004.07C ~~Within~~ Hold a current Administrative certificate from another state and have administered one (1) year within the past five (5) years~~; prior to the date of application, have received fifteen (15) semester hours of graduate credit in areas related to the applicant's administrative endorsements being sought or previously held.~~ or

004.07D Received fifteen (15) semester hours of graduate coursework in areas related to Educational Administration or Educational Leadership within the five (5) years preceding the application date.

004.08 Provisional Administrative Certificate. The ~~p~~Provisional ~~a~~Administrative certificate shall be valid for administration only in the Nebraska school system requesting the issuance of such certificate and only in the area of administration endorsement for which qualifications are described in 92 NAC 24. The ~~p~~Provisional ~~a~~Administrative certificate shall expire ~~on~~ August 31 of the year following ~~the year of~~ issuance. Provisional Administrative certificates may be renewed twice for an individual for a total of three (3) years.

004.09 Provisional Administrative Certificate Additional Requirements. Each applicant for a ~~p~~Provisional ~~a~~Administrative certificate shall:

004.09A Fulfill the requirements in Section 004.01;

004.09B Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the Nebraska school system in which the applicant intends to administer;

004.09C Have completed at least fifty (50) percent of the credit hours required for completion of an approved program for the endorsement of curriculum supervisor or principal, or seventy five (75) percent of an approved program for an endorsement as superintendent sought by the applicant; and

004.09D Submit a signed and dated statement of intent to fulfill the remaining requirements needed for issuance of a regular certificate during the period in which such certificate is in effect or make such progress on the program as to permit the renewal of the ~~p~~Provisional ~~a~~Administrative certificate as defined in Section 004.10D.

004.10 Provisional Administrative Certificate. Renewal Requirements. Any holder of a ~~p~~Provisional ~~a~~Administrative certificate may renew such certificate two (2) times prior to, on, or after the date of expiration. Each applicant for renewal shall:

004.10A Fulfill the requirements in Section 004.01;

004.10B Hold or have held a Nebraska ~~p~~Provisional ~~a~~Administrative certificate;

004.10C Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the school system in which the applicant intends to administer; and

004.10D Within one (1) year prior to the date of application, have received six (6) semester hours of graduate credit for ~~course work~~ coursework which fulfills some or all of the remaining administrative program, endorsement, or renewal requirements.

005 Teaching Certificates

005.01 Teaching Certificates. Types. General Requirements. The Department may issue ~~i~~Initial, ~~s~~Standard, ~~p~~Professional, ~~p~~Provisional ~~c~~Commitment, ~~d~~Dual ~~c~~Credit, ~~p~~Provisional, ~~c~~Career ~~e~~Education, ~~s~~Substitute, ~~l~~Local ~~s~~Substitute, and ~~t~~Transitional teaching certificates. Each applicant for any such teaching certificate shall:

005.01A Complete the appropriate application forms prescribed by the Department, and meet the requirements of lawful presence in the United States as set forth in Sections 4-108 through 4-112 R.R.S.;

005.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of 92 NAC 21;

005.01C Pay the prescribed fee as provided in Section 003.05 of this Chapter;

005.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14;

005.01E Submit evidence of human relations training as defined by this Chapter;

005.01F Submit evidence of basic skills competency if applying for an entry-level Nebraska teaching certificate after July 31, 1989;

005.01G Submit evidence of special education training if applying for an entry-level teaching certificate after September 1, 1992;

005.01H Fulfill the additional requirements in Sections 005.03, 005.04, 005.06, 005.08, 005.09, 005.10, 005.12, 005.13, 005.15, 005.16, 005.18, 005.19, 005.21, 005.22, 005.24, 005.25, 005.27, 005.28, 005.30, or 005.31 for the type of certificate or renewal for which the applicant is applying;

005.01I Submit a complete, legible set of the applicant's fingerprints and pay a fee of fifty (50) dollars to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application;

005.01J Be of good moral character; and

005.01K Shall not have an emotional or mental incapacity to practice the profession as defined in Section 003.10.

005.02 Initial Teaching Certificate. The ~~i~~Initial teaching certificate shall be valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~i~~Initial teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance or renewal.

