

**NEBRASKA DEPARTMENT
OF EDUCATION**

RULE 10

**REGULATIONS AND PROCEDURES FOR THE ACCREDITATION OF
SCHOOLS**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 10**

**EFFECTIVE DATE
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**State of Nebraska
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001 General Provisions

001.01 Statutory Authority. This Chapter is adopted pursuant to Neb. Rev. Stat. §§ 79-101, 79-214, 79-215, 79-2,141, 79-305, 79-318, 79-703, 79-704, 79-719 to 79-727, 79-758, 79-760.01 to 79-760.07, 79-762, 79-801 to 79-804, 79-828, 79-1603, and 79-2102.

001.02 Accreditation Classification. Accredited school systems must comply with all the numbered provisions of this Chapter except that the items identified as Quality Indicators are not requirements. No violations will be cited under Section 014 of this Chapter for any Quality Indicator. School systems will be classified as accredited if they meet all of the applicable requirements of this Chapter. All of the statements herein, with the exception of the Quality Indicators, are requirements of accredited school systems. Quality Indicators may be used by school systems to help in designing local programs. Nonpublic schools that are classified as accredited must meet all of the requirements of this Chapter except when specifically excluded or when a requirement is for public school districts only.

001.03 Accreditation Requirement. All public school districts in Nebraska that provide elementary and/or secondary instruction to children of compulsory attendance age are required to be accredited under the provisions of this Chapter. Accredited school systems are also considered to be approved for legal operation for purposes of state law. Approved private or parochial schools are eligible to apply for and maintain accreditation under the provisions of this Chapter.

001.04 Related Regulations. In addition to the requirements of this Chapter, public school districts must also comply with procedures for enrollment of students as found in 92 NAC 19. Provisions applicable to both public and nonpublic schools regarding teacher certification and endorsement are contained in 92 NAC 21 and 92 NAC 24.

001.05 Implementation of this Chapter. This Chapter will initially be used during the 2023-24 school year to determine future accreditation status.

001.06 Duration of Accreditation. Accreditation is granted for one school year from each July 1 through the following June 30. Renewal is based upon the school system's compliance with this Chapter during the prior school year. As detailed in this Chapter, failure to comply with mandatory requirements for legal operation in Section 003 of this Chapter may cause a school system to lose its accreditation during the school year.

001.07 Unified School System. For purposes of compliance with this Chapter, a unified school system must meet the requirements as though the schools were part of one single public school district. A unified system means two or more Class III school districts participating in an interlocal agreement under the provisions of Neb. Rev. Stat. § 79-4,108.

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001.08 Any public school district's reopening must follow the application procedures as provided for nonpublic schools in Section 015 of this Chapter.

002 Definitions. As used in this Chapter:

002.01 AQuESTT (Accountability for a Quality Education System Today and Tomorrow) means a system designed to measure the performance of public schools and public school districts and establish performance classifications through a framework that describes quality and accountability. The framework addresses two broad categories of quality education systems: 1.) Student Success and Access to include the following tenets: Positive Partnerships, Relationships and Student Success; Transitions; and Educational Opportunities and Access; and 2.) Teaching and Learning, to include the following tenets: College and Career Ready; Assessment; and Educator Effectiveness.

002.02 AQuESTT Tenet means a statement used in this Chapter to describe conditions which contribute to quality education systems for public schools and public school districts. AQuESTT tenets are not requirements of this Chapter.

002.03 Board means the State Board of Education.

002.04 Commissioner means the State Commissioner of Education.

002.05 Core Curriculum means a curriculum which includes language arts, social studies, science, mathematics, career and technical education, world language, visual and performing arts, and personal health and physical fitness and which, in public schools, incorporates multicultural education in all areas.

002.06 Course means a particular subject, subject area, or defined sequence of learning experiences scheduled during the school day with a certificated teacher assigned and with one or more students enrolled and in attendance.

002.07 Department means the State Department of Education, which is comprised of the Board and the Commissioner.

002.08 Elementary Grades means those grades designated by the school system as elementary, but not to include any above grade eight.

002.09 Governing Body means the school board of a public school district, a board elected or appointed to provide direction to a nonpublic school or a nonpublic school system, or an individual or corporate owner.

002.10 High School Grades means grades 9 through 12 in a school system organized with a four-year high school and grades 10 through 12 in a school system organized with a three-year high school. School systems organized with a three-year high school may include the ninth grade in determining compliance with this Chapter.

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002.11 Integrated Course or Curriculum means a course or curriculum that is organized by concepts, themes, or ideas and includes content from two or more subjects or fields.

002.12 Instructional Unit means 15 clock hours (900 minutes) of classroom instruction in a course offered in the secondary school. As an example, a course which meets for 50 minutes a day for 180 days generates 10 instructional units. Instructional units are computed to the nearest one-tenth.

002.13 Learning Community means a political subdivision which shares the territory of member public school districts and is governed by a learning community coordinating council established pursuant to Neb. Rev. Stat. § 79-2102.

002.14 Middle Grades means grade(s) designated by the school system as middle and may include any grades from four through nine. The middle grades typically include at least grades seven and eight. Common middle grade configurations are grades six through eight or grades seven through nine.

002.15 National Assessment Instrument means a nationally norm-referenced test developed and scored by a national testing service.

002.16 Performance Level Classifications means categories of public schools and public school districts established by the Board based upon public school and public school district performance as indicated by graduation rates, by student growth and student improvement on state assessment instruments as provided in Neb. Rev. Stat. § 79-760.03 and by status and participation in statewide assessment. Additional indicators of public school and public school district performance based on AQuESTT tenets will be specified by the Commissioner and adopted by the Board in future revisions of this Chapter.

002.17 Priority School means a public school selected from the lowest performance level classification and designated as being one of three schools in greatest need of assistance to improve student achievement as provided in this Chapter.

002.18 Public School District means the territory under the jurisdiction of a single school board as authorized in Chapter 79 of the Revised Statutes of Nebraska.

002.19 Quality Indicators means statements used in this Chapter to describe conditions which contribute to high performance learning. These statements express the intent of the regulations which follow. Quality Indicators are not requirements of this Chapter.

002.20 School means an individual attendance center within a school system which provides either elementary, middle, secondary and/or high school education.

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002.21 School System means a public school district or a nonpublic school or group of nonpublic schools under a governing body organized to provide education in elementary, middle, secondary, and/or high school grades as provided in this Chapter.

002.22 Secondary Grades means those grades designated by the school system as secondary, but not to include any below grade seven.

002.23 State Assessment Instrument means a test aligned with state standards that is designed to measure student progress and achievement. This definition applies to the statewide system of assessment and reporting for reading, mathematics, and science.

002.24 Statewide Assessment means the process of measuring student achievement and progress on state-adopted standards. This definition applies to the statewide system of assessment and reporting for reading, mathematics, and science.

002.25 Teach has the same meaning as in Neb. Rev. Stat. § 79-101.

003 Mandatory Requirements for Legal Operation. To be eligible for accreditation or to continue as an accredited school system, the following requirements must be met when applicable. Failure to comply with Sections 003.01 through 003.11 of this Chapter will be just cause for the Commissioner to initiate proceedings before the Board to terminate accreditation and end legal operation during the school year.

003.01 Teacher and Administrator Certification. The school system must use only persons certificated pursuant to 92 NAC 21 to be a teacher or administrator. Pursuant to Neb. Rev. Stat. § 79-1603, persons conducting religion or prekindergarten classes in nonpublic schools which are not counted as a part of the school's courses for purposes of complying with the requirements of this Chapter are excluded from this requirement. Pursuant to Neb. Rev. Stat. § 79-802.01, American Indian language teachers who are approved by the tribe to teach their native language are also excluded from this requirement when conducting native language classes.

003.02 Grade Levels. The school system must operate, offer instruction in, and give credit in only the grades for which the school system is accredited.

003.03 Required Instruction. Instruction in English, mathematics, science, and social studies must be available each school year for all grades.

003.04 Required Programs and Procedures. Each school system must ensure its teachers arrange and present instruction in the manner specified in Neb. Rev. Stat. § 79-725 to promote and develop an upright and desirable citizenry. Each school system must also meet the applicable statutory provisions contained in Sections 004.02A3, 004.03A4, 004.04B2, 008.05B, and 008.05C of this Chapter. Each public school district must incorporate multicultural education in all areas of the curriculum of grades kindergarten through twelve, as provided in Section 004.01F of this Chapter. Each public school

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district must meet the certificated-employee evaluation requirements as provided in Sections 007.06A through 007.06B of this Chapter. Each public school district must comply with the requirements contained in 92 NAC 15 (Regulations and Procedures for the Education of Students with Limited English Proficiency in Public Schools) and in 92 NAC 19 (Regulations Regarding School Enrollment). Each public school must meet statutory provisions contained in Sections 004.01B, 004.02B, 005.02 through 005.02C, 011.01F, and 011.01G of this Chapter. These requirements are based on statute and cannot be waived through Section 013.01 of this Chapter.

