



NEBRASKA DEPARTMENT OF EDUCATION

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

FROM: Margaret Worth, General Counsel

SUBJECT: Policy Review Information Item

Proposed Board Action:

State Board Policies G15, G16 and D3 for review.

Background Information:

State Board Bylaw B8 requires that all State Board Policies, including Bylaws, Internal Policy Directives and General Education Policies, be reviewed by the Board every four years. Pursuant to the review schedule implemented by the State Board's Policy Committee, State Board Policies G15, G16 and D3 are submitted for review.

If the Commissioner, Board President or any Board member believes that action or referral to the Policy Committee is necessary in connection with these Policies, an appropriate motion may be placed on the Agenda for the August Board meeting.

Pursuant to B8, Policies G15 and G16 will expire on October 6, 2012, unless revised or reaffirmed prior to that date. Policy D3 will remain in effect indefinitely until revised or rescinded.

Estimated Cost:

N/A

Supporting Documentation Included:

Board Policies B8, G15, G16 and D3.

For Additional Information on this item:

Call Margaret Worth (402) 471-0310 or email Margaret.Worth@nebraska.gov

Policy, Bylaw, and Position Statement Development

The State Board may change its existing policies, bylaws or position statements or adopt new policies, bylaws, or position statements at any time, on its own motion or upon recommendation by the Commissioner.

All State Board policies, bylaws and position statements shall be included on the State board's webpage.

All State Board policies, bylaws and position statement are to be reviewed by the Board every four years and the Commissioner will recommend a subsequent review date when each new policy is proposed.

The State Board's general education policies or position statements (designated by the letter "G") shall expire four years after their adoption unless revised or reaffirmed by the State Board prior to expiration. Starting on October 6, 2010, general education policies or position statements that are more than four years old shall expire on October 6, 2012, unless revised or reaffirmed prior to that date.

The State Board's procedural bylaws (designated by the letter "B") and the State Board's internal policy directives (designated by the letter "D") shall remain in full force and effect until amended or rescinded by the State board.

The General Counsel will review all Board policies, bylaws and position statements annually for compliance with state law.

All State Board resolutions, except those honoring an individual, shall contain an expiration date.

Board Action History

- 12/10/76
Prior BD-1 (Statement of Board authority and foremost consideration.)
Prior BDA-2 (Systematic procedures for policy adoption.)
Prior BDE-2 (Annual policy review.)
- 12/7/84 – Prior 9311 BOP
(Replace 1976 policies with statement that Board can change or adopt policies at any time.)
- 12/8/95 – Prior B8
(Added 5-vote requirement and 3-year minimum review.)
- 6/7/02 – Prior B8
(5-vote requirement deleted.)
- 9/7/06 – B8
(Added references to bylaws and position statements, changed 3 to 2 year reviews, added annual General Counsel law review.)
- 10/6/10 – B8
(Changed 2 to 4 year reviews and clarified expiration dates of policies, bylaws and position statements approved by the State Board.)

Cross-References

- 79-301(2) – The State Board's duty to form policy.
- 79-315 – The State Board's power to organize itself.

Operational Issues For Further Study

In The Implementation Of

The Policy Of The State Board of Education For Providing Equitable Opportunities For An Essential Education For All Students In Nebraska Public School Districts

Approved by the State Board of Education
December 10, 2004

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Purpose Of This Document

This "Operational Issues" document is intended to accompany the State Board of Education's policy recommendations for providing equitable opportunities for all Nebraska students to receive an essential education. The Essential Education Policy will serve as the foundation document to guide immediate and long-range planning to achieve the equitable educational opportunities.

The Essential Education Policy has been under discussion throughout the 2004 calendar year. During that time, input from Nebraska educators and others has resulted in identifying some significant issues that should be considered in operationalizing the essential education recommendations in all Nebraska schools. These issues represent challenges that may impact either many districts statewide or selected districts in unique circumstances due to student demographics, staff shortages, fiscal constraints, or other limitations.

Therefore, the further discussion and analysis of the issues in this document should guide state-level decision-making in developing implementation plans for follow-up actions listed below:

- Implementation of timelines
- Rule revision
- Staff development
- Acquisition of resources
- Other capacity building

The State Department of Education will continue to involve local educators, policy partners, and patrons in discussion and resolution of the operational issues as long-range plans are developed and implemented. The essential education policy and these operational issues will be periodically reviewed by the State Board of Education to monitor implementation and determine needed updates or modifications in policy or procedures.

