NEBRASKA STATE BOARD OF EDUCATION MEETING NOTIFICATION AND AGENDA

Meeting Date:	**Friday, May 8, 2026 9:00 AM**
Meeting Title:	**State Board of Education Meeting Notification and Agenda**
Location:	**Bellevue Public Schools Welcome Center** **Board of Education Room 100** **2600 Arboretum Drive** **Bellevue, NE 68005**
Agenda:	**Except for emergency items added at the time of the meeting, the agenda will not be changed less than 24 hours prior to the start of the meeting and any changes will be immediately posted on the website.** **The Board will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.**
Interpreter:	**If you need interpreter services or other reasonable accommodations, please contact the Nebraska Department of Education at (402) 471-5059 five (5) days prior to the meeting to coordinate arrangements.**
Website:	**An electronic version of the agenda and support materials are available on the State Board of Education's Agenda page: www.education.ne.gov/stateboard/state-board-agendas/**
Lunch:	**On Friday, May 8, 2026, the State Board of Education may also take a recess for lunch. The Board may resume work on the agenda at approximately 1:00 p.m.**

1. CALL TO ORDER (The Board May Take a Recess)
   President Tegtmeier

   1.1. Roll Call
   President Tegtmeier

   1.2. Pledge of Allegiance
   President Tegtmeier

   1.3. Announcement of the Placement of the Open Meetings Act Information
   President Tegtmeier

2. SPECIAL PRESENTATIONS
   President Tegtmeier

   2.1. Apprenticeship Program
   Brad Dirksen

3. COMMISSIONER'S REPORT
Commissioner Maher

3.1. Agenda Overview and Consent Agenda Process
Commissioner Maher

3.1.A. Commissioner's Recommendations and Items to be Removed from Consent Agenda
Commissioner Maher

3.2. Nebraska Teacher of the Year Quarterly Report
Sarah Hardin, 2026 Nebraska Teacher of the Year, High School Science Teacher at Mullen High School, Mullen, Nebraska

3.3. Information on NDE Artificial Intelligence (AI) Efforts
Commissioner Maher and Chris Wlaschin

4. PRESIDENT'S REPORT
President Tegtmeier

5. PUBLIC COMMENT PERIOD
President Tegtmeier

5.1. Public Comment

5.2. Written Public Comment (None Submitted)

6. CONSENT AGENDA
President Tegtmeier

6.1. Board Member Out-of-State Travel Approval

6.2. Committee Appointments

6.3. Contract Approvals

6.3.A. Contract for an Educator Licensure System (BF.042025.004)
Brad Dirksen
SO 2.1: Increased Supply of Teachers

6.3.B. Nebraska Improvement Grant Projects (BF.032025.003)
Lane Carr
SO 1.1: Improved Student Achievement, SO 1.2: Reduced Chronic Absenteeism, SO 3.1: Increased Postsecondary Access and Attainment

6.3.C. Contract to Support Educational Services for Nebraska Students Who are Deaf or Hard of Hearing (BF.052026.012)
Amy Rhone
SO 1.1: Improved Student Achievement, SO 4.1: Improved Agency-Wide Efficiency, SO 4.3: Improved Capacity Building

6.3.D. Amend Contract for Compliance Reviews of the National School Lunch Program and the Summer Food Service Program (BF.102025.004)
Zainab Rida
SO 4.2: Increased Responsiveness and Communication, SO 4.3: Improved Capacity Building

6.4. Grant Approvals

6.4.A. Approve Early Childhood Education Continuation Grants (BF.062025.008)
Melody Hobson
SO 1.1: Improved Student Achievement

6.4.B. Subgrants for Promoting Engagement and Knowledge (PeaK) Projects (BF.042025.002)
Amy Rhone
SO 1.1: Improved Student Achievement, SO 4.2: Increased Responsiveness and Communication, SO 4.3: Improved Capacity Building

6.5. Lease Approvals

6.6. Minutes of the Previous State Board of Education Meeting

6.7. Miscellaneous Approvals

6.7.A. Award Funding from the Comprehensive Literacy State Development (CLSD) Grant to the Identified Subaward Grantees (BF.032025.007)
Jamie Cook
SO 1.1: Improved Student Achievement

6.7.B. Special Grant Fund List for School District Budgeting (BF.062025.009)
Bryce Wilson
SO 1.1: Improved Student Achievement

6.7.C. Annual Replacement of Technology and Renewal of Software Licenses (BF.052026.013)
Tibor Moldovan
SO 4.1: Improved Agency-Wide Efficiency

6.7.D. Provide Funds to the Nebraska Statewide Workforce and Education Reporting System (NSWERS) (BF.052026.014)
Chris Wlaschin
SO 1.1: Improved Student Achievement, SO 3.1: Increased Postsecondary Access and Attainment, SO 4.3: Improved Capacity Building

7. STANDING COMMITTEE REPORTS
President Tegtmeier

7.1. Executive Committee
President Tegtmeier

7.1.A. Action Item: Revisions to the Nebraska Council on Teacher Education (NCTE) Organizational Policies (EX.022026.001)
SO 2.1: Increased Supply of Teachers

7.2. Budget and Finance Committee
Kristin Christensen

7.2.A. Monthly Board Travel Expense Reports

7.2.B. Action Item: Allocation of 21st Century Community Learning Centers (CCLC) Grant Funds (BF.022026.001)
SO 1.1: Improved Student Achievement, SO 1.2: Reduced Chronic Absenteeism, SO 3.2: Improved Skill Attainment for Clients and Learners

7.2.C. Action Item: Rural Health Transformation Project Funds (BF.032026.001)
SO 1.1: Improved Student Achievement, SO 1.2: Reduced Chronic Absenteeism

7.2.D. Action Item: Contract for Safe2HelpNE Hotline (BF.032026.002)
SO 1.1: Improved Student Achievement, SO 1.2: Reduced Chronic Absenteeism

7.2.E. Action Item: Nebraska Teacher Apprenticeship Program Funding (BF.032026.003)
SO 2.1: Increased Supply of Teachers

7.2.F. Action Item: Approve New and Expansion Early Childhood Grants (BF.032026.004)
SO 1.1: Improved Student Achievement

7.2.G. Action Item: Contract for Professional Learning for Leaders Grounded in the Science of Reading (BF.032026.005)
SO 1.1: Improved Student Achievement

7.2.H. Action Item: Contract for the Career and Technical Education State Model Programs of Study and Standards Revision Project (BF.032026.006)
SO 1.1: Improved Student Achievement, SO 2.1: Increased Supply of Teachers, SO 3.2: Improved Skill Attainment for Clients and Learners

7.2.I. Action Item: Accept the 2025 Annual Comprehensive Financial Report (ACFR) Audit Report (BF.032026.009)
SO 4.1: Improved Agency-Wide Efficiency

7.3. Planning and Evaluation Committee
Lisa Schonhoff

7.3.A. Action Item: Approve the Rule 11 Teacher Waiver Request from Ord Public Schools (PE.022026.001)
SO 2.1: Increased Supply of Teachers

7.3.B. Action Item: Approval of Hyannis Public Schools Waiver Request (PE.022026.003)
SO 1.1: Improved Student Achievement

7.3.C. Action Item: Approval of Plan(s) of Corrections for Rule 10, 14, and 18 School Systems and Interim Program Schools (PE.022026.004)
SO 1.1: Improved Student Achievement

7.3.D. Action Item: Approval of Nonpublic Schools for 2026-2027 (PE.022026.005)
SO 3.1: Increased Postsecondary Access and Attainment

7.3.E. Action Item: Approval of Interim-Program Schools for 2026-2027 (PE.022026.006)
SO 3.1: Increased Postsecondary Access and Attainment

7.3.F. Action Item: Priority School Designation (PE.122025.002)
SO 1.1: Improved Student Achievement, SO 1.2: Reduced Chronic Absenteeism, SO 3.1: Increased Postsecondary Access and Attainment

7.3.G. Discussion Item: Accreditation of Public and Non-Public Rule 10 School Systems for 2026-2027 (PE.032026.002)
SO 3.1: Increased Postsecondary Access and Attainment

7.3.H. Discussion Item: Accreditation of Nebraska Educational Service Units for 2026-2027 (PE.032026.003)
SO 3.1: Increased Postsecondary Access and Attainment

7.4. Rules and Regulations Committee
Maggie Douglas

7.4.A. Report On Rules

7.4.B. Action Item: Proposed Revision of Rule 11 (92 NAC 11), Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants (RR.022025.002)
SO 1.1: Improved Student Achievement

8. ADDITIONAL BUSINESS
President Tegtmeier

9. INFORMATION ITEMS AND REPORTS
President Tegtmeier

9.1. Contracts Approved by Commissioner

9.2. Grants Approved by Commissioner

10. GOOD OF THE ORDER
This section of the agenda is intended for Board members to offer informal observations of the work of the State Board. Board members may make brief announcements about attendance at future events for the purpose of informing other Board members. No business or motions, or suggested actions of the Board may be offered at this point in the agenda; nor should Board members engage in substantive discussion about other agenda items or introduce new agenda items.
President Tegtmeier

11. ADJOURNMENT
President Tegtmeier

NEBRASKA
DEPARTMENT OF EDUCATION



National Apprenticeship Week Celebration

Joined by:

Sarah Dohmen, completed apprentice, current Elementary and Special Education Teacher at Westside Community Schools, and **Rachael Grange, current apprentice** studying Elementary Education and Special Education at Midland University while working in the classroom at Papillion LaVista Community Schools

National Apprenticeship Week



From Park Middle School to a national audience, special education apprentice Noah Stafursky shared his voice as a panelist on ‘How to Get More Men into Teaching.”