005.03 Initial Teaching Certificate Additional Requirements. Each applicant for an ~~i~~Initial teaching certificate shall:

005.03A Fulfill the requirements in Section 005.01;

005.03B Have received a baccalaureate degree;

005.03C Have completed the academic program requirements of an approved program for the preparation of teachers; and

005.03D Within five (5) years prior to the date of application, have:

005.03D1 taught for one (1) school year in an accredited, approved, or otherwise legally operated school in any state; or

005.03D2 received six (6) semester hours of college credit in education-related ~~course work~~ coursework taken after the completion of a baccalaureate degree; or

005.03D3 if the applicant has never held a regular certificate in any state and applies more than five (5) years after completion of an approved program, then the applicant shall meet this requirement with fifteen (15) semester hours of credit as set forth in Section 005.10~~C~~D; or

005.03E Be a person participating in an approved teacher exchange program.

005.04 Initial Teaching Certificate. Renewal Prior to Expiration or Less than Five Years after Expiration. Requirements. Each applicant for renewal of an ~~i~~Initial teaching certificate prior to the date of expiration or less than five (5) years after the date of expiration of such certificate shall:

005.04A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.04B Hold or have held a Nebraska ~~i~~Initial teaching certificate which shall not have expired or expired less than five (5) years prior to the date of application; and

005.04C Have taught or held a position requiring a certificate half time or more for one (1) school year in an accredited, approved, or otherwise legally operated school during the past five (5) years; or

005.04D Have received six (6) semester hours of credit from a standard institution of higher education within five (5) years prior to the date of application in education-related coursework or coursework in the applicant's content area.

005.05 Standard Teaching Certificate. The ~~s~~Standard teaching certificate shall be valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~s~~Standard teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance.

005.06 Standard Teaching Certificate Additional Requirements. Each applicant for a ~~s~~Standard teaching certificate shall:

005.06A Fulfill the requirements in Section 005.01;

005.06B Qualify for or hold a Nebraska ~~i~~Initial teaching certificate or a comparable and equivalent certificate; and

005.06C Within five (5) years prior to the date of application, have taught half-time or more for two (2) consecutive school years:

005.06C1 ~~i~~In a Nebraska school system;

005.06C2 ~~i~~In an accredited, approved, or otherwise legally operated school in another state;

005.06C3 ~~i~~In a nonpublic school in a state that does not require certification of nonpublic school teachers;

005.06C4 ~~i~~In a U.S. Department of Defense school system;

005.06C5 ~~a~~As a ~~regular~~ faculty member in the ~~teacher or administrator~~ educator preparation program of a standard institution of higher education;

005.06C6 ~~i~~In a pre-kindergarten early childhood program which is required by law to employ certificated teachers or which requires its teachers to hold a certificate; or

005.06C7 ~~a~~As a Nebraska certified teacher providing distance learning or dual enrollment instruction to students in a Nebraska school system, pursuant to Section 79-1201 (1) and (2) R.R.S.; or

005.06D Within five (5) years prior to the date of application, have been employed by the Department.

005.07 Professional Teaching Certificate. The ~~p~~Professional teaching certificate shall be valid for teaching in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~p~~Professional teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the tenth year following the year of issuance or renewal, except that ~~p~~Professional teaching certificates issued prior to July 11, 1977, shall be valid for the life of the holder unless otherwise converted as provided in Section 003.~~07~~08 of this Chapter.

005.08 Professional Teaching Certificates Additional Requirements. Each applicant for a ~~p~~Professional teaching certificate shall:

005.08A Fulfill the requirements in Section 005.01;

005.08B Qualify for or hold a Nebraska ~~s~~Standard teaching certificate, or a comparable and equivalent certificate, or verify having taught half-time or more for two (2) consecutive years during the period of validity of a regular certificate; and

005.08C Have received a ~~m~~Master's degree from ~~a~~ an approved standard institution of higher education in Curriculum and Instruction, Educational Technology or in the ~~same area as the~~ applicant's content area granted by that institution within ten (10) years prior to the date of application ~~of endorsement which includes education-related coursework in the subject area for which the applicant is endorsed~~; or

005.08D Hold current credentials from a credentialing organization approved by the Department pursuant to 92 NAC 22; or

005.08E Have received a ~~six-year~~ six (6) year specialist's certificate or a doctorate degree from a standard institution of higher education in an area related to the applicant's content area ~~of endorsement~~ completed at the ~~m~~Master's degree level.

