

AMENDMENTS TO LB 407

(Amendments to Standing Committee amendments, AM1018)

Introduced by Bolz

1 1. Insert the following new sections:

2 Sec. 2. Section 79-804, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 79-804 (1) Each teacher or administrator shall register
5 his or her certificate with the public, private, denominational,
6 or parochial school in which the teacher or administrator is
7 employed. The superintendent or administrator of the school shall
8 endorse upon the certificate that it has been registered and the
9 date of registration. Such registration shall be without fee. No
10 employment of a teacher or administrator shall be valid until the
11 certificate is so registered. On or before September 15 of each
12 year, the public, private, denominational, and parochial schools
13 shall file with the State Department of Education a fall personnel
14 report which shall specify the names of all individuals employed
15 by the school who are required by law to hold a certificate,
16 the information required by subsection (2) of this section, for
17 public schools, and such other information as the Commissioner of
18 Education directs. The superintendent or administrator of ~~the~~ each
19 public, private, denominational, or parochial school shall transmit
20 within ten days to the State Department of Education the name of
21 the teacher or administrator to be employed, together with the
22 position to which employed, if the teacher or administrator is

1 employed after the submission of the fall personnel report. The
2 Commissioner of Education shall certify to the school the name of
3 any teacher or administrator who has not been issued a certificate
4 or given evidence of application to the State Department of
5 Education and qualification for a certificate or permit. The
6 teacher or administrator shall not be reimbursed for any services
7 to the school after the date of receipt of notification by the
8 school.

9 (2) For public schools, the fall personnel report shall
10 also include:

11 (a) For each teacher employed by the school district, the
12 name, salary not including extra-duty salary, years of experience
13 in the school district, benefits, highest postsecondary education
14 degree level attained, and hours of postsecondary education earned
15 past that degree level; and

16 (b) For each instructional paraprofessional employed by
17 the school district, the name, total years of experience as an
18 instructional paraprofessional, years of experience in the district
19 as an instructional paraprofessional, and highest postsecondary
20 degree level attained.

21 ~~(2)~~ (3) The Commissioner of Education shall notify the
22 county treasurer to withhold all school money belonging to any
23 district employing an uncertificated teacher or administrator until
24 the teacher or administrator has obtained a certificate or has been
25 dismissed by the board employing such teacher or administrator. The
26 county treasurer shall withhold such money.

27 Sec. 5. Section 79-1007.04, Revised Statutes Cumulative

1 Supplement, 2012, is amended to read:

2 79-1007.04 (1) For school fiscal years 2008-09 through
3 2012-13, the department shall determine the elementary class size
4 allowance for each school district from information submitted by a
5 school district on a form prescribed by the department on or before
6 October 15 of the school fiscal year preceding the school fiscal
7 year for which aid is being calculated.

8 (2) For school fiscal year 2008-09, the allowance shall
9 equal the statewide average general fund operating expenditures per
10 formula student multiplied by 0.20 then multiplied by the number of
11 students in the school district in kindergarten through grade eight
12 who qualify for free or reduced-price lunches and who spend at
13 least fifty percent of the school day in a classroom with a minimum
14 of ten students and a maximum of twenty students as reported on
15 the fall membership report from the school fiscal year immediately
16 preceding the school fiscal year in which the aid is to be paid.

17 (3) For school fiscal years 2009-10 through 2012-13, the
18 allowance shall equal the statewide average general fund operating
19 expenditures per formula student multiplied by twenty percent of
20 the number of students in the school district in kindergarten
21 through grade three who spend at least fifty percent of the school
22 day in one or more classrooms with a minimum of ten students and
23 a maximum of twenty students as reported on the fall membership
24 report from the school fiscal year immediately preceding the
25 school fiscal year in which the aid is to be paid for state aid
26 certified pursuant to section 79-1022 and as reported on the annual
27 statistical summary report from the school fiscal year immediately

1 preceding the school fiscal year in which the aid was paid for the
2 final calculation of state aid pursuant to section 79-1065.

3 (4) On or before November 15, 2013, and on or before each
4 November 15 thereafter, the State Department of Education shall
5 make an elementary class size report for all school districts and
6 school buildings in the state. The report shall include:

7 (a) The average number of students in each classroom in
8 which the students spend at least fifty percent of the school day
9 for grades kindergarten through three, reported by grade level; and

10 (b) The years of experience in the district, total
11 years of experience, and the highest postsecondary degree attained
12 for each certificated teacher providing instruction and each
13 instructional paraprofessional providing instructional assistance
14 to students in kindergarten through grade three.

15 2. Amend the repealer and renumber the remaining sections
16 accordingly.