

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB438

Hearing Date: Monday February 25, 2013
Committee On: Education
Introducer: Adams
One Liner: Provide for priority schools, operating councils, and community schools

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Avery, Cook, Davis, Kolowski, Scheer, Seiler, Sullivan
Nay:
Absent: 1 Senator Haar
Present Not Voting:

Proponents:
Senator Greg Adams
Brian Halstead
Jay Sears

Representing:
Introducer
Nebraska Department of Education
Nebraska State Education Association

Opponents:

Representing:

Neutral:
John Bonaiuto

Representing:
Nebraska Association of School Boards and Nebraska
Council of School Administrators

Summary of purpose and/or changes:

Legislative Bill 438 would require the State Board of Education (State Board) to categorize public school and school district performance, beginning with data from the 2013-14 school year. The State Board would be required to designate up to five schools from the lowest performance category as priority schools. An intervention team and an operating council would be established for each priority school. The intervention team and operating council would assist school and district officials in developing a progress plan to improve student performance at the priority school. District compliance with the progress plan would be required to maintain accreditation. The Commissioner of Education would be required to report annually to the Governor, the Clerk of the Legislature, and the chair of the Legislature's Education Committee on all schools designated as priority schools.

The bill would also provide for the establishment of community schools. Any school board which receives a request for establishment of a community school would be required to hold an operating council organizational meeting at the proposed community school within sixty days of receiving such request. Operating councils would consist of three to six members and would be advisory to the superintendent, school board, and principal of the community school. One or more members of the operating council would be required to interview and recommend staff for the community school. Operating councils would be provided with information regarding budget and staffing decisions for the community school and proposed policy changes affecting the community school. Operating councils would be afforded an opportunity to meet with the principal of the community school at least once each month.

Explanation of amendments:

The committee amendment strikes the original sections and becomes the bill.

The State Board of Education (State Board) would be required to use the indicators included in the state accountability system (Ne-PAS) to develop school and district performance scores beginning with student performance data reported for the 2013-14 school year. School and district performance would be categorized beginning with the reporting of data for the 2013-14 school year based on such scores. The State Board could designate up to three schools from the lowest performance level as priority schools. Such designation would continue until removed by the State Board. The State Board would be required to approve the progress plans for the initial schools designated as priority schools no later than August 1, 2015.

The Commissioner of Education would appoint an intervention team for each school designated as a priority school. The intervention team would assist the school district with diagnosing issues that negatively affect student achievement in the priority school, designing and implementing strategies to address such issues through the progress plan, and developing measurable indicators of progress. The intervention team would consist of up to five members with the education and experience necessary to carry out the responsibilities of the team. Members of the intervention team would be eligible to receive payment for work performed as a member of such team. Such payment would be determined and provided by the State Department of Education (department) for members who are not employees of the school district which contains the priority school and by the school district which contains the priority school for members of the intervention team who are employees of such district. Members of the intervention team who are eligible to receive pay from the department would also be eligible for expense reimbursement pursuant to sections 81-1174 to 81-1177. Members of the intervention who are employees of the district which contains the priority school would be eligible for expense reimbursement in accordance with such district's policies and procedures.

The intervention team, in collaboration with the priority school staff and the administration and school board of the district with control of the priority school, would be required to develop a progress plan for approval by the State Board. The progress plan would include specific actions by the school and the district to remove classification as a priority school, including any level of progress as indicated by the measurable indicators. Compliance with a progress plan would be required for a district to maintain accreditation. The State Board would be required to review progress plans annually to determine the need for modifications. If a school is designated as a priority school for a fifth consecutive year, the State Board would be required to reevaluate the progress plan to determine if significant revisions or an entirely new progress plan are warranted. The school board of a district containing a priority school would be required to provide the intervention team with full access to the priority school, priority school staff, the school district, school district staff, academic information, financial information, and any other requested information.

The Commissioner of Education would be required to report annually to the Governor and electronically to the Clerk of the Legislature and the chairperson of the Education Committee of the Legislature on all schools designated as priority schools. The report would be required to include the name of the school, the grades included in the priority school designation, the name of the school district, the years for which the school was designated a priority school, a summary of the progress plan, and the level of progress as indicated by the measurable indicators.

The committee amendment removes provisions of the original bill pertaining to community schools and operating councils.

Kate Sullivan, Chairperson