005.09 Standard and Professional Teaching Certificates; Renewal Prior to Expiration or Less than Five Years after Expiration; Requirements; Each applicant for renewal of a ~~s~~Standard or ~~p~~Professional teaching certificate prior to or less than five (5) years after the date of expiration shall:

005.09A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.09B Hold or have held a Nebraska ~~s~~Standard or ~~p~~Professional teaching certificate or a comparable and equivalent certificate which shall not have expired or which expired less than five (5) years prior to date of application; and

005.09C Within five (5) years prior to the date of application, have ~~taught~~ been employed to teach or administer half-time or more for one (1) school year:

005.09C1 ~~i~~In a Nebraska school system;

005.09C2 ~~i~~In an accredited, approved, or otherwise legally operated school in another state;

005.09C3 ~~i~~In a nonpublic school in a state that does not require certification of nonpublic school teachers;

005.09C4 ~~i~~In a U.S. Department of Defense school system;

005.09C5 ~~a~~As a ~~regular~~ faculty member in the ~~teacher or administrator~~ educator preparation program of a standard institution of higher education;

005.09C6 in a pre-kindergarten early childhood program which is by law required to employ certificated teachers or which requires its teachers to hold a certificate; or

005.09C7 as a Nebraska certified teacher providing distance learning or dual enrollment instruction to students in a Nebraska school system, pursuant to Section 79-1201 (1) and (2) R.R.S.; or

005.09D Within five (5) years prior to the date of application, have been employed by the Department; or

005.09E Have received six (6) semester hours of credit in education-related coursework from a standard institution of higher education within five (5) years prior to the date of application.

005.10 Initial, Standard, and Professional Teaching Certificate. Renewal Five or More Years After Expiration. Requirements. Each applicant for renewal of an ~~i~~Initial, ~~s~~Standard, or ~~p~~Professional certificate five (5) or more years after the date of expiration of such certificate shall:

005.10A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.10B Have held a Nebraska ~~i~~Initial, ~~s~~Standard, or ~~p~~Professional teaching certificate which ~~shall have~~ expired five (5) or more years prior to the date of application; and

005.10C Hold a current regular Teaching certificate from another state and have taught for one (1) year out of the past five (5) years in an accredited, approved or otherwise legally operated school in another state; or

005.10~~C~~D ~~Within five (5) years prior to the date of application, have~~ ~~r~~Received fifteen (15) semester hours of education-related coursework taken after completion of the baccalaureate degree. ~~credit for course work in an approved program for the preparation of teachers, and such course work~~ Coursework shall include (a) a course in instructional techniques; (b) a practicum consisting of one hundred or more clock hours of contact with students in the classroom setting, fifty percent of which shall consist of performing instructional duties; (c) a course or courses which address current issues in education, including but not limited to, special education, gifted education, reading and writing in the content area, and school law;

and (d) the remaining course work be directly related to the applicant's content area ~~of endorsement~~ on the expired certificate.

005.11 Provisional Commitment Teaching Certificate. The ~~p~~Provisional ~~c~~Commitment teaching certificate may be issued to applicants who do not meet all the recent college credit or employment experience requirements for a regular certificate and shall be valid for teaching only in the Nebraska school system requesting the issuance of such certificate. The ~~p~~Provisional ~~c~~Commitment teaching certificate shall expire ~~on~~ August 31 of the year following ~~the year of~~ issuance.

005.12 Provisional Commitment Teaching Certificate Additional Requirements. Each applicant for a ~~p~~Provisional ~~c~~Commitment teaching certificate shall:

005.12A Fulfill the requirements in Sections 005.01A through E, and ~~Sections~~ 005.01I through K;

005.12B Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the school system in which the applicant intends to teach;

005.12C Have received a baccalaureate degree;

005.12D Have completed at least one-half of the pre-student teaching requirements, including a course in teaching methods, of an approved program for the preparation of teachers;

005.12E Have fulfilled at least three-fourths of the requirements for at least one subject or field endorsement pursuant to 92 NAC 24; and

005.12F Submit a signed and dated statement of intent to fulfill the remaining requirements needed for issuance of a regular certificate during the period in which such certificate is in effect or to make such progress on the program as to permit the renewal of the ~~p~~Provisional ~~c~~Commitment teaching certificate as set forth in Sections 005.13D and 005.13E.

005.13 Provisional Commitment Teaching Certificate Renewal Requirements. Any holder of a ~~p~~Provisional ~~c~~Commitment teaching certificate may renew such certificate prior to, on, or after the date of expiration. Each applicant for renewal shall:

005.13A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.13B Hold or have held a Nebraska ~~p~~Provisional ~~c~~Commitment teaching certificate;

005.13C Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the school system in which the applicant intends to teach; and

005.13D Within one (1) year prior to the date of application, have received six (6) semester hours of credit for ~~course work~~ coursework which fulfills some or all of the remaining program or endorsement requirements; or

005.13E Within one (1) year prior to the date of application, have met at least one of the requirements in Sections 005.01F or 005.01G necessary for the issuance of a regular certificate.