**Executive Summary
 Of Policy and Operational Issues
 In Implementing Essential Operational Opportunities**

Policy Recommendation	Operational Issues
World Languages (page 2): Provide 30 instructional units in high school; Provide instruction in middle grades	Continuing shortage of world language teachers; Incomplete distance learning infrastructure; Lack of third year students in small schools/remote areas; Full schedule for world language teachers already on staff
Career and Technical Education (page 3): Provide instructional units in all six career fields (15 in 3 fields, 5 in 3 fields) (high school)	Lead time needed to revise state and local CTE curriculum and to adjust staffing; Shortage of teachers in selected content areas
Visual and Performing Arts (page 4): Provide 10 instructional units each year in both vocal and instrumental music (high schools)	Limitations in opportunities if alternating day schedules discontinued
Non-endorsed teachers (page 5): Teachers not holding the appropriate endorsement acquire three credit hours per year toward the endorsement.	Non-availability of course work in evenings or summers or in reasonable commuting distance; Need for assigning teachers to a class one period per day to meet unique school or student needs; Providing needed courses in unexpected staff resignations or routine turnover in areas of shortage
Teacher planning time (page 6): Provide 250 minutes each week; at least some during student day	Providing planning time within student day; Local contract provisions relating to planning time
Staff development time (page 7): Schedule sufficient time, but not less than three days, of the contract year for planning for curriculum development, implementation of standards and assessments, and school improvement.	Other configurations of time may better fit local staff development needs; Financial resources
Kindergarten (page 8): Provide all day every day	Resources for staff, facilities and transportation

Topic: World Languages

Essential Education Recommendation: High schools provide at least 30 instructional units (three years) that include at least a three-year sequence in one language. Middle grades curriculum includes skills for communicating in other languages.

Issues:

- Continuing shortage of world language teachers
- Incomplete statewide distance learning infrastructure
- Lack of students to enroll in a third year of world languages, especially in small schools or remote areas
- Full schedule of classes for world language teachers already on staff

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Expanded opportunities for pre-service and inservice teacher preparation in world languages
- Facilitating world language endorsement of teachers currently teaching outside their endorsement area
- Developing support materials and model lesson plans and guides for a continuum of K-12 world language instruction
- Continued expansion of the statewide distance learning infrastructure
- Flexibility in rules to meet needs of school districts
- Other

Topic: Career and Technical Education (CTE)

Essential Education Recommendation: High Schools provide 80 instructional units in Career and Technical Education to include a local sequence of 15 instructional units in three Career Fields and 5 instructional units in the remaining three Career Fields

Issues:

- Shortage of endorsed staff and/or part-time staff for some CTE courses
- Lead time needed for schools to revise local CTE curriculum and adjust staff assignments

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Continued development of CTE plans and options for local CTE programs with a 3-5 year implementation plan for moving toward career fields
- Further descriptions of career fields
- Model courses or programs
- Review of teacher preparation and endorsement criteria
- Alternative delivery systems and methods
- Continued expansion of statewide distance learning infrastructure
- Alternatives for extended learning opportunities

Topic: Visual and Performing Arts

Essential Education Recommendation: High schools provide 10 instructional units each year in both vocal and instrumental music

Issue:

- Opportunities in vocal and instrumental music may be limited, rather than expanded, if schools discontinue alternating day schedules for vocal and instrumental music

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Options/flexibility in revising Rule 10

Topic: Social Studies/History

Recommendation: Includes civics education as required in 79-724 R.R.S.

Issue:

- Language is dated and should be updated to address current needs for quality civics education

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Review and consider updates to statutes, rules, and standards related to civics education.

Topic: Non-endorsed Teachers

Essential Education Recommendation: Teachers not holding the appropriate endorsement acquire three credit hours per year toward the endorsement.

Issues:

- Non-availability of course work in evenings or summers or in a reasonable commuting distance for full-time classroom teachers
- Need for schools to assign a teacher to a class for one period per day, based on their knowledge and preparation, to meet unique student needs
- Providing needed courses in case of unexpected staff resignations or for routine turnover of staff in areas of shortage

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Options in revising Rule 10 (For example: Consider requiring 3 credit hours if teacher is assigned more than half-time outside endorsed area; providing grandfather clause for current teachers; or other)
- Expanded opportunities and options for acquiring endorsements

Topic: Teacher Planning Time

Essential Education Recommendation: All teachers are provided sufficient time, but not less than 250 minutes, each week for daily instructional planning, including implementation of standards and assessments. This includes some time during the student day and may include some time before and after the student day.