003.05 Graduation Requirements. Each high school must require from grades nine through twelve at least 200 credit hours for graduation, for which at least 80 percent must be from the core curriculum. The number of credit hours given for a course may be less than the number of instructional units and may be increased up to 25 percent above the number of instructional units.

003.05A By the 2014-15 school year, public school districts must adopt and implement graduation requirements that meet the highest level of rigor of the standards as specified in the state standards adopted by the Board, including, but not limited to the following:

003.05A1 Language Arts. Forty credit hours of Language Arts with course content that includes composition, verbal communication, literature, research skills, and technical reading and writing.

003.05A2 Mathematics. Thirty credit hours of mathematics with course content that includes algebraic, geometric, data analysis, and probability concepts.

003.05A3 Science. Thirty credit hours of science with course content that includes biological, earth/space, and physical science concepts with corresponding science inquiry skills and laboratory experience.

003.05A4 Social Studies/History. Thirty credit hours of social studies/history with course content that includes civics/government, geography, United States and world history, and economic concepts.

003.05B School systems may adopt a policy allowing high school credit to be awarded to students enrolled in a middle grades course if the course content and requirements are equivalent to a course offered in the high school.

003.05C As required in 92 NAC 18, school systems accept the academic credit earned at Interim Program Schools and issue diplomas to students transferring from Interim Program Schools who have met the requirements for graduation from their own accredited high school.

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003.06 School Year. Each school system must provide at least the following instruction annually between July 1 and June 30 for the grades it offers: (a) for grades up through grade eight, the time equivalent to 1,032 hours; (b) for grades nine through twelve, the time equivalent to 1,080 hours; and (c) for kindergarten, the time equivalent to 400 hours. When a school is dismissed for any reason, such as tournaments or contests, parent/teacher conferences, funerals, parades, and school picnics, such time may not be counted in meeting the 400/1,032/1,080 hour school year requirement. Time scheduled for the school lunch period may not be counted in meeting the school year requirements. Pursuant to the provisions of Neb. Rev. Stat. § 79-213, school systems unable to meet the minimums for instructional hours due to epidemic sickness, severe storm conditions, or destruction of the school house may request permission from the Board to offer fewer than the minimum hours by submitting an affidavit sworn to by the secretary of the school board and explaining the circumstances resulting in the request.

003.07 Assurance Statement. Each school system must, by November 1 of each year, submit to the Department an Assurance Statement, as prescribed by the Department, signed by a representative of the school system governing body affirming compliance or specifically noting any noncompliance with the regulations contained in this Chapter.

003.08 Reports. The following reports must be submitted to the Department each school year.

003.08A On or before September 15 of each school year, the head administrator of each school system must submit electronically, via the Department's reporting system, a Fall Personnel Report. Additions of certificated staff after submission of the Fall Personnel Report must be reported to the Department at the time of contracting.

003.08B On or before June 30 of each school year, the head administrator of each public school district must submit electronically, via the Department's reporting system, data elements required by Sections 005.02 thru 005.02C of this Chapter.

003.08C On or before the last day of February of each school year, the head administrator of each nonpublic school system must submit electronically, via the Department's reporting system, a Curriculum Report.

003.09 Contracting Public School Districts. Public school districts that contract under the provisions of state statute with another public school district or districts to provide all educational services for all students in the secondary grades may be considered accredited but may operate only elementary grades. Public school districts must notify the Department upon approval of the patrons of the district for contracting all elementary students and/or all secondary students with other public school districts. Any public school district reopening after contracting all students must follow the same application procedures as provided for nonpublic schools in Section 015 of this Chapter.

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003.10 School Site Review. The State Department of Education staff may conduct periodic on-site visits to school systems to review and determine compliance with the provisions of this Chapter.

003.11 Contested Case Orders. In a contested case, any school system receiving an order entered by the Board under the Administrative Procedures Act must comply with the conditions of the order, unless a judicial stay has been entered.

003.12 Each public school district must require each such district's schools to establish a period of time during the school day, when a majority of pupils are scheduled to be present, during which pupils will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States of America, in grades kindergarten through twelve. Pupil participation in the recitation of the Pledge of Allegiance must be voluntary. Pupils not participating in the recitation of the Pledge must be permitted to silently stand or remain seated but must be required to respect the rights of those pupils electing to participate.

004 Curriculum and Standards

004.01 K-12 Curriculum. **Quality Indicator:** The curriculum is comprehensive, coordinated, and sequential and is directed toward locally approved goals and standards for student learning. The instructional program focuses on achievement and provides for the needs of all students including learners with disabilities and high ability learners. It draws upon research, best practice, and reputable theory.

AQuESTT Tenet: Every student is prepared to pursue postsecondary educational opportunities and career goals upon completion of secondary education.

AQuESTT Tenet: Every student has access to coordinated and comprehensive instructional opportunities to be prepared for learning, earning, and living.

AQuESTT Tenet: All students experience success through a continuous improvement process that builds student, parent/guardian/family, and community engagement in order to enhance educational experiences and opportunities for all students.

004.01A The instructional program of the school system is based on written purposes or standards and is approved by the governing body. These documents are on file in each school building and each certificated staff member is provided a copy.

004.01B Public school districts adopt academic content standards in the subject areas of reading and writing (language arts), mathematics, and science determined by each such district to be measurable quality standards that are the same as, equal to, or more rigorous than the state academic content standards

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adopted by the Board pursuant to Neb. Rev. Stat. § 79-760.01. The deadline for public school districts to adopt replacement academic content standards will not extend past one year following the Board's adoption of new content standards. Nonpublic schools have local academic content standards for reading, writing, mathematics, science, and social studies/history approved by the governing body.

004.01C The school system has written guides, frameworks, or standards for all other areas of the curriculum. In connection with this requirement, school systems are encouraged to adopt the Fine Arts Standards adopted by the Board on March 4, 2014. The school system also has a written description of the library media and guidance programs.

004.01D Writing experiences are incorporated in all curricular areas K-12.

004.01E Educational/computer technology is incorporated in the instructional program at the elementary, middle, and secondary levels.

004.01F The instructional program in public schools incorporates multicultural education in all curriculum areas at all grades. Multicultural education includes, but is not limited to, studies relative to the culture, history, and contributions of African Americans, Hispanic Americans, Native Americans, Asian Americans and European Americans with special emphasis on human relations and sensitivity toward all races. The regulation is based on statute and cannot be waived through Section 013.01 of this Chapter.

004.01F1 The public school district has a statement of philosophy or mission for the multicultural education program. Local program goals address multicultural education.

004.01F2 The public school district curriculum guides, frameworks, or standards incorporate multicultural education.

004.01F3 The public school district multicultural education program includes a process for selecting appropriate instructional materials.

004.01F4 The public school district has a process for provision of staff development in multicultural education including professional development for administrators, teachers, and support staff which is congruent with public school district and program goals.

004.01F5 The public school district has a process for periodic assessment of the multicultural education program. An annual status report is provided to the school board.

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004.02 Elementary Curriculum. Quality Indicator: The elementary instructional program is based on state or locally approved standards for student learning and helps each student acquire knowledge, skills, and understanding in all subject areas. The instruction is appropriate for the grade level of the students. Teaching and learning activities and the general environment stimulate, nurture, and encourage involvement in a wide range of learning experiences. The program helps students apply and extend basic skills by integrating topics throughout the curriculum. The schedule is sufficiently flexible to encourage teachers and students to address emergent needs and topics.

AQuESTT Tenet: Quality educational systems focus on supports for students transitioning between grade levels, programs, schools, public school districts, and ultimately, college and career.

004.02A The Elementary Instructional Program. The elementary school has a representative weekly schedule for each classroom teacher encompassing experiences in the following subject areas:

004.02A1 Reading and Language Arts. The curriculum includes development and practice of skills and understanding in reading, writing, speaking, and listening. It helps children develop appreciation of literature, creativity, and expression.

004.02A2 Mathematics. The curriculum includes development, practice, and application of numeration, computation, estimation, problem solving, geometry/spatial concepts, measurement and related topics.