005.14 Provisional Teaching Certificate. The ~~p~~Provisional teaching certificate may be issued to applicants who do not meet all the recent college credit or employment experience requirements for a regular certificate. ~~The~~ A ~~p~~Provisional teaching certificate shall be valid in all Nebraska school systems, except that if requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~p~~Provisional teaching certificate shall expire ~~on~~ August 31 of the year following ~~the year of~~ issuance. The Provisional teaching certificate may be renewed twice for an individual for a total of three (3) years.

005.15 Provisional Teaching Certificate Additional Requirements. Each applicant for a ~~p~~Provisional teaching certificate shall:

005.15A Fulfill the requirements in Sections 005.01A through E, and 005.01I~~, 005.01J, and~~ through ~~005.01~~K;

005.15B Have received a baccalaureate degree;

005.15C Have completed an approved program for the preparation of teachers at a standard institution of higher education; and

005.15D Submit a signed and dated statement of intent to fulfill the requirements for issuance of a regular certificate including recent college credit, Sections 005.01F, and 005.01G during the period in which the ~~p~~Provisional teaching certificate is in effect.

005.16 Provisional Teaching Certificate Renewal Requirements. Any holder of a ~~p~~Provisional teaching certificate may renew such certificate prior to, on, or after the date of expiration. Each applicant for renewal shall:

005.16A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.16B Hold or have held a Nebraska ~~p~~Provisional teaching certificate; and

005.16C Within one (1) year prior to the date of application, have received six (6) semester hours of credit for ~~course work~~ coursework which fulfills some or all of the remaining ~~program or endorsement~~ requirements; or

005.016D Within one (1) year prior to the date of application~~,~~ have met at least one of the requirements in Sections 005.01F or 005.01G necessary for the issuance of a regular certificate.

005.17 Career Education Teaching Certificate. The ~~c~~Career ~~e~~Education teaching certificate may be issued to applicants who do not meet the college credit requirements for a regular certificate and shall be valid for teaching ~~only~~ in the Nebraska school system requesting the issuance of such certificate or in Nebraska school system(s) for which the applicant will be teaching as a part of a career academy structure and only in the career education endorsement areas described in 92 NAC 24. The ~~c~~Career ~~e~~Education teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance. The ~~c~~Career ~~e~~Education teaching certificate shall not be valid for substitute teaching.

005.18 Career Education Teaching Certificate Additional Requirements. Each applicant for a ~~c~~Career ~~e~~Education teaching certificate shall:

005.18A Fulfill the requirements in Sections 005.01A through E, and ~~Sections~~ 005.01I through K;

005.18~~C~~B Qualify for a career education endorsement pursuant to 92 NAC 24~~.~~; and

005.18~~B~~C Submit a ~~written request for the issuance of such certificate~~ District Verification Form from the ~~s~~Superintendent of ~~s~~Schools or the governing body of ~~the~~ a school system in which the applicant intends to teach; ~~and~~ or

005.18D Submit a written request for the issuance of the certificate from a postsecondary educational entity for which the applicant will be teaching as a part of a career academy structure.

005.19 Career Education Teaching Certificate Renewal Requirements. Each applicant for renewal of a ~~c~~Career ~~e~~Education teaching certificate prior to, on, or after the date of expiration shall:

005.19A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K;

005.19B Submit a ~~request~~ District Verification Form for the renewal of such certificate from the ~~s~~Superintendent of ~~s~~Schools or the governing body of the school system in which the applicant intends to teach;

005.19C Hold or have held a Nebraska ~~c~~Career ~~e~~Education teaching certificate; and

005.19D Within five (5) years prior to the date of application for renewal~~,~~ have taught in a Nebraska school system or have met the requirements in Sections 005.18B through D.

005.20 Dual Credit Teaching Certificate. The ~~d~~Dual ~~c~~Credit teaching certificate shall be valid for teaching college courses that generate both college credit and have been approved for high school credit in Nebraska school systems requesting the delivery of such courses. The ~~d~~Dual ~~c~~Credit teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance. The ~~d~~Dual ~~c~~Credit teaching certificate shall not be valid for substitute teaching.