Issues:

- Providing planning time within the student day
- Local contract provisions for planning time that vary from statewide recommendations

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Development of example planning time policies and provisions for local school districts

Topic: Staff Development Time

Essential Education Recommendation: Each school district schedules sufficient time, but not less than three days, of the contract year for planning for curriculum development, implementation of standards and assessments, and school improvement.

Issues:

- Other configurations of time may better fit local staff development needs
- Financial resources may be needed to support additional staff development time

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Provide flexibility in Rule 10 (For example: Require the equivalent of three days of staff development time)
- Seek needed funding

Topic: Kindergarten

Essential Education Recommendation: Provide full-day kindergarten every day for all age-eligible children

Issues:

- Insufficient resources for employing staff and for providing facilities and transportation
- Limited options for school districts to access local resources for expansion to full-day kindergarten due to restrictions of spending lid and levy limit

Considerations for Short- or Long-Range Planning - Examine/consider/develop:

- Review of findings of Early Childhood Policy Study
- Seek needed resources

Summary of Statewide Operational Issues for Consideration In Implementing Essential Education Policy

The list below represents operational issues that will impact the implementation of essential education policy recommendations across several topics or areas. They, therefore, summarize overall needs to be further addressed in preparing implementation plans and timelines at the state and local levels.

- A. **Technology Infrastructure** – An incomplete statewide distance learning infrastructure limits the availability of distance learning classes to some schools.
- B. **Teacher preparation in areas of shortage** – Shortages exist for endorsed teachers who can provide instruction for world languages, selected areas of career and technical education, and certain other subjects within the broad fields of language arts, the sciences, and social studies.
- C. **Staff development and support materials** – Increased staff development and related resource materials and programs will be needed for full implementation of the essential education recommendations in some areas.
- D. **Financial resources** – Funding will be necessary to support teacher preparation, staff development, expanded curricular areas, all day kindergarten, distance learning infrastructure, additional support services, etc.
- E. **Other** – Other issues related to unique local circumstances may impact implementation of selected recommendations.

Board Action History

- Policy statement adopted 12/10/2004

Cross-References

- 92 NAC 10

Nebraska State Board of Education Policy Related to NDE Rules and Regulations
Supporting Essential Education

The State Board of Education believes that all students should have access to equitable opportunities for an essential education, that NDE rules and regulations should support the implementation of the Board's essential education policy, and, further, that regulations affecting the accreditation of schools, as provided in §79-703 R.R.S., should "insure equality of opportunity and quality of programs offered" for all students.

Therefore, it is the intent of the Board that all accredited schools should assure that equal opportunities are provided for all students to receive an essential education. The Board also recognizes some accredited schools may exist to serve special populations or to accommodate unique circumstances or purposes. These include the following:

- Special purposes – Public special purpose schools such as those operated especially for students with disabilities or those operating within the confines of correctional facilities.
- Special circumstances – Public school districts necessarily existing due to geographic barriers, population sparsity, or similar factors.
- Nonpublic schools – Private schools established to extend opportunities and options to students based on a special purpose or philosophy.

Accreditation regulations and provisions should recognize the unique circumstances of such schools, but should also assure that equal or equivalent opportunities are provided for all students regardless of the schools they attend.

Board Action History

- Policy statement adopted 5/6/05.

Cross-References

- 92 NAC 10
- G7 Essential Curriculum
- G13 Essential Education
- G17 Funding for Essential Education

Delegation to Commissioner

All administrative functions are the responsibility of the Commissioner who may delegate certain functions to members of the state staff. The Commissioner, or his or her designee, is responsible for faithfully executing the policies and directives of the State Board or seeing that they are executed by the staff.

Right to Overrule Decisions

The State Board reserves the right to overrule the decisions of the Commissioner.

State Government Relations

The Commissioner of Education shall keep the State Board of Education informed of all relevant pending legislation in the State Legislature.

Board Action History

- 11/15/79 – Prior CD
(Included one section now in D2, as well as delegation and right to overrule decisions.)
- 12/7/84 – 2131 DO
(Transferred one section to what is now D2 and added state government relations.)
- 12/8/95 – Prior D3
(Shortened)
- 11/3/06 – D3
(One word change)
- 10/8/09 – D3
(Language added addressing the Commissioner's obligation to carry out both the policies and the directives of the State Board, consistent with LB 549 [Laws, 2009].)

Cross-References

- 79-301
- 79-305
- 79-306
- 79-318