004.02A3 Social Studies. The curriculum helps children to develop an understanding of the world and its people. It includes experiences drawn from geography, history, economics, government, citizenship, career awareness, human relations, current affairs, and cultural studies. This includes instruction required pursuant to Neb. Rev. Stat. § 79-724.

004.02A4 Science. The curriculum helps children develop an understanding of science concepts and processes, and includes science as inquiry. It includes experiences drawn from physical science, life science, earth and space science, science and technology, and history and nature of science.

004.02A5 Health. The curriculum helps children develop an understanding of the body systems, nutrition, wellness (including physical activity), and healthy living habits.

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004.02A6 Physical Education. The curriculum helps children develop and maintain physical coordination, large and small muscle control, physical fitness, leisure activities, and healthy behaviors.

004.02A7 Visual Arts. The curriculum helps children understand and apply a variety of media, techniques, and processes within a range of subject matter, symbols, and ideas. The curriculum includes reflection upon and assessment of art and study of art in relation to history, culture, and other curricular areas.

004.02A8 Music. The curriculum helps children to sing and play a variety of music, read and notate music, listen to and describe music, and evaluate music. The curriculum includes music in relation to history, culture, and other curricular areas.

004.02B Kindergarten. For school year 2012-2013 and each school year thereafter, admission to public school kindergarten is on an unqualified basis to all resident children who will reach age 5 by July 31 of the calendar year in the school year for which the child is seeking admission begins. Testing prior to school entrance, if any, is conducted only to identify children with disabilities under 92 NAC 51 or to meet requirements of subdivision (1)(b) of Neb. Rev. Stat. § 79-214.

004.02B1 Pursuant to subdivision (1)(b) of Neb. Rev. Stat. § 79-214, the school board must admit a child who will reach the age of 5 years on or after August 1 and on or before October 15 of such school year under the following circumstances:

004.02B1a The parent or guardian requests such entrance and provides an affidavit stating that:

004.02B1a(i) The child attended kindergarten in another jurisdiction in the current school year, or

004.02B1a(ii) The family anticipates relocation to another jurisdiction that would allow admission within the current year, or

004.02B1a(iii) The child has demonstrated through a recognized assessment procedure approved by the school board that he or she is capable of carrying the work of kindergarten.

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004.02B2 Each school board must approve and make available a recognized assessment procedure for determining if a child is capable of carrying the work of kindergarten.

004.02C Pupils in kindergarten through sixth grade do not participate in any kinds of athletic contests between schools within a school system or between school systems except that elementary school systems having seventh and eighth grade athletics may include sixth grade boys or girls when combined enrollment for seventh and eighth grade becomes fewer than 12 boys or 12 girls and if the governing body has a policy regulating participation for sixth graders. Annual field or play days are excluded from this regulation.

004.03 Middle Grades Curriculum. **Quality Indicator:** The middle grades instructional program is based upon state or locally approved standards for student learning. It builds upon the content of the elementary grades, extends the depth of learning experiences, and provides exploratory experiences throughout the curriculum. The program incorporates vocational technical education, foreign language, career education, and technology education. The instructional activities and schedule are designed to meet the developmental needs of middle grade learners.

AQuESTT Tenet: Quality educational systems focus on supports for students transitioning between grade levels, programs, schools, public school districts, and ultimately, college and career.

004.03A Middle Grades Instructional Program. The program in the middle grades includes instruction for each grade each year in the following subject areas. Instruction may be provided through separate courses, integrated blocks of time, and/or through exploratory programs.

004.03A1 Reading. The curriculum includes experiences designed to help students expand, develop and apply reading skills introduced in the elementary grades. It includes reading for both information and enjoyment.

004.03A2 Language Arts. The curriculum includes activities that engage students in using language for a variety of reading, writing, speaking, and listening purposes.

004.03A3 Mathematics. The curriculum includes practice in numeration, computation, estimation, problem solving, geometry/spatial concepts, and measurement. It introduces algebraic and statistical concepts and provides opportunities for students to develop understanding of the structure of mathematics.

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004.03A4 Social Studies. The curriculum includes content and experiences drawn from geography, history, economics, citizenship, government, cultural studies, and current events. This includes instruction required pursuant to Neb. Rev. Stat. § 79-724. All history courses stress contributions of all ethnic groups in the development and growth of America.

004.03A5 Science. The curriculum includes elements of life, physical, earth and space sciences, science as technology, and history of science. Learning activities emphasize science as inquiry and scientific processes and concepts.

004.03A6 Health. The curriculum includes the study of body systems and those factors which affect health, including natural and man-made threats and individual health choices.

004.03A7 Art. The curriculum includes activities and experiences designed to develop skills in working with a variety of artistic techniques, processes, and media. The curriculum relates art to history and culture and to other curricular areas.

004.03A8 Music. The curriculum includes experiences that involve students in singing and playing musical instruments and provides opportunities for students to pursue individual musical interests and to develop individual talents. It includes the study of a varied repertoire of music and its relation to history and culture.

004.03A9 Physical Education. The curriculum includes active involvement in health-related physical fitness activities designed to develop cardiorespiratory endurance, muscular strength and endurance, and flexibility. It encourages students to develop habits of physical exercise through individual and team activities and by emphasizing involvement rather than competition. Practice for and participation in interscholastic activities cannot substitute for any part of physical education.

004.03B Career education is included in the middle grades program.

004.03C No student in grades seven or eight participates in interscholastic athletic contests between schools within a school system or between school systems which exceed six games in football, fourteen matches in volleyball, twelve games in basketball, eight meets in wrestling, eight meets in track and field, and eight contests in all other activities. Contest limits must be based upon the total number of contests played. Each game, match or meet played in a

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tournament must count as one of the contests permitted within these contest limits.

004.04 Secondary Curriculum. Quality Indicator: The secondary instructional program is based upon state or locally approved standards for student learning. It provides breadth and depth of subject areas which enable students to achieve knowledge and skills necessary to continue post-secondary education or enter a career field. Instruction builds upon knowledge acquired in previous grades and helps students acquire the learning goals of the school, builds 21st century skills, and prepares students for living in a global society. Schools provide required instructional units on site or through a combination of local and distance learning programs.

AQuESTT Tenet: Quality educational systems focus on supports for students transitioning between grade levels, programs, schools, public school districts, and ultimately, college and career.

004.04A Required High School Program. The high school program consists of courses totaling at least 400 instructional units.

004.04B The instructional program in grades 9-12 includes as a minimum the following subject fields and the number of instructional units shown for each:

004.04B1 Language Arts - 60 instructional units. The curriculum includes written composition, critical reading, interpretation of fiction and non-fiction, oral presentation, and application of listening skills.

004.04B2 Social Science - 40 instructional units. The curriculum includes content drawn from American and world history, geography, economics, civics, government and citizenship and may also include content from other social science areas such as sociology, psychology, and anthropology. This includes instruction required pursuant to § 79-724. All history courses stress contributions of all ethnic groups in the development and growth of America.

004.04B3 Mathematics - 40 instructional units. The curriculum includes communicating, reasoning, problem solving, numeration, computation, estimation, measurement, geometry, data analysis, probability and statistical concepts, and algebraic concepts

004.04B4 Science - 40 instructional units. The curriculum includes science concepts and processes, science as inquiry, physical science, life science, earth and space science, science and technology, and history and nature of science.

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004.04B5 World Language - 20 instructional units or two years of daily classes in the same language. The curriculum includes reading, writing, speaking, and listening skills for communicating in one or more languages other than English, knowledge and understanding of other cultures, and developing insight into the nature of language and culture.

004.04B6 Career Education. The curriculum includes 80 instructional units in Career Education that include instruction in any of the following career fields: (1) Agriculture, Food and Natural Resources, (2) Business, Marketing, and Management, (3) Communication and Information Systems, (4) Health Sciences, (5) Human Services and Education, (6) Skilled and Technical Sciences.

004.04B6a Agriculture, Food and Natural Resources. The curriculum in this career field includes areas such as animal, plant, and soil sciences, agribusiness, food science, power, structural and technical systems, leadership and human resource development, natural resources, biotechnology and environmental science.

004.04B6b Business, Marketing, and Management. The curriculum in this career field includes areas such as e-commerce, business communication, finance, business and consumer law, entrepreneurship, accounting, business economics, personal finance, consumer economics, financial services marketing, retailing, fashion marketing/merchandising, international marketing, sports and entertainment marketing, hospitality and tourism.