005.21 Dual Credit Teaching Certificate Additional Requirements. A ~~d~~Dual ~~c~~Credit teaching certificate may be issued to an applicant who is employed as a teacher by a Nebraska postsecondary educational entity and is eligible to teach courses offered by the postsecondary entity and approved by a local school system for high school credit. Each applicant for a ~~d~~Dual ~~c~~Credit teaching certificate shall:

005.21A Fulfill the requirements in Sections 005.01A through E, and ~~Sections~~ 005.01I through K;

005.21B Be eligible to teach courses for college credit offered by the Nebraska postsecondary educational entity and approved by a Nebraska school system for high school credit as documented by the employing college's submission of the Postsecondary Verification Form;

005.21C Hold a ~~m~~Master's degree; and

005.21D Have earned a minimum of six (6) graduate hours in the subject area for which a teaching endorsement is sought pursuant to 92 NAC 24.

005.22 Dual Credit Teaching Certificate Renewal Requirements. Any holder of a ~~d~~Dual ~~c~~Credit teaching certificate may renew such certificate prior to, on, or after the date of expiration. Each applicant shall:

005.22A Fulfill the requirements in Sections 005.01A through E, ~~and Sections~~ 005.01J ~~through~~ and K;

005.22B Hold or have held a ~~d~~Dual ~~c~~Credit teaching certificate; and

005.22C Have taught one (1) or more dual credit courses within the past five (5) years prior to the date of application; or

005.22D Have received three (3) semester hours of graduate credit in education-related coursework taken after the completion of the baccalaureate degree within five (5) years prior to the date of application.

005.23 Substitute Teaching Certificate. The ~~s~~Substitute teaching certificate shall be valid for teaching in all teaching endorsement areas in all Nebraska school systems, but persons holding such certificate may not teach more than ninety (90) teaching days in the same school and same assignment. The ~~s~~Substitute certificate holder may be employed to teach by a school system only on a non-contractual basis. If requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~s~~Substitute teaching certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance.

005.24 Substitute Teaching Certificate. Additional Requirements. Each applicant for a ~~s~~Substitute teaching certificate shall:

005.24A Fulfill the requirements in Sections 005.01A through E, and 005.01I through ~~005.01~~K; and

005.24B Have held a Nebraska regular teaching certificate or a comparable and equivalent certificate in another state that shall have expired, or qualify for or hold a comparable and equivalent certificate.

005.25 Substitute Teaching Certificate Renewal Requirements. Each applicant for renewal of a ~~s~~Substitute teaching certificate prior to, on, or after the date of expiration of such certificate shall:

005.25A Fulfill the requirements in Sections 005.01A through E, 005.01J~~,~~ and ~~005.01~~K; and

005.25B Have taught in one or more school systems for at least fifty (50) teaching days within five (5) years prior to the date of application for renewal; or

005.25C Have received three (3) semester hours of college credit within five (5) years prior to the date of application.

005.26 Local Substitute Teaching Certificate. The ~~l~~Local ~~s~~Substitute teaching certificate shall be valid for forty-five (45) ~~(40)~~ teaching days per school year only in the Nebraska school system or Local Substitute Teacher Consortium requesting the issuance of such certificate. The certificate holder may substitute teach no more than forty-five (45) ~~(40)~~ teaching days in the same school system regardless of the number of ~~l~~Local ~~s~~Substitute certificates held. The certificate shall expire ~~on the applicant's date of birth~~ August 31 in the third year following the year of issuance of the certificate.

005.27 Local Substitute Teaching Certificate Requirements. Each applicant for a ~~l~~Local ~~s~~Substitute teaching certificate shall:

005.27A Fulfill the requirements in Sections 005.01 A through E, and ~~Sections~~ 005.01I through K;

005.27B Have at least sixty (60) semester hours of college credit ~~and completed college credit, or its equivalent, in professional education~~ with credit in education-related coursework; and

005.27C Submit a written request for the issuance of such certificate from the superintendent ~~and~~ or the governing body of the school system or Local Substitute Teacher Consortium in which the applicant intends to substitute teach.

005.28 Local Substitute Teaching Certificate Renewal. Requirements. The ~~l~~Local ~~s~~Substitute teaching certificate may be renewed upon meeting the requirements in Section 005.27.

005.29 Transitional Teaching Certificate. The ~~t~~Transitional teaching certificate shall be valid for teaching only in the Nebraska school system requesting the issuance of such certificate. The ~~t~~Transitional teaching certificate shall expire ~~on~~ August 31 of the year following ~~the year of~~ issuance. The Transitional teaching certificate may be renewed twice for an individual for a total of three (3) years.

