

STATE OF NEBRASKA)
) ss.
LANCASTER COUNTY)

NOTICE OF RULE-MAKING HEARING
NEBRASKA DEPARTMENT OF EDUCATION

NOTICE is hereby given that the Department of Education will conduct consecutive rule-making hearings on Tuesday, May 30, 2023, commencing at 1:30 p.m. (Central Time) on revisions to Title 92, Nebraska Administrative Code, Chapter 20 (Rule 20), *Regulations for the Approval of Educator Preparation Programs (formerly Regulations for Approval of Teacher Education Programs)*; Title 92, Nebraska Administrative Code, Chapter 21 (Rule 21), *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*; Title 92, Nebraska Administrative Code, Chapter 24 (Rule 24), *Regulations for Certificate Endorsements*; and Title 93, Nebraska Administrative Code, Chapters 1-16, *Nebraska Department of Education Personnel Rules*.

Testimony will be received via ZOOM. The link for the hearing will be on the Nebraska Department of Education's website at: www.education.ne.gov/legal/public-notice-of-upcoming-rule-hearings/.

The PURPOSE of the proposed revisions to Rule 20 (*Regulations for the Approval of Teacher Education Programs*) is to make revisions that will address policy issues related to the educator shortage while also ensuring the quality of educators. Substantive changes contained in the draft rule revision include: (1) removal of the basic skills competency requirement for admission into an educator preparation program due to the passage of LB 1218 (2022), (2) the addition of educator preparation administrative program requirements, (3) the addition of a pilot programs and processes section, (4) ensure the science of reading is included in educator preparation programs, and (5) other technical edits.

The PURPOSE of the proposed revisions to Rule 21 (*Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*) is to make revisions that will address policy issues related to the educator shortage while also ensuring the quality of educators. Revisions include updated regulations to align with statute, remove barriers and create alternative pathways for educators while maintaining educator quality, and other technical edits.

The PURPOSE of the proposed revision to Rule 24 (*Regulations for Certificate Endorsements*) is to incorporate changes to certificate endorsement requirements. Proposed revisions related to endorsements contained in the Rule include: 1) changes to the Elementary Education endorsement to remove redundancies with 92 NAC 20 (Rule 20) and for clarification of language, 2) revisions were made to the Social Studies endorsement to remove Anthropology from the endorsement as Nebraska has had zero Anthropology candidates in the last several years, 3) the World Languages endorsement was modified to allow for the demonstration of proficiency in the language of study, 4) changes were made to the English Language Arts and Secondary English endorsements to reflect current best practices in addressing foundational reading skills, 5) changes were added to allow out-of-state teachers to not take a content test if they have 2 or more years of teaching experience in their content area, as well as allow educators who completed an in-state educator preparation program and did not pass the content test, if hired by a school system, to teach for two years on a permit in their endorsement area to demonstrate content knowledge, 6) minor changes were made to the Principal, Provisional Special Education, and School Librarian endorsements for clarification of language and/or to use the most current terminology, 7) Appendix C was deleted to remove any mention of specific testing companies, test numbers, or passing scores in rule and to allow the Board to set minimums outside of rule, and 8) other technical edits.

The PURPOSE of the proposed revisions to Rule 93 (*Nebraska Department of Education Personnel Rules*) is to update provisions to align with corollary changes made to the collective bargaining agreement for 2023-2025.

FISCAL IMPACT statements may be obtained and inspected at the Office of the Nebraska Department of Education.

These hearings are being conducted under the provisions of Neb. Rev. Stat. § 84-907, which provides that a DRAFT COPY OF THE PROPOSED RULE IS AVAILABLE for public examination at the Nebraska Department of Education and at the Office of the Secretary of State, State Capitol Building, Lincoln, Nebraska. A copy of the hearing draft for these Rules are also available on the Nebraska Department of Education's webpage at: <https://www.education.ne.gov/legal/public-notice-of-upcoming-rule-hearings/>.

All INTERESTED PERSONS are invited to ATTEND and TESTIFY via ZOOM. The link for the hearing will be on the Nebraska Department of Education's website at: www.education.ne.gov/legal/public-notice-of-upcoming-rule-hearings/. If reasonable accommodations are needed, please contact Brad Dirksen at brad.dirksen@nebraska.gov for Rules 20, 21, or 24 or Joel Scherling at Joel.Scherling@nebraska.gov for Title 93 at least five (5) days prior to the hearing. Interested persons may also submit written comments to the Nebraska Department of Education prior to the hearing at NDE.RuleHearing@nebraska.gov. Written comments will be made a part of the hearing record at the time of the hearing.

Dated at Lincoln, Nebraska this 25th day of April 2023.

Nebraska Department of Education
Deborah A. Frison, Ed.D.
Deputy Commissioner of Education