004.04B6c Communication and Information Systems. The curriculum in this career field includes areas such as advertising, public relations, commercial photography, journalism, graphic design, broadcasting, scriptwriting, radio/TV production, information technology applications, web design, interactive media, networking, e-commerce, computer science, and information technology.

004.04B6d Health Sciences. The curriculum in this career field includes areas such as nutrition and food, family health, medical terminology, health informatics, therapeutic services, diagnostic services, certified nursing assistant, and health care sciences.

004.04B6e Human Services and Education. The curriculum in this career field includes areas such as independent/adult living, home management, housing and home furnishings, family health,

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clothing and textiles, parenting and child development, human resource development, criminal justice, human growth and development, interpersonal relationships, and applied psychology.

004.04B6f Skilled and Technical Sciences. The curriculum in this career field includes areas such as housing and home furnishings, woods and construction, construction/ electricity, construction/home maintenance, computer aided drafting, metals and welding, manufacturing/metalworking, manufacturing/woodworking, millwork and cabinetmaking, electronics, technology engineering education, Principles of Technology, technology education, transportation power/auto mechanics, automotive services, and energy.

004.04B6g Nonpublic college preparatory schools may substitute additional courses in language arts, foreign language, science, mathematics, and/or social science for up to 40 instructional units in career and technical education.

004.04B7 Personal Health and Physical Fitness - 20 instructional units or two years of daily classes in personal health and physical fitness. The personal health and physical fitness curriculum includes content to emphasize life-long wellness habits including the knowledge and psychomotor skills applicable to cardio-pulmonary resuscitation (CPR). The curriculum emphasizes non-participation in high risk behavior. The physical fitness curriculum includes an active program of health-related physical fitness, including cardiorespiratory endurance, muscular strength and endurance, flexibility, and body composition. Practice for and participation in interscholastic athletic activities are not accepted as a substitute for any part of the personal health and physical fitness requirement.

004.04B8 Visual and Performing Arts - 40 instructional units which include each year instruction in vocal music, instrumental music, and visual arts. It may also include dance and theater. The visual and performing arts curriculum includes performance, interpretation, and evaluation.

004.04B8a Music. The curriculum includes singing and playing a varied repertoire of music, improvising melodies and accompaniments, reading and notating music, listening to and describing music, evaluating music and music performances, recognizing relationships between music and the other disciplines, and the study of music in relation to history and culture.

004.04B8b Visual Arts. The curriculum includes media, techniques, and processes; choice and evaluation of a range of

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subject matter, symbols, and ideas; assessment of characteristics and merits of student work and the work of others; and the visual arts in relation to other disciplines.

004.04C Local Options for Providing High School Courses.

004.04C1 High schools may meet the instructional unit requirements of Section 004.04B of this Chapter through integrated courses, as defined in Section 002.11 of this Chapter, if the school has on file locally a description of the curriculum or course including a list of the goals, an explanation of the subjects included, and the rationale for allocating instructional units to appropriate subject fields in Section 004.04B of this Chapter.

004.04C2 High schools may count instructional units for two courses in a subject field taught in the same classroom at the same time if the courses are primarily individualized wherein all students do independent projects or practice. (Examples: Spanish 3 and 4, Accounting 1 and 2, Art 1 and 2)

004.04C3 Schools may use performance based curriculum or courses as an option in place of any subjects in Section 004.04B of this Chapter if they have a written description of the curricula or course which includes the goals, representative instructional experiences, expected student performance for accomplishment of the goals, and the rationale for allocating instructional units for the course. The written description is approved by the school board and is on file in the school. Performance based curriculum provides learning opportunities for students equivalent to or greater than those through the course(s) under Section 004.04B of this Chapter, but may take less than the time required in Section 002.12 of this Chapter for determining instructional units.

004.04C4 Instructional units may be counted each year for two courses taught in alternating years not to exceed one course in each of four subject fields, as listed in Section 004.04B of this Chapter, provided schedules verifying alternating courses are kept on file in the school system. As an example, a high school that alternates a course that generates 10 instructional units in World Language II in the current year, with a course that generated 10 instructional units in World Language I the previous year, may count 20 instructional units each year. A school board of a public school district may not establish an alternating biennial secondary course offering in any subject area for which the State Board of Education has adopted content standards pursuant to Neb. Rev. Stat. § 79-760.01.

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004.04D Multi-site and Distance Learning Options for Providing High School Courses. Up to a total of 200 instructional units of the total 400 instructional unit requirement for the high school may be provided through one or more of the following course options (instructional units beyond the required 400 instructional units may be delivered in any of the following methods):

004.04D1 Synchronous Course Option: Synchronous courses are those multi-site or distance learning courses in which the teacher and student(s)

are simultaneously present; can both see and hear one another; and questions may be answered and instructional accommodations made immediately. This includes:

004.04D1a Teacher Sharing. Instructional units provided through contractual or cooperative arrangements with other school systems, educational service units, and/or postsecondary institutions in which either the teacher(s) or student(s) move to be located at the same site to provide classroom instruction may be counted in meeting a portion of the instructional unit requirement provided: (a) each course is taught by a teacher holding a valid Nebraska Teaching Certificate; (b) each course is shown on the high school class schedule along with the name of the teacher; (c) at least one high school student is enrolled and participating in each course; and (d) each course is made available to all students at the school's expense. A copy of the written agreement with the cooperating school/agency is on file in the school.

004.04D1b Interactive Audio-Visual Options. Up to 100 of the allowable 200 multi-site or distance learning instructional units may be met through synchronous interactive audio-visual instruction provided: (a) each course is taught by a teacher holding a valid Nebraska Teaching Certificate; (b) each course is shown on the high school class schedule along with the name of the teacher; (c) at least one high school student is enrolled and participating in the course; (d) each course is made available to all students at the school's expense; and (e) a teacher holding a valid Nebraska Teaching Certificate monitors student progress and general appropriateness of the course and is present in the classroom while the course is being taught unless:

004.04D1b(1) The off-site interactive teacher holds a valid Nebraska Teaching Certificate and a public school district employee is present in the receiving classroom, or

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004.04D1b(2) The off-site interactive teacher holds a valid Nebraska Teaching Certificate, maintains two-way audio and video communication with the distance learning classroom, and has a direct telephone connection with a supervising adult in the school.

004.04D2 Asynchronous Course Options: Asynchronous courses are those multi-site or distance learning courses in which communication between teacher and student is delayed, as are the cases, for example, with written correspondence courses and many computer-delivered courses. This includes:

004.04D2a University of Nebraska High School Options. Up to 50 of the allowable 200 distance learning multi-site instructional units may be met through the use of courses taught by teachers of the University of Nebraska High School provided that (a) each course is shown on the high school class schedule; (b) at least one high school student is enrolled and participating in the course; (c) each course is made available to all students at the school's expense; and (d) a teacher holding a valid Nebraska Teaching Certificate is present during the assigned period (one teacher may supervise more than one course) to monitor and assist with instruction.

004.04D2b Other Distance Learning Technology Options. Up to 30 of the allowable 200 distance learning multi-site instructional units may be met through courses delivered by other methods of distance technology provided that each course is reviewed in advance and recommended for school use by a committee of at least one local teacher and one local school administrator and is approved by the governing body, and the written review and statement of approval are on file in the school system; and provided (a) each course is shown on the high school class schedule; (b) at least one high school student is enrolled and participating in each course; (c) each course is made available to all students at the school's expense; (d) a teacher holding a valid Nebraska Teaching Certificate is present during the assigned period (one teacher may supervise more than one course) to monitor and assist with instruction; and (e) each student enrolled in such a course is assigned to a teacher holding a Nebraska Teaching Certificate with an appropriate endorsement who monitors student progress and general appropriateness of the course.

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004.04E Secondary Schools With Grades Seven and Eight. Secondary schools including grades seven and eight provide an instructional program for those grades in accordance with Sections 004.03A through 004.03C of this Chapter.

004.04F New Schools. A school adding high school grades must provide at least one-fourth of the total instructional unit requirements and one-fourth of the individual subject matter requirements for each grade that it offers.

005 Statewide System for Assessment of Student Learning and for Reporting the Performance of Public School Districts

005.01 Quality Indicator: Assessment procedures and results assist teachers in planning and providing appropriate instruction for all students. Assessment results also provide information for monitoring program success, and for reporting to parents, policy makers, and the community. Schools periodically review procedures to improve assessment quality and increase student learning. The information assists schools in establishing and achieving improvement goals.