005.30 Transitional Teaching Certificate Additional Requirements. Each applicant for a ~~t~~Transitional teaching certificate shall:

005.30A Fulfill the requirements in Sections 005.01A through E, and ~~Sections~~ 005.01I through K;

005.30B Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the school system in which the applicant intends to teach ~~which includes documentation that the school system or governing body has not found a fully qualified teacher for the position~~;

005.30C Have at least a baccalaureate degree which includes at least three-fourths of the course requirements for preparation in the endorsement area, pursuant to 92 NAC 24, that addresses the teaching position to be filled by the applicant;

005.30D Have an assessment of his/her transcripts completed by a certification officer in a standard institution of higher education and a plan developed for completion of an approved ~~i~~Initial teacher certification program;

005.30E Submit a written plan from the school system for mentoring and supervision of the applicant;

005.30F Complete a pre-teaching seminar offered by an educational service unit or standard institution of higher education that includes information and skill development in the areas of diversity, classroom management, curriculum planning, and instructional strategies prior to assuming responsibility for the classroom; and

005.30G Submit a written agreement with ~~a teacher education~~ an educator preparation program from a Nebraska standard institution of higher education to complete the program for an ~~i~~Initial teaching certificate which includes a commitment by the standard institution to provide at least one (1) supervisory visit each semester to the school system and classroom of the applicant.

005.31 Transitional Teaching Certificate Renewal Requirements. Each applicant for renewal of a ~~t~~Transitional teaching certificate shall fulfill the requirements in Sections 005.30A through E and submit a transcript documenting completion of at least six (6) semester hours annually towards completion of the plan identified in Section 005.30G. A ~~t~~Transitional teaching certificate may be renewed for a maximum of five (5) years provided the applicant makes sufficient progress as provided by this section.

006 Temporary Certificates.

006.01 Temporary Teaching, Special Services, or Administrative Certificates Validity Restrictions. The Department may issue a ~~t~~Temporary certificate~~s~~ to allow the applicant time to complete the Human Relations requirement. This certificate ~~which~~ shall be valid in all Nebraska school systems. The ~~t~~Temporary certificate shall expire one-hundred eighty (180) days after the date of issuance. The Temporary certificate is not renewable. ~~on August 31 of the second year following the year in which it is issued.~~

006.02 Temporary Teaching, Special Services, or Administrative Certificates Requirements. Each applicant for a temporary certificate shall:

006.02A Complete the appropriate application forms prescribed by the Department; and

006.02B Meet all the requirements for an ~~a~~Administrative, ~~s~~Special ~~s~~Services, or teaching certificate pursuant to this Chapter, except the requirement for human relations training as specified in this Chapter.

007 Special Services Certificates

007.01 Special Services Certificates, Types, General Requirements. The Department may issue ~~s~~Standard and ~~p~~Provisional ~~s~~Special ~~s~~Services certificates. Each applicant for a ~~s~~Special ~~s~~Services certificate shall:

007.01A Complete the appropriate application form prescribed by the Department, and meet the requirements of lawful presence in the United States as set forth in Sections 4-108 through 4-112 R.R.S.;

007.01B Submit an official transcript of all college credit earned in fulfillment of the requirements of 92 NAC 21;

007.01C Pay the prescribed fee as provided in Section 003.05 of this Chapter;

007.01D Not have an application for a certificate denied or currently have a certificate suspended or revoked by another jurisdiction, and not have any felony conviction, or any misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.11 through 003.14;

007.01E Submit a complete, legible set of the applicant's fingerprints and pay a fee of fifty (50) dollars to the Department for processing a criminal history record check if the applicant is seeking the first issuance of a Nebraska certificate and has not been a resident of Nebraska for at least five (5) continuous years immediately preceding the date of application;

007.01F Submit evidence of human relations training as defined by this Chapter;

007.01G Fulfill the additional requirements in Sections 007.03~~, 007.04, 007.06, and 007.07~~ through 007.09 for the type of certificate or renewal for which the applicant is applying;

007.01H Be of good moral character; and

007.01I Shall not have an emotional or mental incapacity to practice the profession as defined by Section 003.10.