Context for apprenticeships within the NDE

- Work Based Learning
- Pre-Apprenticeship CTE and EC for high school students begins fall 2026
- Youth apprenticeships through Peer to Para Programs
- Teacher apprenticeships

National Apprenticeship Week and the NDE

Cross-agency representation from the Offices of:

- Career, Technical, and Adult Education,
- Special Education,
- Early Childhood Education,
- Vocational Rehabilitation, and
- Accreditation, Certification, and Approval

Good Life | Great Schools | Excellent Education

- Priority #2 - Grow the Educator Workforce
- Priority #3 - Equip Learners for the Workforce



Anna Ackah, special education apprentice at Fredstrom Elementary, works closely with her students in a small group where individualized support makes all the difference.

Nebraska's Teacher Registered Apprenticeship Program



Growth

Beginning with 25 apprentices and now supporting over 200!



Growth

Beginning with 3 districts and now in 50 school systems!

Nebraska's Teacher Registered Apprenticeship Program



92%

92% of former Teacher Registered Apprentices are now teachers in the same districts where they completed their apprenticeship

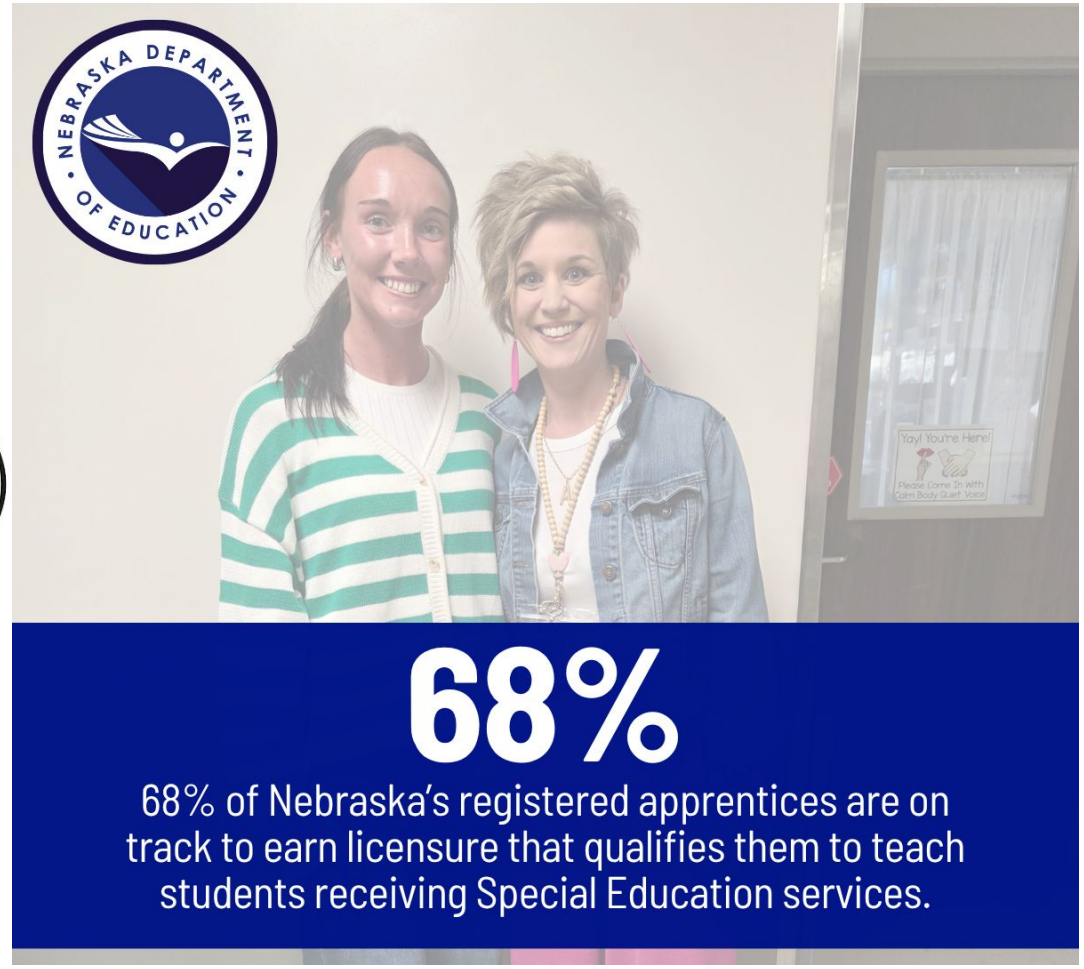


200+

Teacher Registered Apprentices

2025-2026 Vacancy Report

Endorsement Area	Unfilled**		Vacant ***
	#	%	#
Special Education	140.00	28.59%	42.50
Elementary Education	61.75	12.61%	5.00
Career Education Areas	36.75	7.50%	10.00
Science	30.50	6.23%	6.00
Mathematics	27.25	5.56%	2.00
Speech Language Pathology	23.40	4.78%	14.40
Language Arts	20.50	4.19%	1.00
Early Childhood Education Areas	19.00	3.88%	7.00
Health and/or Physical Education	18.00	3.68%	2.00



Meet the Apprentices



Westside's Sarah Dohman represents the heart of this program supporting paras to step confidently into the classroom.

Sarah Dohmen, completed apprentice, current Elementary and Special Education Teacher at Westside Community Schools

Rachael Grange, current apprentice studying Elementary Education and Special Education at Midland University while working in the classroom at Papillion LaVista Community Schools

Questions?

AI Briefing Part 1

Developed by Chris Wlaschin, NDE Information Systems Officer
and the AI@NDE (Andy) team

May 5, 2026

Agenda

1. State of Nebraska Approach
2. NDE Approach
3. Survey Results
4. NDE Draft Policy
5. Closing/Questions

State of Nebraska (SoN) Approach to AI

Nebraska's AI Policy and Regulatory Landscape -

Nebraska has developed a **multi-layered approach** to artificial intelligence, combining state agency guidelines, emerging legislation, and alignment with federal frameworks.

State Agency AI Policy

- The **Nebraska Information Technology Council (NITC)** issued an **Artificial Intelligence Policy** in November 2024 that sets standards for public agency use of AI Nebraska Information Technology Commission. Key points include:
- **Security and compliance**: AI must be securely developed, assessed for bias and risk, and reviewed periodically to ensure safety, integrity, and compliance with laws and best practices.

SoN Approach to AI 2

Legislative Developments - Two major AI-related bills passed in 2025:

- **LB642 – Artificial Intelligence Consumer Protection Act**:
- **Child pornography ban (LB383)** and **civil liability for AI-generated intimate images**
- Three major AI-related bills introduced in 2026:
- **LB 1083** focuses on the mental health of children by establishing the Transparency in Artificial Intelligence Risk Management Act.
- **LB 1185** would establish the Conversational Artificial Intelligence Safety Act.
- **LR 421** Interim study to examine the current status of artificial intelligence legislation occurring at the state and federal levels.

SoN Approach to AI 3

Federal Executive Order Impact

- In July 2025, President Trump signed an executive order urging states to stop regulating AI and favor a federal framework. In March 2026 the Administration issued policy guidance to help accomplish the EO.

Nebraska Governor's Statement on AI Executive Order

- Nebraska Governor Jim Pillen has said that the recent Trump administration AI executive order — which aims to limit state regulation of artificial intelligence and promote a federal framework — does not appear to be as sweeping or disruptive as some had feared.

SoN Approach to AI 4

Practical Implications

- Treat AI systems as **regulated operational tools** with governance, transparency, and security controls.
- Ensure **human review** of AI-generated marketing and customer content.
- Comply with **consumer protection, privacy, and employment laws** when deploying AI.
- Document AI use and approval workflows to meet compliance and liability standards.

In summary: Nebraska's AI policy blends agency-specific standards, targeted legislation, and alignment with federal trends. Businesses should integrate AI governance into existing compliance frameworks to avoid legal and reputational risks.

NDE Approach

The Role of AI in Streamlining Educational Administration

- **Research** what other states are doing; collect policies, best practices, risk and guardrail language
- **Separate** and define NDE approach for administration vs. ESU, districts and school approach for classrooms
- **Survey NDE** staff on AI literacy, tools already in-use and concerns

We are here ➡

- **Define** use cases, data governance and security controls
- **Develop** policy guidance



Research - What are other states doing?

