

DATE: August 16, 2024

RE: **Executive Summary** of Proposed Revisions of Title 92, Nebraska Administrative Code, Chapter 21 (Rule 21) *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools*

The Nebraska Department of Education has drafted of a public input copy of Title 92, Nebraska Administrative Code, Chapter 21, *Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools* (Rule 21). The State Board of Education, Rules and Regulations Committee, has had ongoing conversations regarding policy issues and solutions since September of 2023. Nebraska Department of Education staff have received input from certification applicants, educator preparation program professionals, teachers, administrators, and other interested parties to identify policy issues and explore solutions since July of 2023. The Department has utilized the Nebraska Council on Teacher Education (NCTE) as an advisory group to aid in the identification of policy issues, propose solutions, and provide feedback to potential revisions. NCTE is an advisory group that includes equal representation of teachers, educator preparation programs, and governance groups for a total of 48 members (16 members per group). NCTE has met three times since October of 2023 and has provided substantial feedback to the revision process. Additionally, Department staff engaged the MOEC Human Resources Task Force in 2024 in the process of identifying policy issues, discussing potential solutions, and providing feedback regarding potential revisions.

1. **A SHORT DESCRIPTION OF THE MAJOR AND SUBSTANTIVE PROVISIONS OF THE RULE.**

Rule 21 provides procedures for the issuance of Teaching, Administrative, and Special Services certificates and permits for the use in accredited or approved Nebraska school systems.

2. **A DESCRIPTION OF THE NEED FOR THE PROPOSED CHAPTER OR AMENDMENT, AND A DESCRIPTION OF THE EFFECTS IT WILL HAVE IF PROMULGATED.**

Chapter 21 is adopted pursuant to Neb. Rev. Stat. §79-808. The proposed revisions to this rule incorporate changes enacted by the Nebraska Legislature in 2023 and 2024, addresses five policy issues, and includes general maintenance (restructuring, reduce redundancies, and minor edits). Through engagement with stakeholders five policy issues were identified:

- (1) Schools have been faced with the expiration of teachers, administrators, and special service providers certification soon after the school year starts (certification expiration date is typically August 31), which limits the school system time to appropriately engage educators at the beginning of a school year help ensure compliance state law requiring educators to be properly certificated. Adjusting expiration dates to September 30 will provide schools systems time to work with educators regarding renewal requirements.
- (2) Transcripts are an added cost to certification applicants and can cause delays in the application process. Additionally, Nebraska approved educator preparation programs employ a certification officer who submits verification to the Department that applicants have completed an educator preparation program and met educational requirements for a certificate. Removing the requirement for completers of Nebraska approved educator

preparation programs to send transcripts to the Department saves an applicant the cost of requesting the transcript and reduces delays caused by the time and cost incurred by the Department to receive and process transcripts. Provisions of the Interstate Teacher Mobility Compact (Neb. Rev. Stat. §79-1505) eliminates the need for some out-of-state applicants from having to submit transcripts.

- (3) Nebraska is facing an educator shortage and there is a need for more substitute teachers. Reducing the credit hour requirement for local substitute teachers from 60 credit hours to 48 credit hours aligns the credit hour requirement with Neb. Rev. Stat. §79-8,145 for a temporary certificate. Additionally, a new Paraprofessional Substitute Teaching Permit is being proposed to allow for a paraprofessional to be utilized as a substitute teacher in a limited capacity, if requested by a school system. These changes will increase the number of local substitute teachers in Nebraska and aid in addressing the educator shortage.
- (4) The number of alternative certification options and various requirements are complex and difficult for applicants to understand and for school system administrators to know who may qualify for certification. The proposed revisions include eliminating the seven (7) different pathways to qualify for an alternative program teaching permit and creating one simple and clear set of requirements for this permit. This will eliminate confusion regarding who qualifies for the permit and will decrease the time needed to process alternative program teaching permit applications. This may also reduce the reliance on long-term local substitute teachers, as some individuals may qualify for an alternative program teaching permit. The alternative program teaching permit requires the applicant to establish a plan to complete an educator preparation program or training to obtain a regular Nebraska teaching certificate. This would result in increasing the quality of educators. Additionally, the Nebraska Entry Teaching Permit would be eliminated as there would be no use of the permit type because of the expanded certification options available due to the revisions.
- (5) Renewing expired certificates can be time consuming and costly, which can be discouraging to educators and lead to an increase in the educator shortage. Proposed changes would allow an individual who has an expired teaching certificate the ability to obtain an alternative program teaching permit and receive professional development equivalent to the renewal credit hour requirements and renew their teaching certificate based on the professional development. The changes would also allow an individual who holds an administrative certificate, that is not currently working as an administrator, the ability to renew their certificate through professional development equivalent to the current credit hour requirements. These changes would save educators the expense of taking credit hours at a postsecondary institution and instead receive professional development toward the renewal.

3. **A DESCRIPTION OF THE CLASSES OF PERSONS WHO MAY BE AFFECTED BY THE PROPOSED CHAPTER, AND HOW THEY MAY BE AFFECTED.**

The Rule revisions would affect current educators, future educators, and students. Educators would have additional time to renew their certificates after the start of a school year, reduce or eliminate costs related to transcript requests, increase the number of substitute teachers, reduce the complexity of the educator certification process, reduce application processing times, and reduce and/or eliminate tuition costs related to renewing certifications. Administrators will be provided additional time to work with educators to ensure certificates

are renewed, simplify the certification system which would provide clarity in educator recruitment processes, and increase the number of individuals eligible for educator certification (expanding the workforce). The expanded workforce would result in additional qualified individuals to work with students in Nebraska and help reduce workforce shortage issues resulting in more teachers available to students.