007.02 Standard Special Services Certificate. The ~~s~~Standard ~~s~~Special ~~s~~Services certificate shall be valid for working in all Nebraska school systems only in the area of Special Services Endorsements described in 92 NAC 24. If requested by the applicant at the time of application, such certificate shall be valid only in Nebraska nonpublic school systems. The ~~s~~Standard ~~s~~Special ~~s~~Services certificate shall expire ~~on the applicant's date of birth~~ August 31 in the fifth year following the year of issuance or renewal.

007.03 Standard Special Services Certificate Additional Requirements. Each applicant for a ~~s~~Standard ~~s~~Special ~~s~~Services certificate shall:

007.03A Fulfill the requirements in Section 007.01; and

007.03B Have completed the program requirements for a ~~s~~Special ~~s~~Services endorsement in 92 NAC 24.

007.04 Standard Special Services Certificates Renewal Requirements. Each applicant for the renewal of a ~~s~~Standard ~~s~~Special ~~s~~Services certificate, other than those with a School Nurse or Coaching endorsement, prior to, on, or after the date of expiration of such certificate shall:

007.04A Fulfill the requirements in Section 007.03;

007.04B Hold or have held a ~~s~~Standard ~~s~~Special ~~s~~Services certificate; and

007.04C Within five (5) years prior to the date of application, have worked half-time or more for one (1) school year in a Nebraska school system while holding such certificate in the ~~s~~Special ~~s~~Services endorsement area ~~other than coaching~~; or

007.04D Within five (5) years prior to the date of application, have received six (6) semester hours of credit for ~~course work~~ education-related coursework at a standard institution of higher education taken after the completion of the baccalaureate degree in the area of the ~~s~~Special ~~s~~Services endorsement.~~; or~~

~~007.04E Within five (5) years prior to the date of application, have been employed as a coach for one (1) school year in a Nebraska school system while holding such certificate in the special services endorsement area of coaching.~~

007.05 Standard Special Services Certificates with a School Nurse Endorsement Renewal Requirements. Each applicant for the renewal of a Standard Special Services certificate with a School Nurse endorsement prior to, on, or after the date of expiration of such certificate shall fulfill the requirements in Section 007.03.

007.06 Standard Special Services Certificates with a Coaching Endorsement Renewal Requirements. Each applicant for the renewal of a Standard Special Services certificate with a Coaching endorsement prior to, on, or after the date of expiration of such certificate shall:

007.06A Fulfill the requirements in Section 007.03;

007.06B Hold or have held a Standard Special Services certificate with a Coaching endorsement; and

007.06C Been employed as a coach for one (1) year in the past five (5) years in a Nebraska school system while holding a Special Services certificate with a Coaching endorsement; or

007.06D Within two (2) years prior to the application for renewal, they must have completed coursework or training in the following:

007.06D1 Prevention, care and management of injuries;

007.06D2 Risk Management;

007.06D3 Growth, development and learning;

007.06D4 Training, conditioning and nutrition;

007.06D5 Psychology of coaching; and

007.06D6 Coaching theory and methods.

007.~~05~~07 Provisional Special Services Certificate. The ~~p~~Provisional ~~s~~Special ~~s~~Services certificate shall be valid for working only in the Nebraska school system requesting the issuance of such certificate and only in the area of ~~s~~Special ~~s~~Services endorsement described in 92 NAC 24. The ~~p~~Provisional ~~s~~Special ~~s~~Services certificate shall expire ~~on~~ August 31 of the year following ~~the year of~~ issuance. The Provisional Special Services certificate may be renewed twice for an individual for a total of three (3) years. Provisional Special Service certificates are not issued for School Nurse or Coaching endorsements.

007.~~06~~08 Provisional Special Services Certificate Additional Requirements. Each applicant for a ~~p~~Provisional ~~s~~Special ~~s~~Services certificate shall:

007.~~06~~08A Fulfill the requirements in Section 007.01;

007.~~06~~08B Submit a written request for the issuance of such certificate from the superintendent of schools or the governing body of the school system in which the applicant intends to work;

007.~~06~~08C Have completed at least three-fourths of the requirements for a Special Services Endorsement in 92 NAC 24; and

007.~~06~~08D Submit a signed and dated statement of intent to fulfill the remaining endorsement or renewal requirements during the period in which such certificate is valid.

007.~~07~~09 Provisional Special Services Certificate Renewal Requirements. Each applicant for renewal of a ~~p~~Provisional ~~s~~Special ~~s~~Services certificate prior to, on, or after the date of expiration shall:

007.~~07~~09A Fulfill the requirements in Section 007.01;

007.~~07~~09B Hold or have held a Nebraska ~~p~~Provisional ~~s~~Special ~~s~~Services certificate; and

007.~~07~~09C Within one (1) year prior to the date of application, have received six (6) semester hours of credit for ~~course work~~ coursework which fulfills some or all of the remaining endorsement or renewal requirements.