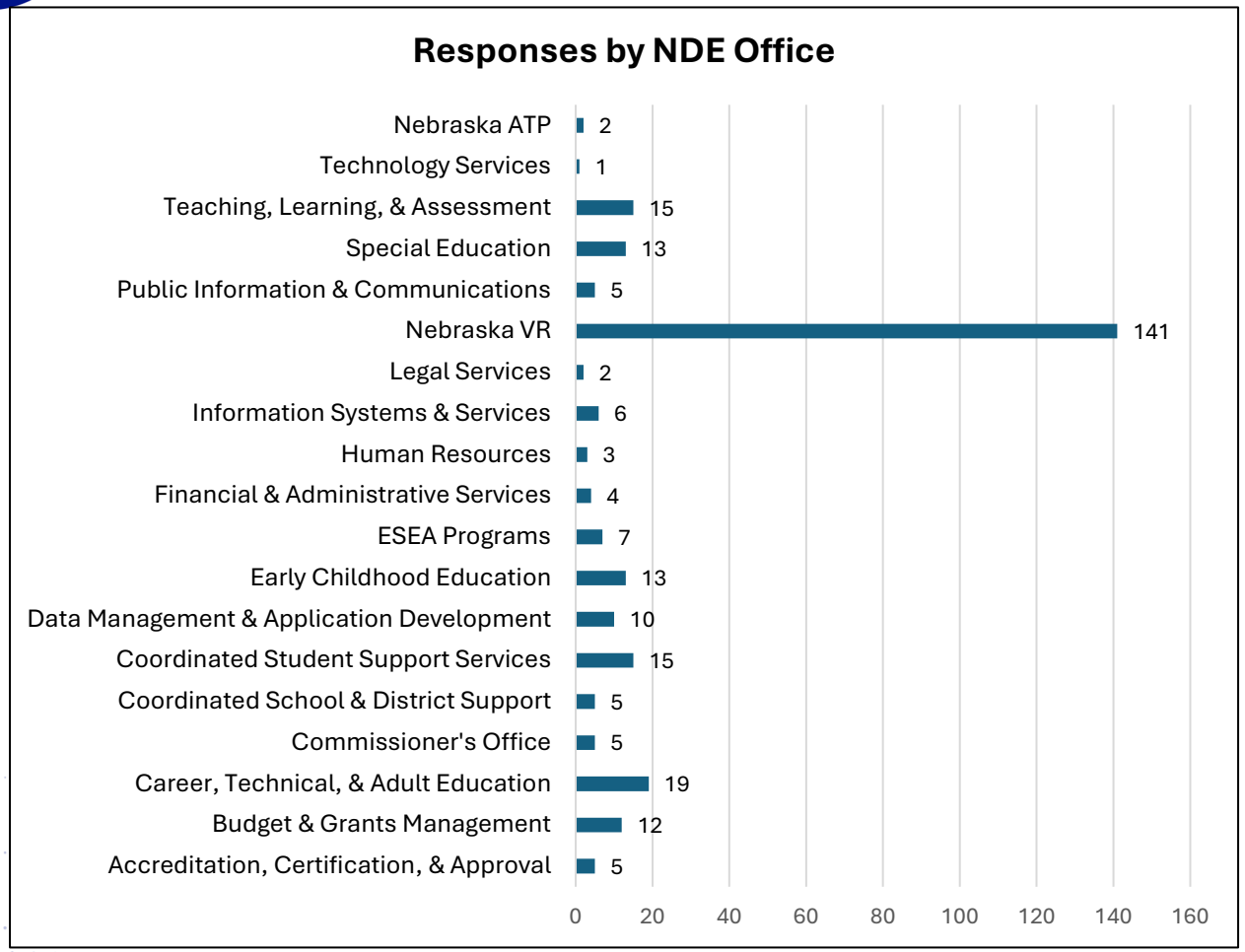
Part 2. 9-State Crosswalk of Core K-12 AI Governance Dimensions

Legend

✅ = Explicitly addressed
◐ = Partially addressed / implied
— = Not addressed at state level

AI Governance Dimension	GA	MS	NJ	NE	SD	IA	KS	WY	CO
Statewide DOE AI Guidance Issued	✅	✅	✅	—	—	—	◐	✅	✅
District AI Policy Encouraged	✅	✅	✅	◐	✅	✅	✅	✅	✅
Human-in-the-Loop Requirement	✅	✅	◐	◐	—	✅	✅	✅	✅
High-Stakes AI Use Restricted	✅	✅	—	—	—	✅	◐	✅	✅
Student Data Privacy (FERPA/COPPA)	✅	✅	✅	✅	◐	✅	✅	✅	✅
Vendor Vetting / Procurement Controls	✅	✅	◐	✅	—	✅	◐	✅	◐
Academic Integrity / Cheating Guidance	✅	✅	◐	—	✅	✅	◐	✅	✅
AI Literacy (Students)	✅	◐	✅	—	—	◐	✅	✅	✅
Professional Learning (Educators)	✅	✅	✅	—	—	✅	✅	✅	✅
Equity & Accessibility Considerations	✅	✅	◐	✅	—	◐	✅	✅	✅
Continuous Review / Living Policy	✅	✅	✅	✅	◐	✅	✅	✅	✅

NDE AI Survey – Response rate



- **Total Number of Responses:** 283
- **Total Sample Size:** 513
- **Response rate (completed surveys):** 55.2%
  - **NDE employees:** 47.3% (142 responses out of 300 in the email list)
  - **Nebraska VR Employees:** 66.2% (141 responses out of 213 in the email list)

AI Survey – Use Cases

- The most common AI use cases mentioned in the open-ended responses included the following types:
  - **Communication Support**: Drafting emails, summarizing meetings, creating reports and content.
  - **Data Analysis & Reporting**: Automating spreadsheets, generating insights, supporting budget projections.
  - **Administrative Efficiency**: Scheduling, task tracking, reminders, form completion.
  - **Accessibility & Transcription**: Speech-to-text tools, WCAG compliance, assistive tech for clients.
  - **Instructional Design**: Creating training materials, lesson plans, and educational content.
  - **Student/Client Services**: Case notes, personalized outreach, appointment management.

AI Tools?

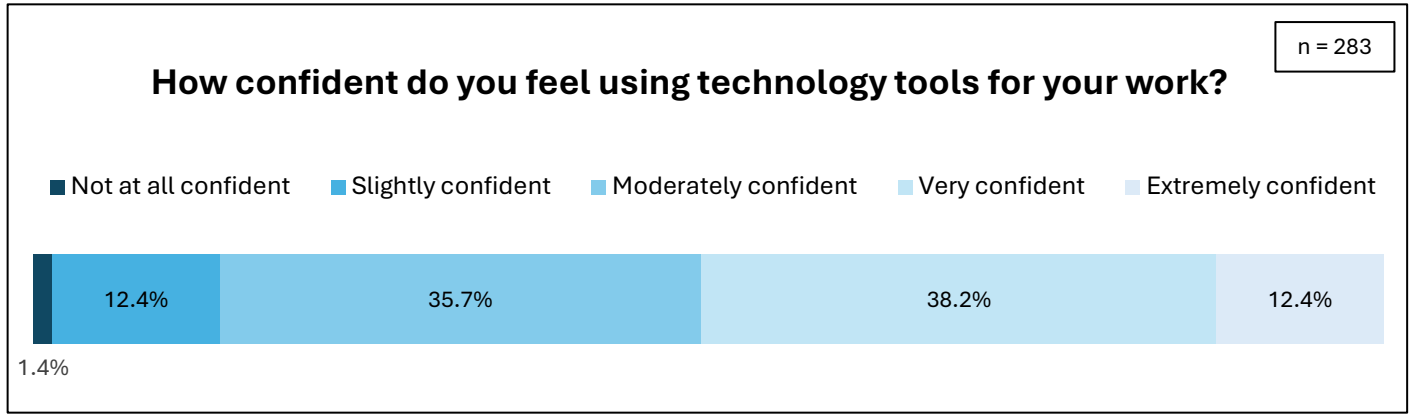
- ChatGPT
- Gemini
- Claude
- CoPilot
- Grok AI
- Watson
- Apple Siri
- Google Assistant
- Amazon Alexa
- ElevenLabs
- OpenAI Sora
- Grammarly
- Sudowrite
- Adobe Photoshop
- Canva
- Runway
- Jasper
- Fireflies
- Midjourney
- Speechify
- Perplexity
- Blush
- AlphaGo
- Tesla Autopilot

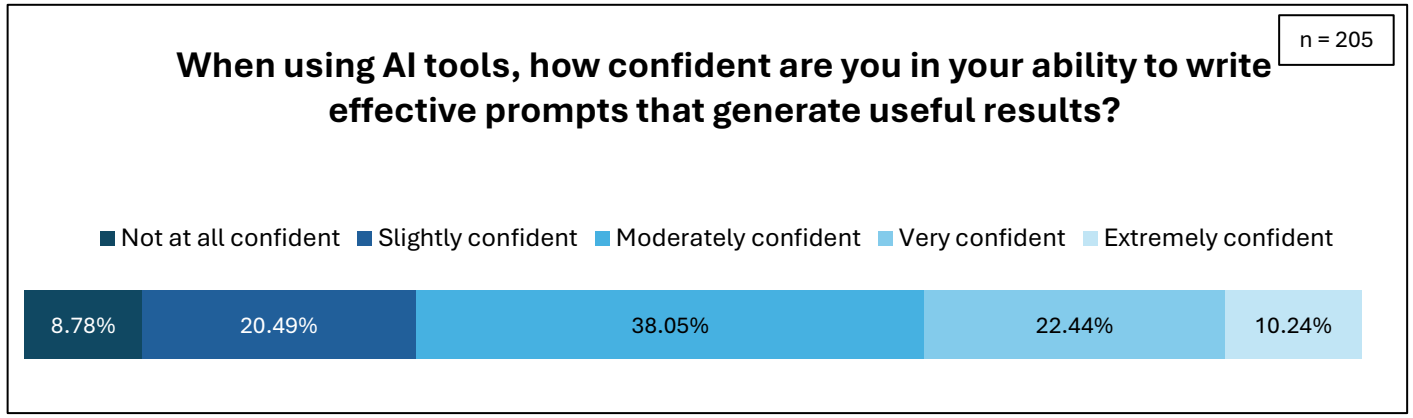
AI Survey – Additional Training

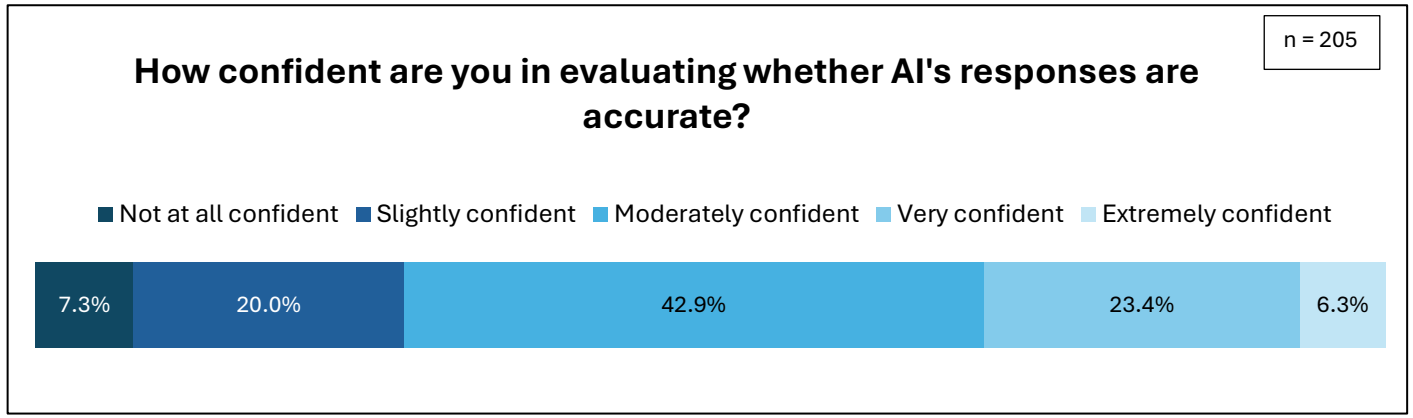
- ***Would additional training in any of these tools make your work easier? Please be specific and list any tools/tasks you would want additional training on.***