AQuESTT Tenet: The results of multiple assessment sources (national, state, and classroom-based) are used to measure student achievement of college and career ready standards and be used as an integral part of the instructional process.

005.01A All public school districts participate annually in statewide assessments in compliance with the schedule adopted by the Board. Nonpublic schools have an assessment plan which includes a schedule and procedures for assessing success in achieving their academic content standards. Student success in achieving their standards is reported to the head administrator or governing board of the nonpublic school.

005.01B Whole grade norm-referenced assessment using a national assessment instrument begins no earlier than grade two and is conducted annually in at least one grade in each of the following two levels: grades 2-5; grades 6-8. A national assessment instrument is administered at least once in the high school grades.

005.02 Each school year, for the purpose of implementing a statewide system of tracking student achievement as required by Neb. Rev. Stat. § 79-760.05, public school districts must report by June 30 of each school year the following data to the Department electronically via the Department's reporting system using the Department's student identifier system:

005.02A Individual student demographics including each student's race, poverty status, high mobility status, attendance, and limited English proficiency;

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005.02B Individual student achievement including individual student achievement data from the state assessment instruments required in Section 005.01A of this Chapter and scores and subscores available to the public school district on national assessment instruments administered by such district; and

005.02C Individual student educational input characteristics including class size, teacher education, teacher experience, special education, early childhood programs, federal programs, and targeted education programs.

005.03 Student Assistance. Each school has a student assistance process of its own design to provide problem solving and intervention strategies.

006 Media and Technology Resources

006.01 Quality Indicator: The library/media/technology program provides a wide range of accessible print and electronic resources that expand opportunity for learning, contribute to information literacy, support the local curriculum, and enhance and enrich learning experiences for all students.

006.01A Each school has a library media area(s) which is available to students during the entire school day. All library media resources are properly cataloged, marked, and shelved according to a standard classification system. Each school has at least one set of encyclopedia available in either print or electronic format with copyright dates in the past five years.

006.01B Each elementary school acquires a minimum of 25 new library media resources in print format, exclusive of textbooks and encyclopedia, of different titles, per teacher per year, up to 150 titles during one year. The minimum number of new titles in print format is 75 if library media resources are also available through electronic format. Each middle and high school acquires a minimum of 150 titles each year in either print or in full text electronic format.

006.01C Each middle level school subscribes to at least ten periodicals either in print or in full text electronic format.

006.01D Each secondary school subscribes to at least 25 periodicals in print or in full text electronic format.

007 Instructional Staff

007.01 Elementary Staff. Quality Indicator: Instructional staff members have appropriate training and preparation to work with elementary school children. They are knowledgeable of principles of child growth and development, the scope of the elementary school curriculum, and cross-disciplinary instructional strategies. They establish a positive and supportive learning environment for all students.

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AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.01A Computed on a full-time equivalency basis, a minimum of 95 percent of the teachers in the elementary grades are assigned to areas for which they hold certificates having appropriate endorsements pursuant to 92 NAC 24.

007.01B Pre-kindergarten programs operated by public schools are coordinated by a staff member who holds a Nebraska Teaching Certificate with at least 9 college credit hours in early childhood education.

007.02 Middle Grades Staff. **Quality Indicator: Staff members at the middle grades are knowledgeable of the growth and development of middle grades students. They have knowledge of the curriculum content for which they are responsible and they use teaching strategies that engage students actively in learning, that build upon elementary content and skills, and that help students understand and apply content across subject areas.**

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.02A Computed on a full-time equivalency, at least 90 percent of the teachers in middle grades hold one of the following endorsements or meet the provisions of Sections 007.02A1a or 007.02A4 of this Chapter:

007.02A1 In grades seven and eight, any middle grades endorsement or an appropriate secondary endorsement.

007.02A1a Teachers holding an elementary endorsement may teach in grades seven and eight if they acquire six credit hours per year toward the middle grades endorsement or participate in staff development in accordance with a local mission and plan for education of middle grade students.

007.02A2 In grades four through six, an elementary endorsement or any middle grades endorsement.

007.02A2a Teachers holding a content area endorsement at the secondary level may teach grade six in that content area if they acquire six credit hours per year toward the elementary or middle grades endorsement or participate annually in staff development

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in accordance with a local mission and plan for education of middle grade students.

007.02A3 In grade nine, an appropriate secondary endorsement or any middle grades endorsement.

007.02A4 Teachers not holding an appropriate endorsement may be assigned to the middle grades if they acquire six credit hours per year toward a middle grades endorsement.

007.02A5 Secondary teachers assigned to integrated courses or curriculum in grades seven through nine are considered appropriately endorsed if they hold an endorsement for any of the subjects or fields included in the course.

007.03 Secondary Staff. Quality Indicator: **Instructional staff members in the secondary grades have specialized preparation in a subject area or field and knowledge of the developmental level of students. Staff members use strategies that help students become actively involved in the learning process through in-depth study of subjects and through experiences that use and apply knowledge, skills, and understanding across the curricular areas.**

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.03A At least 80 percent of the instructional units offered in secondary grades during the regular school term are assigned to teachers who hold certificates having appropriate endorsements issued pursuant to 92 NAC 24. If 92 NAC 24 does not provide an endorsement designated for a particular course or subject area, any teacher holding a regular certificate may instruct such course without penalty to the school system. Teachers holding a subject endorsement are considered appropriately endorsed for any other subject within the broad field if they annually acquire, prior to the opening of school, six credit hours toward the subject endorsement or the broad field endorsement.

007.03A1 Teachers assigned to integrated courses or curriculum in accordance with Sections 002.11 and 004.04C1 of this Chapter are considered appropriately endorsed if they hold an endorsement for any of the subjects or fields included in the course.

007.03B Secondary schools including grades seven and eight may assign the teachers as provided in Section 007.02A of this Chapter.

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007.04 Media/Technology Staff. **Quality Indicator:** The library/media/technology programs and services are an integral part of the instructional program. Library/media staff provide leadership and assistance in selection, provision, and use of library/media resources. Technology staff and services are available locally or in collaboration with other agencies to provide support, maintenance, consultation, and training for meaningful use of technology resources.

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.04A Each K-12 school system and each secondary school system has a person holding a Nebraska Teaching Certificate with an endorsement appropriate for library science or educational media specialist, or meeting Section 007.04B of this Chapter, assigned on at least a one-half time basis to provide library media services to the school system.

007.04A1 Each school building having an enrollment of from 70 to 249 students has a person holding a valid Nebraska Teaching Certificate with an appropriate endorsement for library science or educational media specialist assigned on at least a one-fifth time basis or has a library media paraprofessional assigned on at least a one-half time basis under the supervision of a certificated staff member.

007.04A2 Each school building having an enrollment of at least 250 students has a person holding a Nebraska Teaching Certificate with an appropriate endorsement for library science or educational media specialist assigned on at least a one-half time basis, or has such person assigned on a one-fourth time basis and a full-time library media paraprofessional also assigned. Buildings with 500 or more students have at least a full-time educational media specialist or a one-half time educational media specialist and a full-time library media paraprofessional. Buildings with 750 or more students have a full-time educational media specialist.

007.04B A school system may assign a person holding a Nebraska Teaching Certificate with no endorsement appropriate for library science or educational media specialist to fulfill the requirements for Sections 007.04A, 007.04A1, and 007.04A2 of this Chapter if such person acquires at least six (6) credit hours each year toward an appropriate endorsement pursuant to 92 NAC 24. Persons employed by a Nebraska school prior to July 1, 1989, to provide library media services and who hold a Nebraska Special Services Certificate with an endorsement appropriate for library media services may fulfill the requirements of these regulations.

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007.05 Guidance Staff. Quality Indicator: A comprehensive, developmental, K-12 guidance and counseling program assists all students in learning skills needed for academic success and for personal, social, and career development. The guidance program includes planned classroom and group activities, counseling services responsive to individuals and small groups, and assistance to students in academic planning and placement. The school and community work cooperatively to provide appropriate support for students, families, and teachers.

Guidance and counseling programs are directed by professional staff with appropriate endorsements in guidance and counseling. Professional staff are assigned based upon local needs determined through a formal process documenting the needs.

AQuESTT Tenet: Quality educational systems focus on supports for students transitioning between grade levels, programs, schools, public school districts, and ultimately, college and career.

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.05A Each K-12 and each secondary school system assigns at least a one-half time equivalency person to conduct a guidance and counseling program. The level of assignment is determined by the school system and the person assigned holds a guidance and counseling endorsement appropriate for the level(s) assigned. When enrollment in a school system exceeds 400, the system assigns at least one full-time equivalency appropriately endorsed person.

