



Matthew L. Blomstedt, Ph.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 24, *Regulations for Certificate Endorsements* 

DATE: January 15, 2015

RE: Summary of rulemaking hearing on proposed revisions to 92 NAC 24

On December 8, 2014, the Commissioner approved a hearing draft and set a hearing date and location to conduct a hearing on the adoption of proposed revisions to Title 92, Nebraska Administrative Code, Chapter 24. By a memorandum dated December 19, 2014, the Commissioner appointed me to conduct a hearing on this Rule on January 15, 2015, 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, State Board Meeting 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 it.

SUMMARY OF TESTIMONY ON THE PROPOSED REVISIONS TO 92 NAC 24
Regulations for Certificate Endorsements

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, Senior Administrator, Adult Program Services, Nebraska Department of Education**.

Ms. Katt testified that she approved the proposed revisions to Rule 24 and introduced **Pat Madsen, Education Specialist, Adult Program Services, Nebraska Department of Education** to explain the proposed revisions.

Ms. Madsen testified that the proposed revisions reflect the recommendations of the Nebraska Council on Teacher Education (NCTE), with the input of ad hoc committees. If approved, the revisions will become effective August 1, 2015 along with their associated Guidelines. In addition, new language incorporates content testing requirements which become effective September 1, 2015, and revised the Provisional Special Education endorsement to support completion of the endorsement on a more timely basis: Other revisions were made to enhance consistency and to address numeric/alphabetical placement in the Rule. A copy of **Ms. Madsen’s** testimony is attached to this memo.

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Jay Sears, Nebraska State Education Association (NSEA), Program Director Instructional Advocacy, offered testimony in support of the proposed revisions to Chapter 24.

Mr. Sears testified that NSEA supports the Board adopting the associated guidelines to Rule 24 and that NSEA supports the more rigorous provisional special education endorsement requirements proposed in Section 004.04. This will assist Nebraska school in attaining quality teachers for special education students.

Mr. Sears testified that NSEA appreciates the opportunities that NDE makes in having their members and staff be a part of the discussion about revisions to Rule 24 and thanked the Special Populations Office and the Adult Program Services Office in facilitating this process. Mr. Sears' written testimony is attached to this memo.

Ms. Katt thanked Mr. Sears and NSEA for their kind remarks and it is her hope that NDE and NSEA continue to engage in collaborative efforts to enhance educator preparation in Nebraska.

No other oral or written testimony was received.



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January 15, 2015

My name is Sharon Katt and I serve the Nebraska Department of Education as the Senior Administrator for the Adult Program Services team. In this role I have specific responsibility for all Educator (Teacher) Preparation processes and program approval, as well as oversight for Educator Certification.

As Senior Administrator for Adult Program Services, I have reviewed the Rule 24 being presented today for Public Hearing. It certainly has my approval and further details about the revision will be presented by a member of my staff, Pat Madsen. After her presentation we will be available to answer any questions or address any concerns.

Sharon Katt, Senior Administrator
Adult Program Services



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My name is Pat Madsen, and I serve the Nebraska Department of Education as an Education Specialist on the Adult Program Services team. In this role I have responsibility for managing the processes related to Rule 24 endorsement revisions.

The proposed revisions to Rule 24 (92 NAC 24) "Regulations for Certificate Endorsements" reflect the recommendations of the Nebraska Council on Teacher Education with input of *ad hoc* committees. I am submitting this written testimony which provides more detail of the proposed revisions. The guidelines are not subject to Attorney General or Governor approval; but rather are subject to State Board of Education approval and are intended to provide direction to the teacher preparation programs as they implement/ revise their programs. They are not enforceable except as guidelines. These revisions, if approved, will become effective on August 1, 2015.

Special Education Supervisor (005.03) – New endorsement, Birth through Grade 12. Persons with this endorsement may serve in all special education administrative and supervisory roles in Nebraska schools providing services for students with disabilities. Guidelines based on Council for Exceptional Children (CEC) Standards for preparation of Special Education Administrators, 2013.

Special Education Behavior Intervention Specialist (006.60) – Replaces Special Education: Behaviorally Disordered (subject); now supplemental; Birth through Grade 12; PK-6; 7-12 (PK-Grade 9 eliminated). Requires a minimum of 18 graduate semester hours in behavior intervention strategies and related topics. Candidate must hold a special education endorsement, and if not, must complete an additional 12 graduate semester hours in special education coursework. Guidelines based on CEC Standards for preparation of Behavior Intervention Specialists, 2013.

Special Education Deaf or Hard of Hearing (006.61) with changes to endorsement levels – Birth through Grade 12, PK-6, 7-12 (previously PK-3, K-9, 7-12, K-12, or PK-12). Candidate must hold or earn concurrently, a regular teaching certificate, and earn a minimum of 12 semester hours in general special education and 24 semester hours in the education of children who are deaf or hard of hearing. (Previously required 6 semester hours in general special education and 24 semester hours in the education of students who are deaf or hard of hearing.) Guidelines based on CEC Standards for preparation of teachers of Deaf and Hard of Hearing students, 2013.

Special Education: Deaf or Hard of Hearing (field – 006.60 in the current Rule 24) is eliminated in Rule 24, based on recommendation of the Deaf or Hard of Hearing *ad hoc* Committee.

Special Education Early Intervention Specialist (006.63) – New endorsement; Birth through Prekindergarten. Requires a minimum of 15 semester hours in early childhood

special education, 6 semester hours in typical early childhood development, and 160-clock hours field experience with a minimum of 80 hours focusing on children ages birth through two years and a minimum of 80 clock hours focusing on children ages 3 through prekindergarten. Applicant must hold, or earn concurrently, the Special Education endorsement at the K-6 or K-12 level. Guidelines based on CEC Standards for preparation of Early Childhood Intervention Specialists, 2013.

