

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1124**

Introduced by Council, 11; Ashford, 20; Harr, 8; Mello, 5;  
Nordquist, 7.

Read first time January 19, 2012

Committee: Education

A BILL

1 FOR AN ACT relating to schools; to amend section 79-1201, Reissue  
2 Revised Statutes of Nebraska, section 79-1248, Revised  
3 Statutes Cumulative Supplement, 2010, and section 79-757,  
4 Revised Statutes Supplement, 2011; to provide for  
5 designation of priority schools; to provide duties for  
6 the State Department of Education, the Commissioner of  
7 Education, the Educational Service Unit Coordinating  
8 Council, and educational service units; to provide for a  
9 kindergarten readiness advisory group and assessment  
10 standard; to provide for priority school intervention  
11 teams; to harmonize provisions; and to repeal the  
12 original sections.

13 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 79-757, Revised Statutes Supplement,  
2   2011, is amended to read:

3           79-757 Sections 79-757 to 79-762 and sections 2 to 5 of  
4 this act shall be known and may be cited as the Quality Education  
5 Accountability Act.

6           Sec. 2. The State Board of Education shall establish an  
7 accountability system to be used to measure the performance of  
8 individual public schools and school districts beginning with school  
9 year 2012-13. The accountability system shall combine multiple  
10 measures, including, but not limited to, graduation rates, student  
11 growth and student improvement on the assessments provided in section  
12 79-760.03, student attendance rates, kindergarten readiness rates,  
13 parental involvement, suspensions and expulsions, college and career  
14 readiness, postsecondary enrollment rates, postsecondary retention  
15 rates per high school, and other indicators of the performance of  
16 public schools and school districts as established by the board. The  
17 measures selected by the state board for the accountability system  
18 may be combined into a school performance score and district  
19 performance score. The performance score shall take into  
20 consideration the growth of students who score in the top quartile  
21 and bottom quartile on the assessments to ensure that the  
22 accountability system identifies schools and school districts which  
23 are not sufficiently meeting the needs of both high-performing and  
24 low-performing students.

25           The board shall establish levels of growth for the

1 indicators used in the accountability system in order to classify the  
2 performance of public schools and school districts. Any school that  
3 does not meet the minimum level of growth established by the board  
4 shall be designated as a priority school. The department shall  
5 annually report the performance of individual public schools and  
6 school districts, including, but not limited to, the growth of  
7 students who score in the top quartile and bottom quartile on the  
8 assessments, as part of the statewide assessment and reporting  
9 system.

10           Sec. 3. On or before December 1, 2012, the Commissioner  
11 of Education shall report to the Legislature and the Governor on the  
12 indicators and measures of performance selected by the State Board of  
13 Education to create school performance scores, district performance  
14 scores, and priority school designations pursuant to section 2 of  
15 this act.

16           On or before August 1, 2013, and annually thereafter, the  
17 commissioner shall report to the Governor, the Legislature, and the  
18 Educational Service Unit Coordinating Council on all schools  
19 designated as priority schools. The report shall include the name of  
20 the school, the grades included in the priority school designation,  
21 the name of the school district, the years for which the school was  
22 designated a priority school, a summary of the progress plan, and the  
23 measurement of progress.

24           Sec. 4. (1) The school board of a school district  
25 containing a priority school shall permit the priority school

1 intervention teams established under section 7 of this act and any  
2 person performing duties on behalf of the intervention teams full  
3 access to the priority school, school personnel of the priority  
4 school, the school district, school district personnel, academic  
5 information, financial information, and any other requested  
6 information. The intervention teams, in collaboration with the  
7 priority school and the district, shall develop a progress plan for  
8 approval by the State Board of Education. The progress plan shall  
9 include specific actions required by the school and the district in  
10 order to remove its classification as a priority school. Compliance  
11 with progress plans shall be a requirement to maintain accreditation  
12 for any school district that has at least one priority school.