007.05B School systems having a total of 300 or more students in the middle grades, secondary grades, or high school grades assign at least a one-half time appropriately endorsed person to provide guidance and counseling for the level. When the total enrollment in any of those levels reaches 450, one full-time equivalent appropriately endorsed person is assigned. Thereafter, an additional one-half time appropriately endorsed person is assigned for each 225 students at any of those levels.

007.05C Public school districts having 300 or more students in the elementary grades have guidance programs or services available for the elementary students. The procedures and time allotment are determined by the public school district.

007.05D A person holding a Nebraska Teaching Certificate with no endorsement appropriate for guidance and counseling may be assigned to fulfill the requirements of Sections 007.05A and 007.05B of this Chapter if such person has two years of teaching experience and acquires at least six credit hours each year toward an endorsement appropriate for guidance and counseling pursuant to

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92 NAC 24. Persons employed by a Nebraska school prior to July 1, 1989, to provide guidance and counseling services and who hold a Nebraska Special Services Certificate with an endorsement appropriate for guidance and counseling services may fulfill the requirements of this regulation.

007.05E In nonpublic schools, clergy holding a Nebraska teaching or administrative certificate may be assigned to fulfill the requirement of Sections 007.05A and 007.05B of this Chapter.

007.06 Certificated-Employee Evaluation. **Quality Indicator:** The primary purpose of certificated-employee evaluation is to improve student learning. The procedures are clear, equitable, and systematic.

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

007.06A The public school district has a written school board policy for the evaluation of certificated-employees. The policy is approved by the Commissioner or designee as required by subdivision (5)(h) of Neb. Rev. Stat. § 79-318. Sections 007.06A through 007.06B of this Chapter are based on statute and cannot be waived under the provisions of Section 013 of this Chapter.

007.06A1 The policy is implemented by written procedures that include:

007.06A1a Annual written communication of the evaluation process to those being evaluated;

007.06A1b A description of the duration and frequency of observations and written evaluations for probationary and permanent certificated-employees;

007.06A1c Specific district-defined evaluation criteria, which include, at a minimum:

007.06A1c(1) Instructional performance (applicable to teachers only),

007.06A1c(2) Classroom organization and management (applicable to teachers only), and

007.06A1c(3) Personal and professional conduct.

007.06A1d Provision for written communication and documentation to the evaluated certificated-employee specifying

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all noted deficiencies, specific means for the correction of the noted deficiency, and an adequate timeline for implementing the concrete suggestions for improvement;

007.06A1e Provision for the certificated-employee to offer a written response to the evaluation; and

007.06A1f A description of the district plan for training evaluators.

007.06A2 In the event a public school district changes its policies or procedures for certificated-employee evaluation, it must submit the revised policies and procedures to the Commissioner or designee for approval. If the Commissioner or designee finds the policies and procedures in compliance with the requirements of Sections 007.06A through 007.06A1f of this Chapter, it notifies the district in writing that such policies and procedures are approved. Such approval must remain in effect until there is a change in the policies or procedures by the district, or the amendment of state law or regulations relating to such approval. In the event the Commissioner or designee does not find the revised policies and procedures of the district in compliance with the provisions of this Chapter, the Commissioner or designee will notify the district in writing and the district may resubmit amended policies and procedures.

007.06B All evaluators, with the exception of the school board when it evaluates the superintendent, possess a valid Nebraska Administrative Certificate and are trained to use the evaluation system used in the public school district.

007.07 Staff Development. **Quality Indicator: Staff development supports instructional improvement, the local school improvement plan, and accomplishment of school and/or school system goals.**

007.07A The school system annually conducts or arranges staff development sessions. Each teacher participates in at least ten hours of staff development activities each year.

008 Administrative Staff.

008.01 **Quality Indicator: Building administrators provide leadership to curriculum, instruction, assessment, and school improvement. They guide staff and students in achieving goals and fulfill other functions supportive of quality learning.**

AQuESTT Tenet: Students are surrounded by effective and qualified educators throughout every learning experience, and every school and public school district develops effective teachers and leaders to establish a culture of success.

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008.02 Elementary Administration.

008.02A Each elementary school has a principal assigned who holds a Nebraska Administrative and Supervisory Certificate with an endorsement appropriate for serving as an elementary principal or for superintendent. When the number of full-time equivalency teachers supervised by a principal in one or more school systems reaches 10, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time when the number of full-time equivalency teachers reaches 20 or more.

008.02B An elementary principal who is the head administrator of a school system meets with the governing body at least four times each year to provide leadership in the development of school goals, policies, budgets, instructional programs, staff evaluation, and other administrative and instructional matters.

008.03 Middle Grades Administration.

008.03A Each middle grades school has a principal who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for middle grades principal, elementary principal, secondary principal or for superintendent.

008.03A1 Middle grades schools having only grades four through six have a principal holding an endorsement for elementary principal, middle grades principal, or superintendent.

008.03A2 Middle grades schools having only grades seven through nine have a principal holding an endorsement for middle grades principal, secondary principal, or superintendent.

008.03B When the number of full-time equivalency teachers supervised by the principal reaches 10, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time when the number of full-time equivalency teachers reaches 20 or more.

008.04 Secondary School Administration.

008.04A Each secondary school has a principal assigned who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for serving as a secondary principal or for superintendent. When the number of full-time equivalency teachers reaches 10 or more, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time for administration and supervision when the number of full-time equivalency teachers reaches 20 or more.

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008.05 School System Administration. Quality Indicator: The school administration exercises leadership in the development and implementation of school goals and policies. Administrators demonstrate leadership in management and operation of the school system and in the improvement of curriculum and instruction.

008.05A Each K-12 and each secondary school system having grades ten through twelve has a head administrator who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for serving as a superintendent. Nonpublic systems may share an area or diocesan head administrator.

008.05B Any person assigned to administrative and/or supervisory duties holds a Nebraska Administrative and Supervisory Certificate with an appropriate endorsement for the position held in accordance with Neb. Rev. Stat. § 79-801.

008.05C A copy of the certificate or permit of each staff member who is required to have a certificate is on file in the school or school system's administrative office. Upon initial employment or acquisition of a new certificate, the certificate or permit is registered by the head administrator of the school system in accordance with subsection (1) of Neb. Rev. Stat. § 79-804.

008.05D Two or more school systems may jointly contract with a person holding a Nebraska Administrative and Supervisory Certificate with the appropriate endorsement to fulfill administrative responsibilities.

009 Continuous School Improvement.

009.01 Quality Indicator: A systematic on-going process guides planning, implementation, and evaluation and renewal of continuous school improvement activities to meet local and statewide goals and priorities. The school improvement process focuses on improving student learning. The process includes a periodic review by visiting educators who provide consultation to the local school/community in continued accomplishment of plans and goals.

AQuESTT Tenet: All students experience success through a continuous improvement process that builds student, parent/guardian/family and community engagement in order to enhance educational experiences and opportunities for all students.

009.01A The school system develops and implements a continuous school improvement process to promote quality learning for all students. This process includes procedures and strategies to address quality learning, equity, and accountability. In public schools, the process incorporates multicultural education as described in Section 004.01F of this Chapter. In all school systems, the continuous school improvement process includes the following activities at least once within each five years.

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009.01A1 Review and update of the mission and vision statements.

009.01A2 Collection and analysis of data about student performance, demographics, learning climate, and former high school students.

009.01A3 Selection of improvement goals. At least one goal is directed toward improving student academic achievement.

009.01A4 Development and implementation of an improvement plan which includes procedures, strategies, actions to achieve goals, and an aligned professional development plan.

009.01A5 Evaluation of progress toward improvement goals.

009.01B The school improvement process includes a visitation by a team of external representatives to review progress and provide written recommendations. A copy of the school system's improvement plan and the written recommendations of the external representatives are provided to the Department. The external team visits are conducted at least once each five years.

009.01B1 The Commissioner may approve the use of a third party external review of a school system to fulfill the requirement for an on-site visitation if all the requirements of Section 009 of this Chapter are met.

009.01B2 The Progress Plan developed by a public school designated as a priority school as outlined in Subsection 010.02D of this Chapter must be included within the continuous improvement requirements of Section 009 of this Chapter for the public school district in which the priority school is located.