Category	Approximate Mentions	Example Tools/Topics
AI Tools & Literacy	~90	ChatGPT, Copilot, Gemini
File Storage & Management	~50	SharePoint, OneDrive, O:Drive
Project Management & Workflow	~45	Planner, Smartsheet, Jira, Power Automate
Dictation & Transcription	~30	Otter.ai, Dictate, Fireflies.ai
Data Analysis & Visualization	~25	Excel, Power BI, Tableau
Survey & Feedback Tools	~15	QuestionPro, Google/Microsoft Forms
Accessibility & ADA Compliance	~10	WCAG, document accessibility

Staff Confidence in using AI



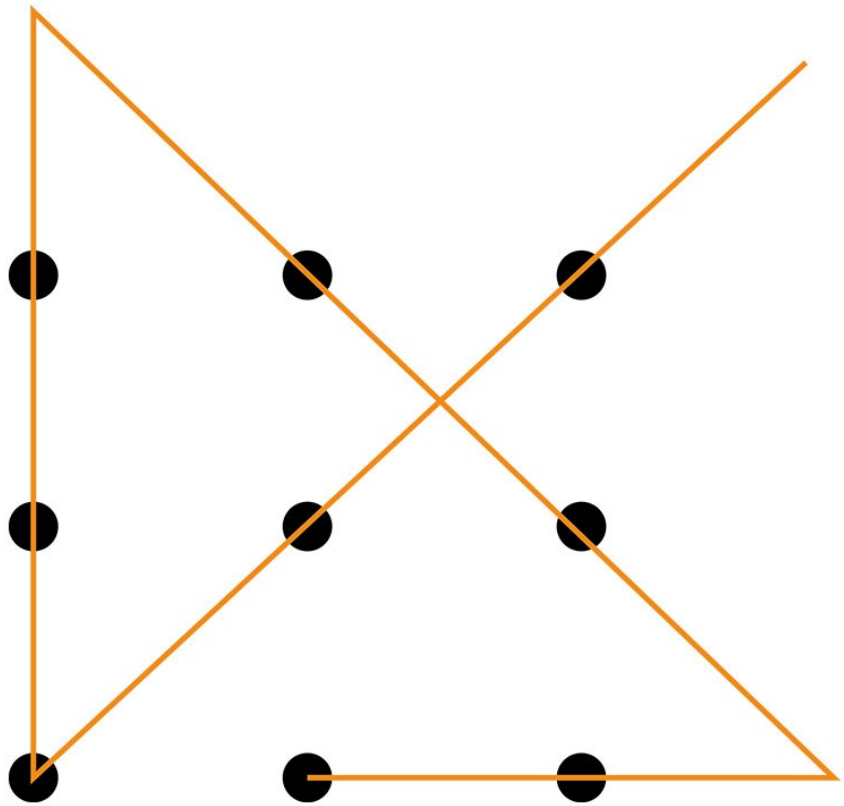




Next Steps: AI@NDE (Andy) Initiative

The AI@NDE (Andy) Initiative

- The Initiative provides:
  - Alignment NDE Strategic Plan value Excellence: evidence-based decisions
  - Forum for conversations
  - Risk management
  - Examine use parameters
- Develop use cases
- Pilot a few embedded tools and evaluate results



Andy Initiative: Conversation & Risk

- Internal
- External
  - Partners
  - Community
  - Classrooms & students
- Environmental
- Social
  - Echo chambers

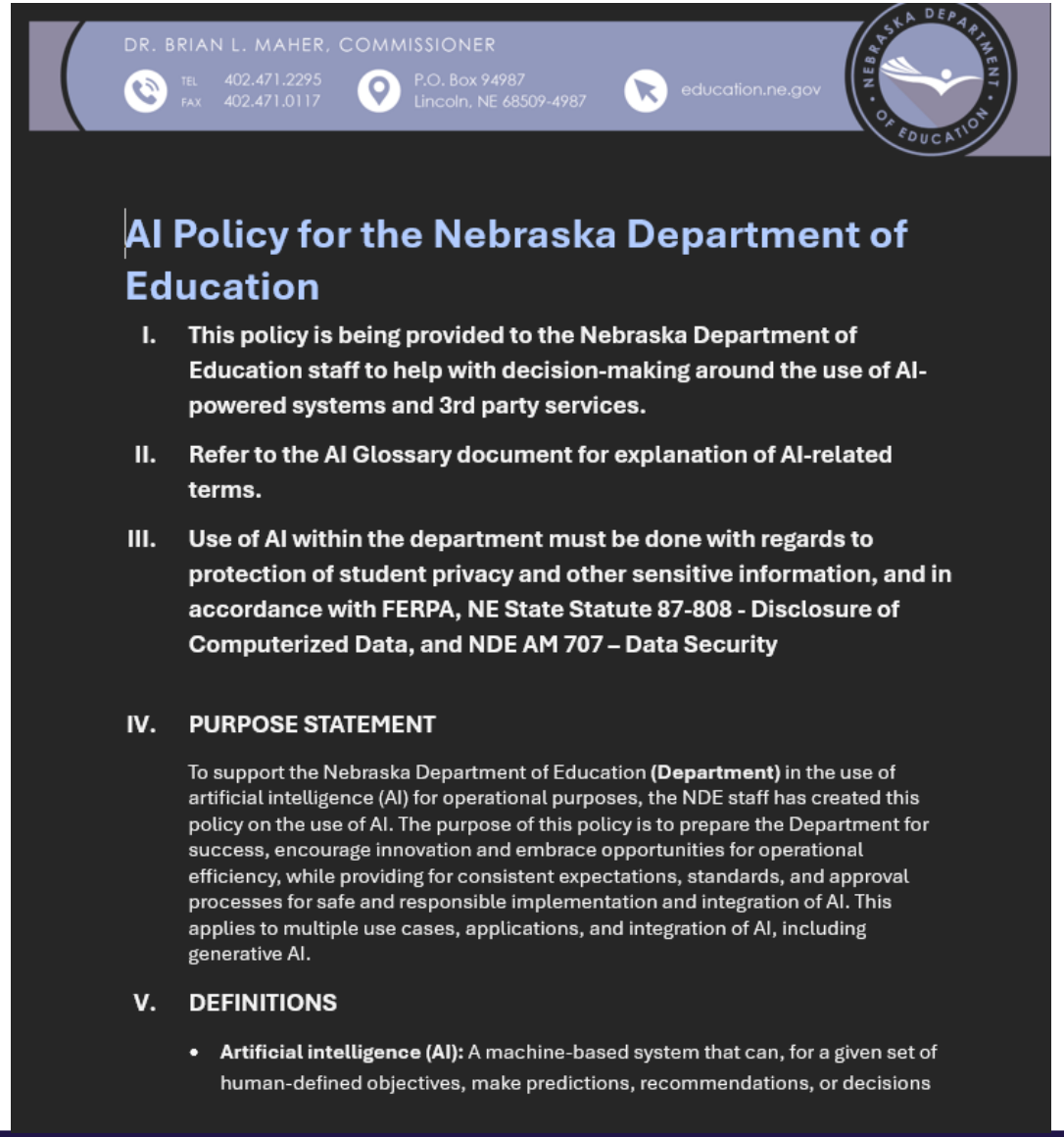
- Cost 💲
- Ethics
- Value
- Uncertainty

Next Steps: Policy Development Considerations

- AI literacy for staff
- Stakeholder input and engagement
- Data privacy and security
- Procurement and evaluation of tools
- Ethical uses
- Prohibited uses
- Academic integrity
- Implementation and review

Andy Initiative: Policy Development (in progress)

DRAFT



DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

AI Policy for the Nebraska Department of Education

I. **This policy is being provided to the Nebraska Department of Education staff to help with decision-making around the use of AI-powered systems and 3rd party services.**

II. **Refer to the AI Glossary document for explanation of AI-related terms.**

III. **Use of AI within the department must be done with regards to protection of student privacy and other sensitive information, and in accordance with FERPA, NE State Statute 87-808 - Disclosure of Computerized Data, and NDE AM 707 – Data Security**