13           (2) A progress plan is required for a school for each  
14 year that it is classified as a priority school. The State Board of  
15 Education shall annually review any progress plans and work with the  
16 Educational Service Unit Coordinating Council and the intervention  
17 teams to determine whether any modifications are needed. If a school  
18 has been designated as a priority school for the third consecutive  
19 year, the state board shall determine whether further steps shall be  
20 taken. If a school has been designated as a priority school for the  
21 fifth consecutive year, the state board shall determine whether  
22 further steps should be taken or whether the school district shall  
23 lose its accreditation and be subject to dissolution by the State  
24 Committee for the Reorganization of School Districts pursuant to  
25 section 79-498.

1           Sec. 5. The State Department of Education shall establish  
2 a kindergarten readiness advisory group to develop a kindergarten  
3 readiness assessment standard by December 1, 2012, which may be  
4 utilized as a baseline to measure student growth and to assess  
5 performance of early childhood education systems which utilize public  
6 funding.

7           Sec. 6. Section 79-1201, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9           79-1201 Sections 79-1201 to 79-1249 and section 7 of this  
10 act shall be known and may be cited as the Educational Service Units  
11 Act.

12           Sec. 7. (1) The Educational Service Unit Coordinating  
13 Council shall establish and assign priority school intervention teams  
14 in each educational service unit containing a priority school  
15 designated pursuant to section 2 of this act. The intervention teams  
16 shall be established on or before the August 1 immediately following  
17 the report of priority school designations pursuant to section 3 of  
18 this act.

19           (2) Each educational service unit containing a priority  
20 school shall work in collaboration with the council and the State  
21 Department of Education to create intervention teams focused on the  
22 following areas:

23           (a) The student intervention team which shall provide  
24 care management for students having the greatest behavioral and  
25 social needs who often disrupt and derail classroom instruction and

1 require the intervention of outside providers. The student  
2 intervention team shall review high-risk students' needs and develop  
3 and monitor interagency intervention plans for interventions  
4 including, but not limited to, in-school counseling, school-based  
5 health centers as defined in 68-907, enrollment in public assistance  
6 programs, and referral to outside services;

7 (b) The instructional support team which shall provide  
8 support to students with academic needs that can be met through  
9 school and classroom-based resources and strategies. The  
10 instructional support team shall identify unmet needs of both high-  
11 performing and low-performing students, coordinate care and  
12 intervention strategies with staff members, and provide professional  
13 development for teachers; and

14 (c) The core team which shall focus on overall school  
15 safety and culture, disciplinary codes and behavioral norms,  
16 classroom practices, and parent and community engagement.

17 Sec. 8. Section 79-1248, Revised Statutes Cumulative  
18 Supplement, 2010, is amended to read:

19 79-1248 The powers and duties of the Educational Service  
20 Unit Coordinating Council include, but are not limited to:

21 (1) Providing public access to lists of qualified  
22 distance education courses;

23 (2) Collecting and providing school schedules for  
24 participating educational entities;

25 (3) Facilitation of scheduling for qualified distance

1 education courses;

2 (4) Brokering of qualified distance education courses to  
3 be purchased by educational entities;

4 (5) Assessment of distance education needs and evaluation  
5 of distance education services;

6 (6) Compliance with technical standards as set forth by  
7 the Nebraska Information Technology Commission and academic standards  
8 as set forth by the State Department of Education related to distance  
9 education;

10 (7) Establishment of a system for scheduling courses  
11 brokered by the council and for choosing receiving educational  
12 entities when the demand for a course exceeds the capacity as  
13 determined by either the technology available or the course provider;

14 (8) Administration of learning management systems, either  
15 through the staff of the council or by delegation to an appropriate  
16 educational entity, with the funding for such systems provided by  
17 participating educational entities; ~~and~~

18 (9) Coordination with educational service units and  
19 postsecondary educational institutions to provide assistance for  
20 instructional design for both two-way interactive video distance  
21 education courses and the offering of graduate credit courses in  
22 distance education; and -

23 (10) Establish priority school intervention teams as  
24 provided in section 7 of this act.

25 Sec. 9. Original section 79-1201, Reissue Revised

1 Statutes of Nebraska, section 79-1248, Revised Statutes Cumulative  
2 Supplement, 2010, and section 79-757, Revised Statutes Supplement,  
3 2011, are repealed.