010 Accountability Reporting for School Systems and Accountability System for Public Schools and Public School Districts

010.01 Quality Indicator: The school system demonstrates accountability to the residents of the school community. School staff periodically assess and report student progress toward accomplishment of academic content standards. Results are used to plan and make needed changes to improve instruction for all students.

010.01A The school system annually prepares a written report which includes at least student academic performance as required in Section 005.02 of this Chapter, school system demographics, school improvement goals and progress and, in the case of public schools, financial information. School systems report the information in accordance with the policy in Section 010.01B of this Chapter.

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010.01B The school system has a written policy for annually preparing and distributing the performance report(s) required in Section 010.01A of this Chapter to the residents of the public school district or, in the case of nonpublic schools, to the appropriate body. The policy assures that individual test scores are kept confidential. If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance are provided for those grades.

010.02 Accountability System for Public Schools and Public School Districts

010.02A Accountability System to Measure Public School and Public School District Performance. The Board must establish an accountability system to be used to measure the performance of individual public schools and public school districts as set forth in Neb. Rev. Stat. § 79-760.06.

010.02A1 The accountability system must combine multiple indicators, including graduation rates, student growth and student improvement on the assessment instruments provided in Neb. Rev. Stat. § 79-760.03, and status and participation in statewide assessment. Other indicators of the performance of public schools and public school districts must be specified by the Commissioner and approved by the Board in future revisions of this Chapter.

010.02A2 The indicators must be combined into a school performance score and public school district performance score. The Board must establish performance level classifications based upon school performance scores and public school district performance scores in order to classify the performance of public schools and public school districts beginning with the reporting of data from school year 2014-15.

010.02B Designation of Priority Schools. The Board must, at its discretion, designate no more than three (3) public schools as priority schools based on recommendations from the Commissioner or his or her designee.

010.02B1 Schools designated as priority schools must be in the lowest performance level classification at the time of the initial designation as a priority school.

010.02B2 Schools designated as priority schools must remain priority schools until such designation is removed by the Board as provided in Subsection 010.02D4 of this Chapter.

010.02B3 In making recommendations to the Board for the designation of priority schools, the Commissioner or his or her designee must take into

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consideration public school and public school district performance in meeting the requirements specified in this Chapter, based on the following:

010.02B3a Data required to be reported to the Department for all public schools and public school districts pursuant to Subsections 005.02 through 005.02C, 009.01A and 009.01B of this Chapter; and,

010.02B3b Public school or public school district improvement plans or accreditation site visit reports available to the Department pursuant to Subsections 009.01A and 009.01B of this Chapter.

010.02C Intervention Team.

010.02C1 The Commissioner must appoint an Intervention Team for each priority school as set forth in Neb. Rev. Stat. § 79-760.07.

010.02C2 The Intervention Team must assist the superintendent and staff of the public school district containing the priority school with the following:

010.02C2a Diagnosing issues that negatively affect student achievement in the priority school;

010.02C2b Designing strategies to address issues that negatively affect student achievement in the priority school through a Progress Plan; and

010.02C2c Developing measurable indicators of progress in addressing issues that negatively affect student achievement in the priority school.

010.02D Development and Implementation of the Progress Plan.

010.02D1 The Intervention Team, in collaboration with the priority school staff and the administration and the school board of the public school district containing the priority school, must develop a Progress Plan for approval by the Board. The Progress Plan must include the following:

010.02D1a The issues diagnosed as negatively affecting student achievement in the priority school;

010.02D1b Strategies designed to address issues that negatively affect student achievement in the priority school;

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010.02D1c Specific actions to be taken by the priority school and the public school district containing the priority school to address issues that negatively affect student achievement in the priority school that are required in order to remove the school's classification as a priority school;

010.02D1d The measurable indicators of progress in addressing issues that negatively affect student achievement in the priority school developed pursuant to Subsection 010.02C2a of this Chapter; and

010.02D1e The level of progress, as indicated by the measurable indicators developed pursuant to Subsection 010.02C2c of this Chapter, that is required in order to remove the school's designation as a priority school.

010.02D2 Upon approval of the Progress Plan by the Board, the Intervention Team must assist the superintendent and staff of the public school district containing the priority school in implementing strategies to address issues that negatively affect student achievement in the priority school through the Progress Plan developed pursuant to this section.

010.02D3 Approval of the Progress Plan. A Progress Plan for each newly designated priority school must be approved by the Board at its discretion based on the recommendation of the Commissioner or his or her designee. In making his or her recommendation, the Commissioner or his or her designee must consider whether the Progress Plan is reasonably designed to address issues that negatively affect student performance in the priority school.

010.02D4 Annual Review of Progress Plans. The Commissioner must annually review and make a recommendation to the Board on each priority school's Progress Plan. The Board must determine, based on the recommendation of the Commissioner or his or her designee, whether any modifications to the plan are needed. Such modifications must be incorporated into the plan immediately upon such a determination. The school's priority designation must be removed when the Board determines, based on the recommendation of the Commissioner or his or her designee, that the school has substantially met all of the requirements in its Progress Plan.

010.02E Schools Designated as Priority Schools for Five Consecutive School Years. If a school has been designated as a priority school for the fifth consecutive school year, the Board must reevaluate the Progress Plan to

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determine, based on the recommendation of the Commissioner or his or her designee, if:

010.02E1 A significant revision to the school's Progress Plan is necessary, in which case the process in Subsection 010.02D1 of this chapter must be used to significantly revise the Progress Plan subject to approval by the Board as provided in Subsection 010.02D3 of this Chapter; or

010.02E2 An entirely new Progress Plan needs to be developed, in which case the process in Subsection 010.02D1 of this Chapter must be used to develop a new Progress Plan subject to approval by the Board as provided in Subsection 010.02D3 of this Chapter; or

010.02E3 An alternative administrative structure is warranted, in which case the process in Subsection 010.02D1 of this Chapter must be used to develop a new Progress Plan subject to approval by the Board as provided in Subsection 010.02D3 of this Chapter that includes, but is not limited to, an alternative administrative structure.

010.02F Reports. Beginning in school year 2016-2017 and annually thereafter in September, each public school district containing a priority school must annually report to the Board on the level of progress made on the measurable indicators of progress.

011 School Environment.

011.01 Quality Indicator: The school facilities and the general environment are safe, orderly, and supportive of quality learning for all students. A positive atmosphere for learning supports and reflects the work of students.

AQuESTT Tenet: All students experience success through a continuous improvement process that builds student, parent/guardian/family and community engagement in order to enhance educational experiences and opportunities for all students.

011.01A Each school system maintains safe, healthful, and sanitary conditions within the school building(s) and on the school grounds and meets fire, safety, and health codes.

011.01B Each school system has a safety and security plan for the schools in the system. The plan addresses the safety and security of students, staff, and visitors. The plan is approved by the governing body.

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011.01C Each school system has a school safety and security committee which includes representatives of faculty, parents, and the community. The committee meets at least annually to prepare and/or review safety and security plans and procedures, including emergency plans and procedures.

011.01D The school system's safety and security plan(s) are reviewed annually by one or more persons not on the school system safety committee and not an employee of the school system. This review will include a visit to school buildings to analyze plans, policies, procedures, and practices and provide recommendations. Any recommendations made as a result of the analysis are forwarded to the head administrator and to the school safety and security committee to be considered in making revisions to the plan.

011.01E Each school system has a seclusion and restraints policy approved by the governing body.

011.01F Each school system must develop and adopt a policy concerning bullying prevention and education for all students. The school system must review the policy annually.

011.01G Pursuant to subsection (2) of Neb. Rev. Stat. § 79-2,141, each public school district must develop and adopt a specific policy to address incidents of dating violence involving students at school. This policy must include a statement that dating violence will not be tolerated.

012 School System Governance.

012.01 Quality Indicator: The governing body governs through orderly procedures which focus efforts of the school upon quality learning, result in equitable opportunities for learning for all students, and insure accountability to the local community.

012.01A The governing body has a written set of policies for the school system. These policies are accessible in each school building.

012.01B The school system has a written policy which assures that each school will meet the statutory requirement of at least 400 hours for kindergarten, at least 1,032 hours for students up through grade eight, and at least 1,080 hours for students in grades nine through twelve. The policy(ies) or regulations stipulate the conditions for which individual students may be excused from the regular school day.

012.01C The ratio of pupils to certificated staff members, computed on a full-time equivalency basis, in each school does not exceed 25 to 1.

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012.01D For public school districts, the school board has, at the beginning of each calendar year, appointed three members to a committee on American civics, and the committee has carried out its duties as specified in Neb. Rev. Stat. § 79-724.