IV. PURPOSE STATEMENT

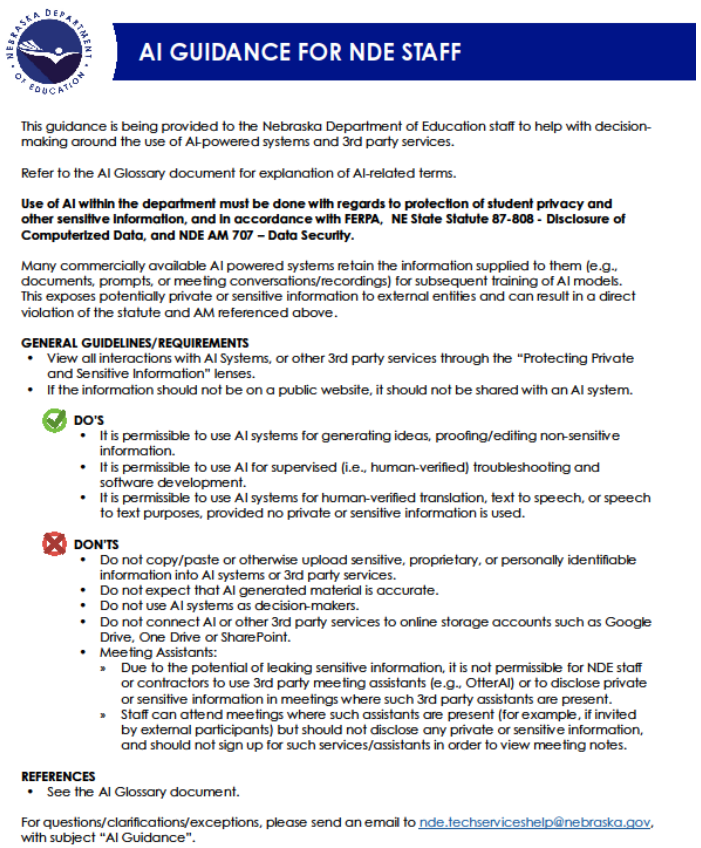
To support the Nebraska Department of Education **(Department)** in the use of artificial intelligence (AI) for operational purposes, the NDE staff has created this policy on the use of AI. The purpose of this policy is to prepare the Department for success, encourage innovation and embrace opportunities for operational efficiency, while providing for consistent expectations, standards, and approval processes for safe and responsible implementation and integration of AI. This applies to multiple use cases, applications, and integration of AI, including generative AI.

V. DEFINITIONS

- **Artificial intelligence (AI):** A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions

NDE AI Guidance Policy

- Do's ✅
  - Generate ideas, proof/edit non-sensitive information
  - Supervised AI use
  - Non-sensitive information use with translation, text-to-speech or vice versa
- Don'ts ❌
  - NO sensitive, proprietary, personally identifiable information sharing or access with AI systems
  - No unsupervised AI
  - No connections with Google drive, OneDrive, SharePoint
  - **3rd party meeting assistants**



AI GUIDANCE FOR NDE STAFF

This guidance is being provided to the Nebraska Department of Education staff to help with decision-making around the use of AI-powered systems and 3rd party services.

Refer to the AI Glossary document for explanation of AI-related terms.

Use of AI within the department must be done with regards to protection of student privacy and other sensitive information, and in accordance with FERPA, NE State Statute 87-808 - Disclosure of Computerized Data, and NDE AM 707 – Data Security.

Many commercially available AI powered systems retain the information supplied to them (e.g., documents, prompts, or meeting conversations/recordings) for subsequent training of AI models. This exposes potentially private or sensitive information to external entities and can result in a direct violation of the statute and AM referenced above.

GENERAL GUIDELINES/REQUIREMENTS

- View all interactions with AI Systems, or other 3rd party services through the "Protecting Private and Sensitive Information" lenses.
- If the information should not be on a public website, it should not be shared with an AI system.

DO'S

- It is permissible to use AI systems for generating ideas, proofing/editing non-sensitive information.
- It is permissible to use AI for supervised (i.e., human-verified) troubleshooting and software development.
- It is permissible to use AI systems for human-verified translation, text to speech, or speech to text purposes, provided no private or sensitive information is used.

DON'TS

- Do not copy/paste or otherwise upload sensitive, proprietary, or personally identifiable information into AI systems or 3rd party services.
- Do not expect that AI generated material is accurate.
- Do not use AI systems as decision-makers.
- Do not connect AI or other 3rd party services to online storage accounts such as Google Drive, One Drive or SharePoint.
- Meeting Assistants:
  - Due to the potential of leaking sensitive information, it is not permissible for NDE staff or contractors to use 3rd party meeting assistants (e.g., OtterAI) or to disclose private or sensitive information in meetings where such 3rd party assistants are present.
  - Staff can attend meetings where such assistants are present (for example, if invited by external participants) but should not disclose any private or sensitive information, and should not sign up for such services/assistants in order to view meeting notes.

REFERENCES

- See the AI Glossary document.

For questions/clarifications/exceptions, please send an email to nde.techserviceshelp@nebraska.gov, with subject "AI Guidance".

Summary

Questions?

Thank you

Out-State Travel Authorization Reports - May				
Name	**Event Name**	**Date**	**Location**	**Trip Request (i.e. 1st, 2nd, Other)**
Kristin Christensen	National Forum on Education Policy	July 7-10, 2026	Washington, DC	*2nd*
Lisa Schonhoff	(NONE)			
Sherry Jones	(NONE)			
Elizabeth Tegtmeier	(NONE)			

Out-State Travel Authorization Reports - May				
Name	**Event Name**	**Date**	**Location**	**Trip Request (i.e. 1st, 2nd, Other)**
Maggie Douglas	National Forum on Education Policy	July 7-10, 2026	Washington, DC	*1st*
Liz Renner	National Forum on Education Policy	July 7-10, 2026	Washington, DC	*1st*
Kirk Penner	(NONE)			
Deborah Neary	(NONE)			

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: May 1, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Accreditation, Certification, & Approval Administrator

PROPOSED AGENDA ITEM: Approve contract for an educator licensure system

AGENDA ITEM TYPE (contract/grant/rule/program/other): contract

RATIONALE/BACKGROUND INFORMATION:

In 2018, the Department issued a request for proposal (RFP) to procure, develop/customize, and implement an educator licensure system that was web-based. This was done in effort to move away from a 20+ year old static legacy system that was not adaptable or capable of enhancements.

In 2019, the State Board of Education authorized the Department to enter into a contract, after the conclusion of the RFP process, with inLumon to implement the educator licensing system. In 2020, the system became functional, and the Department has been utilizing the educator licensing system to date.

The Department issued an RFP to solicit vendors to implement an educator licensure system in April of 2025. Three bids were received. Based on an evaluation of proposals submitted, a contract with inLumon was approved by the Board in June 2025. The current contract is for $175,000.00 and covers July 1, 2025, through June 30, 2026. Action on this item will enable the Commissioner to contract for an educator licensure system prior to July 1, 2026 and avoid interruption in service. Action will also allow the Commissioner to enter into a contract for up to two years (July 1, 2026 through June 30, 2028) for an amount that will not exceed $350,000.00 ($1750,000.00 per year).

STATUTORY/POLICY REFERENCE:

- AMP 2.02 Contracts, Grants, and Purchases, "The Board shall review and approval contracts and purchases of $50,000 or more…"

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 2: Grow the Educator Pipeline
  - Strategic Outcome 2.1: Increased Supply of Teachers

Having a functioning educator licensure system to process educator certification applications is essential to ensure applications are processed in a timely and efficient manner, thus supporting the educator pipeline.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $350,000.00 (not to exceed $175,000.00 per year)

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Cash Funds (Educator Certification); the funds for this contract are budgeted in the office's annual allocation. The funds are generated from educator certification applications.

- New or Renewal: Renewal

- If renewal, date of first approval: June 2025

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: **April 27, 2026**

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Lane Carr
Administrator, Office of Policy and Strategic Initiatives

PROPOSED AGENDA ITEM: Nebraska Improvement Grant Projects (BF.032025.003)

AGENDA ITEM TYPE: Contract

RATIONALE/BACKGROUND INFORMATION:
In August 2025, the State Board approved the following for the purposes of developing the systems-involved youth data sharing (SIYDS) system:

Vendor	Scope of Work	Amount
Office of the Chief Information Officer (OCIO)	Project Manager/Business Analyst (OCIO) - Perform project management tasks, assist in gathering business requirements, focus groups, information sessions	$157,000
Office of the Chief Information Officer (or Independent Contractor)	Technical Support - Provide infrastructure, coding data transfer and reporting support for project.	$100,000

Due to an unforeseen loss of a developer at the NDE, the agency is proposing to amend the current contract with the Office of the Chief Information Officer (OCIO) to supply an application developer who will support the SIYDS project. The contract term will run from July 1, 2026 through December 31, 2026 for a value of $100,000.

This developer will provide ongoing application development efforts for the Systems Involved Youth Data Project at a critical time of application tool design and implementation to support program go-live efforts. These efforts will include but are not limited to providing application development and process implementation assistance for the SIYDS Director and Registrars, who evaluate student records, and facilitate moving data between multiple agency data systems, student data matching processes, automated

extraction and data transformation processes, integration of new data into existing NDE data structures and exploration of student transcript delivery processes.

STATUTORY/POLICY REFERENCE:
The Nebraska Improvement Grant (Neb. Rev. Stat. 79-1054) was established in 2023, and with recent legislative changes, there are three main purposes:

- School improvement activities
- Innovative learning platform
- Systems involved youth data system

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
  - *Strategic Outcome 1.1: Improved Student Achievement*
  - *Strategic Outcome 1.2: Reduced Chronic Absenteeism*
- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.1: Increased Postsecondary Access and Attainment*

By improving data transfer and credit articulation for systems involved youth, these learners will have fewer academic barriers and student outcomes will improve. Furthermore, often systems involved youth receive partial academic credits or are forced to take courses over when they do not transfer, creating disengagement and increased absences. This system aims to address those challenges. Finally, when academic outcomes and access are increased, students will be more ready for their postsecondary plans.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $100,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Nebraska Improvement Grant (Lottery)
- New or Renewal: Renewal
- If renewal, date of first approval: August 2025

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 23, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Amy Rhone, Administrator – The Office of Special Education

PROPOSED AGENDA ITEM: Consent Item: Contract to support educational services for Nebraska students who are Deaf or Hard of Hearing.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION: Agreements with the Iowa Board of Regents, now Iowa Department of Education, have been processed annually beginning in 1998 following the State Board's approval of the plan for "Statewide Educational Programs and Support Services for Children who are Deaf or Hard of Hearing." The Plan was reviewed and revised in 2020 and includes implementation through agreements with the Nebraska Regional Deaf/Hard of Hearing Network and the Iowa School for the Deaf.

