

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 803**

FINAL READING

Introduced by Stinner, 48.

Read first time January 04, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to early childhood education; to amend section
- 2 79-1104, Reissue Revised Statutes of Nebraska; to change State Board
- 3 of Education rulemaking authority as prescribed; to provide
- 4 authority to exempt a prekindergarten program from teacher and
- 5 administrator certificate or permit requirements; and to repeal the
- 6 original section.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1104, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 79-1104 (1) Any school board in its discretion may (a) establish and  
4 financially support programs providing before-and-after-school or  
5 prekindergarten services, to which attendance shall be voluntary and  
6 which the board may deem beneficial to the education of prekindergarten  
7 or school-age children and (b) provide or financially support  
8 transportation for children to, from, or to and from programs as defined  
9 in section 71-1910. The board may charge a fee, not to exceed the actual  
10 cost, for providing such programs and services but may waive such fee on  
11 the basis of need. This section does not allow any school district to  
12 fail to meet its responsibilities under the Special Education Act.

13 (2) Prekindergarten programs established by school boards or  
14 educational service units shall be approved by the State Department of  
15 Education subject to regulations adopted and promulgated by the State  
16 Board of Education and may include such components as (a) the utilization  
17 of appropriately qualified staff, (b) an appropriate child-to-staff  
18 ratio, (c) appropriate group size, (d) compliance with minimum health and  
19 safety standards, (e) appropriate facility size and equipment, (f) a  
20 strong family development and support component, (g) developmentally and  
21 culturally appropriate curriculum, practices, and assessment, (h) well-  
22 defined language development and early literacy emphasis, and (i) a plan  
23 for ongoing professional development of staff, all in accordance with  
24 sound early childhood educational practice, research, and evaluation. All  
25 teachers and administrators in prekindergarten programs established  
26 pursuant to this section shall hold a valid certificate or permit issued  
27 pursuant to sections 79-806 to 79-815, except that the ~~The~~ State Board  
28 of Education may shall adopt and promulgate rules and regulations that  
29 exempt a prekindergarten program from the requirement for teachers and  
30 administrators in prekindergarten programs to hold a valid certificate or  
31 permit if such program is in compliance with such rules and regulations

1 ~~for the issuance of such permits or certificates required by this~~  
2 ~~section.~~

3       Sec. 2.   Original section 79-1104, Reissue Revised Statutes of  
4 Nebraska, is repealed.