013 Waivers and Plans.

013.01 School systems, in order to better meet local goals, may submit a request for a waiver of one or more regulations found in Sections 004 through 012.01C of this Chapter. Section 003 of this Chapter and sections identified in Section 003.04 of this Chapter are based on statute and may not be waived. The waiver request must include at least the following:

013.01A A copy of the local improvement plan developed in accordance with Section 009.01A of this Chapter. The plan must contain local improvement objectives and must address quality learning, equity, and accountability.

013.01B A description of the program or process to be substituted for the regulation to be waived.

013.01C An explanation indicating how the local program or process will provide equivalent or improved opportunities for students and will accomplish the quality indicator.

013.01D If appropriate, how resources would be reallocated or used differently to provide programs or services.

013.01E Length of time for the requested waiver, not to exceed three years.

013.01F Procedures for providing an annual progress report to the Board.

013.02 The Commissioner will submit the waiver request to the Board with his or her recommendations. The Board may approve the requested waiver if the components of the plan substituted for the waived provisions will promote quality learning, equity, and/or accountability. The Board must reject the waiver if, in its opinion, the plan and requested waivers would not provide improvement in quality learning, equity, and/or accountability.

013.03 At the end of the waived time period, school systems may request and be granted Board approval of the same waiver for a period of up to three additional years if it can be demonstrated that the system is meeting the objectives for which the waiver was granted.

013.04 The Board recognizes the need for public special purpose school systems, such as schools operated expressly for students with disabilities or schools operating within the confines of correctional facilities. If such a school system can demonstrate that a

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requirement of this Chapter is not educationally necessary or appropriate for the students in attendance, or is in conflict with state or federal laws or regulations governing facilities operation, the Board may waive such requirement.

013.05 Public school districts which exist in unique circumstances due to population sparsity, geographic barriers, or other similar factors may submit a request to the Board for a modification of this Chapter to better meet the need of the students. Schools seeking such modification must submit: (1) an explanation of the unique circumstances leading to this request, (2) proposed modifications to better meet the needs of the students in the school, (3) an explanation of how the modifications will provide quality learning, equity, and accountability, (4) a copy of the local improvement plan developed in accordance with Section 009.01A of this Chapter, and (5) procedures for annually reporting to the Commissioner. Upon approval by the Board, the modifications must remain in effect unless changed by a revision of this Rule or change in status of the public school district.

014 Loss of Accreditation.

014.01 Quality Indicator: Schools comply fully and continuously with all accreditation requirements in order to provide for all students the learning opportunities described herein. Schools experiencing unfulfilled requirements make concerted efforts to achieve compliance or to provide alternative programs generating equivalent or improved programs and services. Schools not fulfilling accreditation requirements deprive students of opportunities for learning and may be subject to probation or loss of accreditation.

014.02 Section 003 of this Chapter lists requirements that must be met at all times by school systems as a condition of accreditation. Failure to meet those provisions may result in the Board terminating the legal operation of the school system during the school year. Noncompliance with other regulations in this Chapter will result in the assessment of violations which, if not corrected, will result in a recommendation to the Board for probation or loss of accreditation.

014.03 Violations. In determining the future accreditation status of a school system, each failure to meet a numbered regulation other than those contained in Section 003 of this Chapter constitutes a separate violation.

014.04 Reporting Violations. A school system must report any existing violations to the Department on its annual Statement of Assurance.

014.05 Correction of Violations. A school system will have until February 1 to correct violations or to prepare a written plan for correction of a violation that existed at the time of submission of the Statement of Assurance. Written evidence of the correction of the violations or a written plan developed in accordance with Section 014.05A of this Chapter must be submitted to the Department.

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014.05A School systems having an uncorrected violation may submit a written plan to the Department by February 1 for correcting the violation before the following school year. Such plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year. Written evidence of the correction must be submitted to the Department by the following September 1.

014.06 Effect of Violations on Public School Systems. All public school systems are required by state statute to be accredited. If, after consultation with school officials, the Commissioner determines that public school systems have any uncorrected violations, he or she must make the applicable following recommendations to the Board:

014.06A A PUBLIC SCHOOL SYSTEM having an uncorrected violation of a requirement with no written plan under Section 014.05A of this Chapter must be recommended for ACCREDITATION ON PROBATION for the following school year.

014.06B A PUBLIC SCHOOL SYSTEM having a written plan under Section 014.05A of this Chapter and having the same uncorrected violation after September 1 must be recommended for ACCREDITATION ON PROBATION for the current school year.

014.06C A PUBLIC SCHOOL SYSTEM ON PROBATION continuing to have the same uncorrected violation after February 1 must be recommended for NONACCREDITATION for the following school year and must be subject to loss of authority to operate and reassignment of territory to other public school districts.

014.07 Effect of Violations on Nonpublic School Systems. Nonpublic schools may operate either as accredited or approved school systems. If, after consultation with school officials, the Commissioner determines that nonpublic school systems have any uncorrected violations, he or she must make the applicable following recommendations to the Board:

014.07A An ACCREDITED NONPUBLIC SCHOOL SYSTEM having a plan under Section 014.05A of this Chapter and having the same uncorrected violation after September 1 of a requirement must be recommended for ACCREDITATION ON PROBATION for the current school year.

014.07B An ACCREDITED NONPUBLIC SCHOOL SYSTEM having an uncorrected violation of a requirement and having no written plan under Section 014.05A of this Chapter must be recommended for ACCREDITATION ON PROBATION for the following school year.

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014.07C An ACCREDITED NONPUBLIC SCHOOL SYSTEM ON PROBATION having an uncorrected violation after February 1 of a requirement must be recommended for APPROVAL for the following school year.

014.08 Provisions for Notice and Hearing.

014.08A When the Commissioner makes a recommendation to the Board for a school system to be placed on probation or for denial or revocation of accreditation or approval, notice of the recommendation and of the right to request a hearing must be given to the school system by certified mail sent at least 30 calendar days prior to the date of the Board meeting at which the recommendation is to be considered. Copies will be sent to the superintendent, head administrator, or head teacher of the school system, and to the presiding officer of the governing body, if known. This notice must specify the basis for the recommendation.

014.08B If the school system notifies the Commissioner at least seven (7) days prior to the date the recommendation is to be considered by the Board that it requests a hearing, the Board must schedule a hearing date.

014.08C All hearings arising under this Chapter must be conducted in accordance with the hearing procedures of 92 NAC 61, including provisions of that Chapter relating to evidence. Any action taken or recommended by the Commissioner adverse to the school system may be the subject of a petition by such school system under 92 NAC 61, in which case all the provisions of 92 NAC 61 apply to such appeal.

014.09 Action by the Board. Upon review of the Commissioner's recommendation, and following any hearing, the Board must make a determination of the future accreditation status of the system and must inform the system in writing of its determination.

015 Procedures for Nonpublic Schools Applying for Initial Accreditation or Adding Grades to Previously Accredited Schools.

015.01 The Department recognizes the contribution made by the nonpublic schools to the state system of education by extending alternatives and opportunities to the citizens of the state. Nonpublic schools seeking accreditation must notify the Department of their intent to seek accreditation by letter or email no later than July 1 prior to the school year of the application process.

015.02 By November 1, each applicant nonpublic school must submit to the Department a report documenting compliance with this Chapter.

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015.03 By March 1, each applicant nonpublic school must be visited by a representative of the Department or a designee to verify the school's compliance with the provisions of this Chapter. Reports of such visitations must be reviewed by the State Accreditation Committee, which must make recommendations to the Commissioner relative to accreditation for the following school year.

015.04 Upon favorable review by the State Accreditation Committee, the Commissioner will make a recommendation to the Board that the applicant nonpublic school be granted accreditation.

015.05 Upon favorable action by the Board, accreditation is granted for one school year from each July 1 through the following June 30. Renewal is granted based upon the school's compliance with this Chapter during the prior school year.

015.06 When an approved nonpublic school is added to an accredited school system, the approved school must follow the procedures for applying for initial accreditation as provided in this Chapter.

015.07 Accredited nonpublic schools intending to add new grades must inform the Department of such intent, by letter or email, no later than May 1 prior to the year in which the new grades will operate. If it is determined through visitation or reporting that the intended new grades can comply with the provisions of this Chapter, the Commissioner will submit a recommendation to the Board that the school be granted conditional accreditation to add new grades. Schools having conditional accreditation to add new grades must follow procedures established in Sections 015.02 through 015.05 of this Chapter for obtaining accreditation.