008 Conditional Permits

008.01 Conditional Permits. A conditional permit is a temporary authorization to teach, provide special services, or administer. A conditional permit shall be valid for up to one (1) year from the date of issuance unless otherwise voided as provided by Section 008.04 of this Chapter.

008.02 Conditional Permit Issuance Requirements. ~~Upon request, the Commissioner may issue a conditional permit allowing a person to teach, provide special services, or administer, while the application for a certificate is being processed by the Department,~~ A conditional permit may be issued while the application for a certificate is being processed by the Department if the Nebraska school system requests, and ~~if~~ the Commissioner determines that the documents and information submitted ~~and representations made~~ by the applicant would allow for the issuance of ~~the~~ a certificate sought by the applicant pending receipt of any additional documentation.

~~008.02A The Commissioner shall require, as a condition of issuance of such a conditional permit, that the superintendent or head administrator of the school intending to employ such applicant submit a statement indicating that the superintendent or head administrator:~~

~~008.02A1 Has checked the applicant's background and is satisfied that the documents relating to education, past employment and criminal history submitted to the Department for certification purposes are true and accurate;~~

~~008.02A2 Intends to employ the applicant; and~~

~~008.02A3 Requests the Commissioner issue a conditional permit to the applicant.~~

008.03 Conditional Permits Issuance Requirements When a Criminal History Check is Required and All Other Certification Requirements Have Been Met. An applicant for a certificate who is required to submit a complete, legible set of fingerprints shall be issued a conditional permit prior to receipt, by the Commissioner, of the criminal history record information check if:

008.03A The application identifies all crimes of which the applicant has been convicted; and

008.03B The Commissioner determines the applicant has good moral character and meets all other requirements for certification.

008.04 Voiding of Conditional Permits. The applicant's conditional permit shall be void upon the issuance of a certificate to the applicant or upon a final determination that the applicant does not meet the requirements for issuance of a certificate. For purposes of this Chapter, a determination is final upon expiration of the time for which the applicant may appeal a denial as provided in Section 009 or upon issuance of a final order by the Board regarding an appeal by an applicant.

009 Appeals Procedure

009.01 Notice. The Department shall notify in writing an applicant for a certificate or endorsement if the Department intends to deny an application and provide the reason(s) for the denial.

009.02 Request for Review. The applicant may request in writing a review by the Commissioner within twenty calendar (20) days after receipt of the written notice provided for in Section 009.01 of this Chapter. Failure of an applicant to request a review by the Commissioner within twenty (20) calendar days after receipt of the notice shall be a waiver of any further appeal by the applicant and shall result in a denial of the certificate or endorsement. The Commissioner shall:

009.02A Notify the applicant that the Department will issue the certificate or endorsement being sought;

009.02B Notify the applicant that the application for a certificate or endorsement is denied; or

009.02C Notify the applicant that the application for a certificate or endorsement is denied for the reason(s) set forth in the notice and that, as a result of the applicant's failure to request a review pursuant to Section 009.02 of this Chapter, the applicant has waived any further appeal to the Board regarding the current application.

009.03 Hearings. Within twenty (20) calendar days of receipt of the notice of the Commissioner's denial of the certificate or endorsement pursuant to Section 009.02B of this Chapter, the applicant may appeal the Commissioner's decision pursuant to 92 NAC 61. If the Board finds that the requirements in this or related ~~c~~Chapters have been improperly applied to the applicant or in the case of an applicant who the Commissioner has rejected due to criminal convictions, that the applicant has good moral character and possesses the moral fitness for teaching, then the Board may direct the Commissioner to issue a certificate to the applicant.

009.04 Guidelines for Review. In considering whether to deny, not issue, or not renew a certificate of an applicant based upon criminal convictions, the Commissioner and Board shall take into account the following factors in determining moral character and moral fitness to teach:

009.04A The nature of the crime, the facts and circumstances surrounding the applicant's conviction including whether the conduct of the applicant would constitute a crime in Nebraska, the sentence received, and whether the sentence was commuted, set aside, or pardoned;

009.04B The applicant's age at the time of the conduct;

009.04C The recency of the conduct;

009.04D The applicant's positive social contributions since the conduct; and

009.04E The reliability of the information concerning the conduct.