Starting in the 2022-23 school year and commencing each year then after, the Board of Regents, State of Iowa and NDE have entered into a Memorandum of Understanding (MOU) with the following understandings: Effective for the 2025-26 and 2026-27 academic year:

- Fees for educational services, regardless of whether the student is also receiving residential services, will be billed by ISD to the responsible school district on a semester basis.
- Fees for residential services will be billed by ISD to NDE on a monthly basis
- Fees for transportation will be billed by ISD to the responsible school district on a semester basis

Effective for the summer term, fees for program services will be billed directly to a participating student's family or a third-party agency who has agreed to be responsible for the fees, but will not be the responsibility of either NDE or the school district.

Additionally, districts must apply to NDE for residential services at ISD which NDE pays directly from a combination of earmarked state appropriations received for deaf/hard of hearing services (Program 401) and/or Special Education Aid (Program 158/48). The annual Agreement includes a per student rate for Education/Related Services and for Residential/Dormitory Services. The rates for the 2024-25 school year will continue to be based on actual costs for operation of the ISD program and the audited per pupil cost for Iowa students. Additionally, ISD coordinates transportation for Nebraska students on weekends and that

cost is the responsibility of the school district. During this 24-25 school year, the number of students attending the Iowa School for the Deaf from Nebraska did increase and it is anticipated that the placements will continue to increase given the significant number of special education shortages there are for educators of students who are Deaf or hard of hearing.

STRATEGIC PLAN ALIGNMENT:

Strategic Priority 1: Accelerate Student Achievement

Strategic Outcome 1.1: Improved Student Achievement

- Access to specialized educational and residential services at ISD ensures students who are deaf or hard of hearing receive appropriate instruction and supports necessary to improve academic outcomes.

Strategic Priority 4: Provide Exceptional Service

Strategic Outcome 4.1: Improved Agency-Wide Efficiency

- The long-standing agreement, structured billing processes, and multi-year planning with ISD promote efficient use of state and district resources, including clear cost allocation (education, residential, transportation).

Strategic Outcome 4.3: Improved Capacity Building

- The partnership with ISD and the Nebraska Regional D/HH Network builds statewide capacity to serve students who are deaf or hard of hearing, especially in light of educator shortages.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST:

	26-27	25-26	24-25	23-24
Educational and Related Program Services	$65,983.00	$64,689.00	$63,421.00	$63,421.00
Residential Services	$56,067.00	$54,968.00	$53,890.00	$53,890.00
Total Per Student	$122,050.00	$119,657.00	$117,311.00	$117,311.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Part B, 611
- New or Renewal: Renewal
- If renewal, date of first approval: Started in 2007, last approved in 2025

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 27, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Ph.D., R.D.
Administrator, Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Information Item: Contract for required compliance and monitoring of the USDA Child Nutrition Programs

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:
The USDA requires that SFAs participating in the USDA's Child Nutrition Programs (i.e., School Nutrition Programs, Child and Adult Care Food Program, Summer Food Service Program) receive regular oversight and monitoring. The contract executed after the RFP process will provide services to support the NDE in complying with the statutory requirement of the USDA.

The NDE Nutrition Services team requires support for completing these reviews in order for all (approximately 385) participating schools and organizations to receive this oversight and monitoring once every three years. Full-time staffing limitations governed by the Legislature, along with other staff responsibilities, require the support of a contract company to ensure thorough oversight is completed within the required timelines governed by the USDA regulations.

The outcome of the RFP process will be to execute a contract with a company to conduct required monitoring; the contract will begin in October 2026.

STATUTORY/POLICY REFERENCE:
The code of federal regulations governing monitoring and oversight requirements are found in: 7 CFR 210.18, 7 CFR 225.4, and 7 CFR 226.6(m)

STRATEGIC PLAN ALIGNMENT:
- Strategic Priority 4: Provide Exceptional Service
    - Strategic Outcome 4.2: Increased Responsiveness and Communication
        - Support from a company to conduct monitoring supports the NDE's effort to provide timely and effective support, technical assistance, and communication to participating schools and organizations
    - Strategic Outcome 4.3: Improved Capacity Building

- Support from a company to conduct monitoring supports the NDE's effort to continuously improve the support it provides to schools and organizations participation in the Child Nutrition Programs by allowing NDE staff the time and capacity to evaluate trends in non-compliance, to identify opportunities for training and technical assistance, and to devote time needed to develop and implement process and training to address non-compliance observed during monitoring.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $200,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Source of funds for contract executed after RFP will be federal; in the past, the contract agreement to conduct this work has been part of the federal state administrative expense budget
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 21, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve Early Childhood Education Continuation Grants

AGENDA ITEM TYPE: Grant- Consent

RATIONALE/BACKGROUND INFORMATION:

- The purpose of the Early Childhood Education Grant Program is to improve access to early childhood education/prekindergarten programs. (Neb. Rev. Stat. § 79-1101)
- Early Childhood programs operated with grant funds are required to operate in compliance with *Rule 11 – Regulations for Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*.
- The school districts identified to receive continuation funds have shown they are in compliance with Rule 11.
- The list of districts identified to receive continuation funds is attached as support material for this item.
- Districts are eligible for continuation funds based on a formula outlined in state statute.
- Requirements for early childhood grants are found in N. R. S. § 79-1103
- Continuation grants are for the 2026/2027 school year.

STATUTORY/POLICY REFERENCE:

- N.R.S. § 79-1103 (1)(a) The State Department of Education shall establish and administer the Early Childhood Education Grant Program.
- N.R.S. § 79-1103 (b) The first priority shall be for (i) continuation grants for programs that received grants in the prior school fiscal year

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
  - *Strategic Outcome 1.1: Improved Student Achievement*
- High quality early childhood education programs provide opportunities to prepare children to be capable and confident when beginning formal schooling. Early childhood programs operated by school districts are required to support children's development in all domains of growth and learning including language and literacy, and receptive and expressive language development.

PROPOSED BOARD MEETING: Consent, May 2026

ESTIMATED COST: $2,183,395

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State general funds identified for the Early Childhood Education Grant Program
- New or Renewal: Renewal
- If renewal, date of first approval: Varies by school district based on year of original application.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Continuation grants are determined by calculations identified in state statute.

**Updated 03.30.2026*

2026/2027 Early Childhood Education Continuation Grants

District	Grant Amount
Adams Central Public Schools	$11,068
Arnold Public Schools	$50,000
Auburn Public Schools	$67,011
Beatrice Public Schools	$11,325
Blair Community Schools	$8,783
Brady Public Schools	$50,000
Columbus Public Schools	$204,524
Deshler Public Schools	$27,976
Fairbury Public Schools	$40,985
Fillmore Central Public Schools	$135,000
Gering Public Schools	$104,678
Kearney Public Schools	$110,674
Kenesaw Public Schools	$38,675
Lakeview Community Schools	$65,658
Leyton Public Schools	$130,000
Mullen Public Schools	$100,000
Nebraska City Public Schools	$54,857
Norfolk Public Schools	$18,902
North Platte Public Schools	$74,653
Papillion-LaVista Community Schools	$94,513
Plattsmouth Community Schools	$64,063
Scottsbluff Public Schools	$343,719
Sidney Public Schools	$12,016

Thayer Central Community	$7,963
Tri-County Public Schools	$38,786
Wayne Community Schools	$103,815
Westside Community Schools	$38,086
York Public Schools	$175,667
TOTAL CONTINUATION AMOUNT	$2,183,395

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 27, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Amy Rhone, Administrator – The Office of Special Education

PROPOSED AGENDA ITEM: Information/Discussion: Issuance of subgrants for the purposes of funding the Promoting Engagement and Knowledge Projects (PEaK).

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grants

RATIONALE/BACKGROUND INFORMATION: The Office of Special Education is bringing forward the activities that are being continued pursuant to the Federal IDEA Part B regulations that require federal IDEA Part B funds to be utilized by states for activities outlined within the IDEA Part B federal application. The Office of Special Education, Part B Discretionary Grant funds requested within this proposal meet the Federal subgranting requirements contained within 2 CFR §200.331 to use the funds to carry out a portion of the public award and for a public purpose specified in the authorizing statute of IDEA Part B.

The NDE Office of Special Education is committed to supporting districts in improving results for children with disabilities. To meet this purpose, funding is available annually to support implementation and evaluation of Targeted Improvement Plans (TIPs) through a PEaK (Promoting Engagement and Knowledge) project. The PEaK Project funding is supplemental to, and is not intended to supplant or duplicate, any other funding source(s). Districts or consortiums of districts supported by an ESU may apply for projects funded with IDEA discretionary dollars for the specific purpose of improving learning for children with disabilities.

As part of Nebraska's Results Driven Accountability (RDA) System, all school districts must participate in an ongoing review of their special education program utilizing the Improving Learning for Children with Disabilities (ILCD) process. The process includes an analysis of district data to study relevant data, district infrastructure, and other pertinent findings to identify target areas for improvement. This is followed by identifying measurable results (goals) and coherent improvement strategies that will be the focus of the improvement activities in the TIP. Next, the district reviews the current infrastructure and capacity to implement, scale up, and sustain evidence-based practice.

Finally, based upon strengths and challenges, a comprehensive, multi-year TIP detailing coherent improvement strategies focused on improving results for children with disabilities is created.

The NDE recognizes Inclusive Education as a framework to implement many of the evidence-based practices identified in districts' TIPs. Inclusive Education offers a model for providing high-quality educational programming that improves access and opportunities for all learners. Districts and ESUs that choose to Improve Literacy Outcomes as their General Focus for Improvement **and** that choose to leverage Inclusive Education in the implementation of their TIPs are eligible to apply for the Journey to Inclusion Grant.