Special Education Functional Academic Skills and Independent Living Specialist (006.64) – Replaces Special Education: Severe/Multiple Disabilities; Birth through Grade 12 (was PK-12), supplemental to Special Education endorsement. Candidates must have, or earn concurrently, the Special Education endorsement. Requires a minimum of 15 graduate semester hours related to functional academic skills and independent living. Guidelines based on CEC Standards for preparation of Developmental Disabilities Specialists, 2013.

Special Education Inclusion and Collaboration Specialist (006.65) – Replaces Special Education: Learning Disabilities; Prekindergarten through Grade 12. Requires a minimum of 15 graduate semester hours in inclusion and collaboration. In addition, the candidate shall have previously obtained the Special Education endorsement. Guidelines based on CEC Standards for preparation of Learning Disabilities Specialists, 2013.

Special Education Visual Impairment (006.66)—changes to required hours and field experience expectations – Birth through Grade 12 (was PK-12). Candidate must hold, or earn concurrently, a subject or field endorsement and complete a minimum of 36 additional semester hours in special education coursework including 6 semester hours in general special education, 24 semester hours in the education of students with visual impairment, and 3 semester hours of field experience working with students who are visually impaired. (Previously required a minimum of 30 semester hours, field experience requirement has been added.) Guidelines based on CEC Standards for preparation of teachers of Blind and Visually Impaired students, 2013.

Secondary Transition Specialist (006.55) – Changed from ‘Special Services School Transition Specialist’ to a supplemental teaching endorsement; Grades 7-12. Requires a minimum of 18 graduate semester hours of coursework and clinical experience related to transition with emphasis on youth with disabilities, ages 14 through 21. Guidelines based on CEC Standards for Transition Specialists, 2013.

Coaching (006.14) (Supplemental) – Language updated to agree with Rule 21 and the Rule 24 Special Services Coaching endorsement approved last year.

Audiologist (007.01) – Name change from ‘Educational Audiologist’; annual DHHS state licensure is now needed to obtain this endorsement. (Remains a Special Services endorsement.)

School Nurse (007.02) – No major changes, updated language. Annual DHHS state licensure is needed to obtain this endorsement. (Remains a Special Services endorsement.)

Other proposed changes in Rule 24 which have been made:

- Incorporated content testing requirements which become effective September 1, 2015;
- Added the term 'permit' where the term 'certificate' appears in anticipation of upcoming Rule 21 changes;
- Revised the Provisional Special Education endorsement to support completion of the endorsement on a more timely basis; and
- Other revisions were made to enhance consistency and to address numeric/alphabetical placement.

Both the Rule and associated guidelines are used to examine endorsement programs when a teacher preparation institution is visited by a state review team. These visits occur once every seven years. In the interim, all institutions are required to submit for NDE annual review/approval, a copy of the course requirements for each endorsement program. This information is kept on file in the NDE Adult Program Services section.

I will be happy to answer any questions.

A handwritten signature in cursive script that reads "Pat Madsen".

Pat Madsen, Education Specialist
Adult Program Services

Written Testimony for Rule 24 Public Hearing, January 15, 2015
NDE State Board Room – 10:00 A.M.



Nebraska State Education Association

Nancy Fulton, *President* • Craig R. Christiansen, *Executive Director*

A member-directed union representing 28,000 public school teachers, faculty and education support professionals across Nebraska.

January 15, 2015

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

Reference: Title 92, Nebraska Administrative Code, Chapter 24 (Rule 24) Regulations for Certificate Endorsement

Dear Ms. Katt:

The 28,000 members of the Nebraska State Education Association supports the recommended changes to Title 92, Nebraska Administrative Code, Chapter 24 (Rule 24) Regulations for Certificate Endorsement as proposed in the hearing draft dated December 8, 2014.

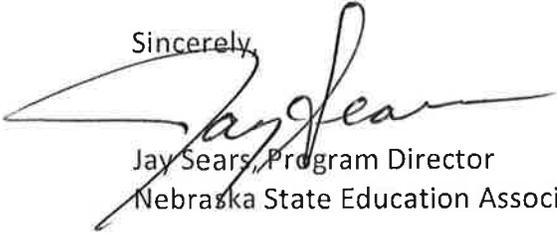
The members of NSEA have served on ad hoc committees that have reviewed these proposed changes and have voted at the Nebraska Council on Teacher Education to recommend these changes to the State Board of Education. Our members have also attended numerous input sessions the NDE has held with support from staff in the Special Populations Office and the Adult Program Services Office. Though this process of updating the various special education endorsements has taken several years, our members believe the endorsements we recommend to the State Board and that are contained in this hearing draft, will serve the needs of our special population students. Changing the philosophy of how special education teachers are prepared has not been a simple process, but every person and organization has been involved.

The NSEA appreciates the time and patience the NDE staff has taken to get these Special Education Endorsements "right". The staff should be commended.

NSEA also appreciates the opportunity our members and staff were afforded in the discussion about the subject content tests and the score setting process. Once again, the NDE staff exhibited exemplary skills and patience in facilitating this process. It is always a pleasure to work with such professional staff members from NDE. It is the "Nebraska Way"!

The NSEA urges the State Board of Education to adopt the proposed changes to Rule 24 as listed in the hearing draft dated December 8, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Sears". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jay Sears, Program Director
Nebraska State Education Association