Subgrants are awarded to districts or consortium of districts that meet the grant requirements and that have demonstrated project completion and success in previous years.

STRATEGIC PLAN ALIGNMENT:

Strategic Priority 1: Accelerate Student Achievement

- Strategic Outcome 1.1: Improved Student Achievement
    - Strong alignment: The entire purpose of IDEA Part B funding, TIPs, ILCD process, and PEaK projects is to improve outcomes for children with disabilities, particularly academic (e.g., literacy) outcomes.

Strategic Priority 4: Provide Exceptional Service

- Strategic Outcome 4.3: Improved Capacity Building
    - Alignment: The ILCD process, TIP development, and PEaK funding all focus on building district capacity to implement, scale, and sustain evidence-based practices.
- Strategic Outcome 4.2: Increased Responsiveness and Communication
    - Alignment: The continuous improvement cycle, stakeholder engagement, and collaboration with districts/ESUs reflect responsiveness and structured communication.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: Total available funding, to be distributed to districts or consortiums on a formula basis = $2,132,963.50.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal IDEA Part B, 611
- New or Renewal: Renewal
- If renewal, date of first approval: 2018; reapproved annually thereafter.

State Board of Education Work Session and Business Meeting.
Thursday-Friday March 5-6, 2026
Nebraska Department of Education Office Building, State Board Room, 500 S 84th Street, Lincoln, NE 68508
Link to Agenda and Attachments
Link to Video of Meeting March 6, 2026

Publicized notice of the business meeting was given by posting notice on the Department's website and emailed to news media requesting notification, which gave the date, time, and location of the meeting.

STATE BOARD WORK SESSION, Thursday, March 5, 2026, 12:45 p.m.

1. CALL TO ORDER

President Tegtmeier called the meeting to order at 12:45 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Elizabeth Tegtmeier	Kristin Christensen	Lisa Schonhoff
Liz Renner	Maggie Douglas	Sherry Jones

Commissioner Maher was also in attendance.

Absent: Deborah Neary and Kirk Penner

1.2. President Tegtmeier led the Pledge of Allegiance.

1.3. President Tegtmeier announced the placement of the Open Meetings Act.

2. BUSINESS

2.1. Chronic Absenteeism

NDE Representative, Shirley Vargas, presented on Chronic Absenteeism.

3. ADJOURNMENT

President Tegtmeier adjourned the meeting at 1:38 p.m.

The State Board of Education will reconvene Friday, March 6, 2026, at 9:00 a.m. at the Nebraska Department of Education Office Building for a regular business meeting at the Nebraska Department of Education Office Building, State Board Room, 500 S 84th Street, Lincoln, NE 68508.

DRAFT

STATE BOARD OF EDUCATION MEETING, Friday, March 6, 2026, 9:00 a.m.

1. **CALL TO ORDER –** President Elizabeth Tegtmeier called the meeting to order at 9:00 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Deborah Neary	Elizabeth Tegtmeier	Kirk Penner (arrived 9:18 a.m.)
Kristin Christensen	Lisa Schonhoff	Liz Renner
Maggie Douglas	Sherry Jones	

Commissioner Maher was also in attendance.

1.2. President Tegtmeier led the Pledge of Allegiance.

1.3. President Tegtmeier announced the placement of the Open Meetings Act.

2. SPECIAL PRESENTATIONS

2.1. Special Presentation and Resolution to Proclaim April 2026 as the Month of the Military Child and April 15, 2026, as "Purple Up! For Military Kids Day"

NDE Representative, Derek Ippensen, introduced Offutt Air Force Base 55th Wing Commander Colonel Aaron Gray and 55th Wing Command Chief Master Sergeant Andrew Small who provided information on Offutt Air Force Base, Purple Star Schools, and the importance of the resources provided for military children.

Motion by Kristin Christensen, second by Maggie Douglas to Proclaim April 2026 as the Month of the Military Child and April 15, 2026, as "Purple Up! For Military Kids Day" and to Adopt the Resolution.

Deborah Neary	Yes
Elizabeth Tegtmeier	Yes
Kirk Penner	Absent
Kristin Christensen	Yes
Lisa Schonhoff	Yes
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	Yes

The motion passed.

President Tegtmeier called for a recess at 9:17 a.m. The meeting resumed at 9:24 a.m.

3. COMMISSIONER'S REPORT

3.1. Agenda Overview and Consent Agenda Process

3.1.A. Commissioner Maher's recommendation and items to be removed from consent agenda

No items were requested to be removed from the Consent Agenda.

Commissioner Maher delivered the Commissioner's report.

Kirk Penner returned at 9:28 a.m.

DRAFT

3.2. Update on the Teacher of the Year Program

NDE Representative, David Jespersen, provided an update on the Teacher of the Year Program.

4. PRESIDENT'S REPORT

There was no President's report.

5. PUBLIC COMMENT PERIOD

5.1. Public Comment

The following individuals spoke in public comment: James McGown and Linda Vermooten.

5.2. Written Public Comment

There was no Written Public Comment submitted.

6. CONSENT AGENDA

Motion by Kristin Christensen, second by Liz Renner to approve the Consent Agenda.

Deborah Neary	Yes
Elizabeth Tegtmeier	Yes
Kirk Penner	Yes
Kristin Christensen	Yes
Lisa Schonhoff	Yes
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	Yes

The motion passed.

7. STANDING COMMITTEE REPORTS

7.1. **Executive Committee** – Elizabeth Tegtmeier, Chair, reported on the meeting of the Committee.

7.1.A. Action Item: Board Position on LB1050, Amend the Nebraska Reading Improvement Act to Limit Advancement to Grade Four

Motion by Deborah Neary, second by Liz Renner that the State Board of Education Oppose LB1050 (Amend the Nebraska Reading Improvement Act to Limit Advancement to Grade Four)

Deborah Neary	Yes
Elizabeth Tegtmeier	No
Kirk Penner	No
Kristin Christensen	Yes
Lisa Schonhoff	No
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	No

The motion is lost.

DRAFT

7.1.B. Action Item: Board Position on LB1224, Prohibit Children from Transferring to an Exempt School During Certain Child Abuse or Neglect Investigations and Prohibit Persons Convicted of Certain Crimes from Monitoring or Providing Instruction at Such Schools

Motion by Deborah Neary, second by Kristin Christensen that the State Board of Education Support LB1224 as Amended by AM 2228 (Prohibit Children from Transferring to an Exempt School During Certain Child Abuse or Neglect Investigations and Prohibit Persons Convicted of Certain Crimes from Monitoring or Providing Instruction at Such Schools)

Deborah Neary	Yes
Elizabeth Tegtmeier	No
Kirk Penner	No
Kristin Christensen	Yes
Lisa Schonhoff	No
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	No

The motion is lost.

7.1.C. Discussion Item: Revisions to the Nebraska Council on Teacher Education (NCTE) Organizational Policies

There was no further discussion on the item.

7.2. **Budget and Finance Committee** – Kristin Christensen, Chair, reported on the meeting of the Committee.

7.2.A. Monthly Board Travel Expense Report

There was no further discussion on the item.

7.2.B. Action Item: Contract for a Comprehensive English Language Proficiency Assessment

Motion by Kristin Christensen, second by Maggie Douglas to contract for a Comprehensive English Language Proficiency Assessment.

Deborah Neary	Yes
Elizabeth Tegtmeier	Yes
Kirk Penner	Yes
Kristin Christensen	Yes
Lisa Schonhoff	Yes
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	Yes

The motion passed.

7.3. **Planning and Evaluation Committee Report** – Lisa Schonhoff, Chair, reported on the meeting of the Committee.

7.3.A. Discussion Item: Approve Rule 11 Teacher Waiver Request from Ord Public Schools

There was no further discussion on this item.

DRAFT

7.3.B. Discussion Item: Approval of Hyannis Public Schools Waiver Request

There was no further discussion on this item.

7.3.C. Discussion Item: Approval of Plan(s) of Corrections for Rule 10, 14, and 18 School Systems and Interim Program Schools

There was no further discussion on this item.

7.3.D. Discussion Item: Approval of Nonpublic Schools for the 2026-2027 School Year

There was no further discussion on this item.

7.3.E. Discussion Item: Approval of Interim-Program Schools for 2026-2027 School Year

There was no further discussion on this item.

7.3.F. Discussion Item: Priority School Designation

There was no further discussion on this item.

7.4. **Rules and Regulations Committee** – Maggie Douglas, Chair reported on the meeting of the Committee.

7.4.A. Report on Rules

The report on rules is linked through Sparq in Board Agenda item 7.4.A.

7.4.B. Action Item: Adopt Proposed Revision of Rule 24 (92 NAC 24) Regulations for Certification Endorsements

Motion by Maggie Douglas, second by Liz Renner to Adopt Proposed Revisions to Rule 24 (92 NAC 24) Regulations for Certification Endorsements.

Deborah Neary	Yes
Elizabeth Tegtmeier	Yes
Kirk Penner	Yes
Kristin Christensen	Yes
Lisa Schonhoff	Yes
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	Yes

The motion passed.

8. ADDITIONAL BUSINESS

8.1. Action Item: Accept Preschool Development Grant Funds and Subcontract to Fulfill Grant Requirements

Motion made at the February Board Meeting to Accept Preschool Development Grant Funds and Subcontract to Fulfill Grant Requirements was the pending motion on the floor.

DRAFT

NDE Representatives, Melody Hobson and Dr. Jane Stavem, provided additional information on the partnership and confidentiality of data.

Deborah Neary	Yes
Elizabeth Tegtmeier	No
Kirk Penner	No
Kristin Christensen	Yes
Lisa Schonhoff	No
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	No

The motion is lost.

8.2. Action Item: Accept Mental Health Service Professional Demonstration Grant Funds and Subcontract to Fulfill Grant Requirements

NDE Representative, Amy Rhone, provided additional information of what school psychologists need to provide for students.

Motion by Kristin Christensen, second by Maggie Douglas to Accept Mental Health Service Professional Demonstration Grant Funds and Subcontract to Fulfill Grant Requirements.

Deborah Neary	Yes
Elizabeth Tegtmeier	No
Kirk Penner	No
Kristin Christensen	Yes
Lisa Schonhoff	No
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	No

The motion is lost.

8.3. Action Item: Accept School-Based Mental Health Services Grant Funds and Subcontract to Fulfill Grant Requirements

Motion by Kristin Christensen, second by Liz Renner to Accept Mental Health Service Professional Demonstration Grant Funds and Subcontract to Fulfill Grant Requirements.

Deborah Neary	Yes
Elizabeth Tegtmeier	No
Kirk Penner	No
Kristin Christensen	Yes
Lisa Schonhoff	No
Liz Renner	Yes
Maggie Douglas	Yes
Sherry Jones	No

The motion is lost.

9. INFORMATION ITEMS AND REPORTS

Information items and reports are linked through Sparq under Board Agenda item 9.

DRAFT

10. GOOD OF THE ORDER

Maggie Douglas and Lisa Schonhoff will be visiting the Nebraska Center for the Education of Children Who are Blind or Visually Impaired (NCECBVI) on March 27, 2026, at 10:00 a.m. and all Board Members are welcome to attend.

11. ADJOURNMENT

President Tegtmeier adjourned the meeting at 11:25 a.m.

The next meetings of the State Board of Education are scheduled for May 7-8, 2026, in Bellevue, Nebraska.

DRAFT

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Jamie Cook, Literacy Officer

PROPOSED AGENDA ITEM: Award funding for Year 3 of the Comprehensive Literacy State Development (CLSD) Grant to the identified subaward grantees.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION:
This agenda item requests approval to continue Year 3 funding for the 46 Nebraska Comprehensive Literacy State Development (CLSD) subgrantees, contingent upon the federal Grant Award Notification. The CLSD grant is a five-year, approximately $55 million federal award (2024–2029) designed to improve literacy outcomes for children from birth through grade 12 through evidence-based reading instruction, aligned professional learning, and implementation of high-quality instructional materials. As required by the grant, at least 95 percent of funds are distributed through a competitive subgrant process, with allocations aligned across birth–kindergarten entry (15%), grades K–5 (40%), and grades 6–12 (40%).

This continuation is necessary to maintain momentum in a multi-year implementation effort that aligns with state and federal priorities around improving literacy outcomes. The State Board previously approved these 46 subgrantees in August 2025 following a competitive application process, and districts have been actively implementing their approved plans since fall 2025. Current data shows clear and consistent growth in educator knowledge, early shifts in instructional practice, and emerging improvements in student outcomes, particularly in foundational literacy skills and reductions in the number of students requiring intensive support. Given the early stage of implementation, discontinuing or reissuing a new request for applications at this point would disrupt established systems and limit the ability of subgrantees to fully implement and realize the intended impact of their approved plans.

The CLSD subgrants serve Nebraska schools, educators, leaders, and ultimately students across birth through grade 12, with a focus on building educator capacity, strengthening instructional systems, and improving literacy outcomes for all learners. The program is administered by the Nebraska Department of Education through a competitive subgrant process, followed by annual continuation awards based on progress monitoring, budget review, and compliance with federal requirements. Ongoing evaluation includes multiple measures such as professional learning assessments, Instructional Practice Guide (IPG) walkthrough data, and student-level data including screeners, progress monitoring, and state assessments. These data are used to monitor implementation fidelity, guide continuous improvement, and assess impact across sites.

Year 3 funding (October 1, 2026 – September 30, 2027) represents a critical phase focused on deepening implementation, strengthening instructional consistency, and accelerating student outcomes. Subgrantees are moving from initial learning into more refined practice and system alignment, with increasing evidence that professional learning is translating into classroom instruction and improved student performance. Approval of Year 3 continuation funding at this time will ensure continuity of implementation, allow districts to plan effectively for the upcoming school year, and position Nebraska to maximize the full impact of this five-year federal investment in literacy.

NDE LIST OF CLSD GRANTEES (46 AWARDS)				
TIER 1 AWARDS (UP TO $65,000/YEAR, $325,000/5 YEARS)	**Birth-Kindergarten Entry**	**Kindergarten-Grade 5**	**Grades 6-12**	**Total Year 3**
ANSELMO-MERNA PUBLIC SCHOOLS	X		X	$65,000.00
AUBURN PUBLIC SCHOOLS	X			$65,000.00
BERTRAND PUBLIC SCHOOLS	X		X	$65,000.00
CENTRAL VALLEY PUBLIC SCHOOLS	X		X	$65,000.00
DAVID CITY PUBLIC SCHOOLS		X		$65,000.00
EDUCARE LINCOLN	X			$65,000.00
ELMWOOD MURDOCK PUBLIC SCHOOLS	X			$65,000.00
ESU 17	X			$65,000.00
FAIRBURY PUBLIC SCHOOLS	X		X	$65,000.00
FALLS CITY PUBLIC SCHOOL DISTRICT			X	$65,000.00
HUMBOLDT TABLE ROCK STEINAUER			X	$65,000.00
JOHNSON COUNTY SCHOOL DISTRICT			X	$65,000.00
LAUREL CONCORD COLERIDGE	X		X	$65,000.00
LEWISTON CONSOLILDATED SCHOOLS			X	$65,000.00
MADISON PUBLIC SCHOOLS			X	$65,000.00
MILFORD PUBLIC SCHOOLS			X	$65,000.00
PAWNEE CITY			X	$65,000.00
WALTHILL PUBLIC SCHOOLS	X		X	$65,000.00
WAYNE COMMUNITY SCHOOLS				$36,485.00

TIER 2 AWARDS (UP TO $259,000/YEAR, $1,295,000/5 YEARS)	Birth-Kindergarten Entry	Kindergarten-Grade 5	Grades 6-12	Total Year 3
BEATRICE PUBLIC SCHOOLS	X	X	X	$259,000.00
BUFFETT EARLY CHILDHOOD INSTITUTE	X			$259,000.00
CRETE PUBLIC SCHOOLS	X	X	X	$259,000.00
ESU 02		X	X	$259,000.00
ESU 05	X	X		$259,000.00
ESU 08	X	X	X	$259,000.00
ESU 11	X	X	X	$259,000.00
ESU 15	X	X	X	$259,000.00
ESU 16	X	X	X	$259,000.00
ESU04		X		$239,956.00
NEBRASKA CITY PUBLIC SCHOOLS		X	X	$259,000.00
RALSTON PUBLIC SCHOOLS	X	X	X	$259,000.00
SCOTTSBLUFF PUBLIC SCHOOLS	X	X	X	$259,000.00

TIER 3 AWARDS (UP TO $440,000/YEAR, $2,200,000/5 YEARS)	Birth-Kindergarten Entry	Kindergarten-Grade 5	Grades 6-12	Total Year 3
ESU 03	X	X	X	$440,000.00

ESU 06		X	X	$440,000.00
ESU 07	X	X	X	$374,159.00
ESU 09	X	X	X	$440,000.00
ESU 10	X	X	X	$440,000.00
ESU 13		X	X	$440,000.00
ESU 19/ OMAHA PUBLIC SCHOOLS			X	$440,000.00
FREMONT PUBLIC SCHOOLS		X	X	$440,000.00
GRAND ISLAND PUBLIC SCHOOLS	X	X	X	$440,000.00
LINCOLN PUBLIC SCHOOLS		X	X	$440,000.00
MILLARD PUBLIC SCHOOLS	X	X	X	$440,000.00
NCFF	X			$259,000.00
PAPILLION LA VISTA PUBLIC SCHOOLS	X	X	X	$440,000.00
UNL WORDS		X		$440,000.00

STATUTORY/POLICY REFERENCE:
AMP 2.02 Contracts, Grants, and Purchases, The Board shall review and approval contracts and purchases of $50,000 or more.

STRATEGIC PLAN ALIGNMENT:
Strategic Priority 1: Accelerate Student Achievement

- *Strategic Outcome 1.1: Improved Student Achievement*

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST:
$10,983,797.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal
- New or Renewal: Renewal
- If renewal, date of first approval: August 8, 2025

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: N/A
- Rationale for method of procurement: N/A
- Rationale for contractor selection: N/A

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

The NDE awarded subgrants to the highest-scoring applicants within each age band. This approach supports compliance with the federal 15/40/40 funding distribution requirement across all age bands. All applicants were evaluated through a fair, impartial, and comprehensive process, using predetermined criteria aligned with Tier levels and U.S. Department of Education requirements. For additional information, please refer to Section 1.5: Awards of Funding of the 2025 Request for Applications (RFA) Nebraska Comprehensive Literacy State Development (CLSD) Grant posted 4/4/2025.

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 20, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Bryce Wilson, Administrator, Office of Financial & Administrative Services

PROPOSED AGENDA ITEM: Approve the attached Special Grant Fund List for 2026/27 School District Budgeting.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION:

Section 79-1003(40) requires the State Board of Education to identify special grant funds that are excluded from the definition of general fund budget of expenditures for purposes of calculating budget limitations of local school districts. Such funds would be treated as exclusions from school districts' general fund budget of expenditures for purposes of calculating budget limitations in accordance with state law.

For each school budget year, the list is revised, and State Board approval is requested. This request is applicable to the 2026/27 school district budget.

STATUTORY/POLICY REFERENCE:

Section 79-1003(40) requires the State Board of Education to identify special grant funds that are excluded from the definition of general fund budget of expenditures for purposes of calculating budget limitations of local school districts.

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
  - *Strategic Outcome 1.1: Improved Student Achievement*

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: None

FOR CONTRACTS AND GRANTS: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

FOR GRANT SUBAWARDS: N/A

**Updated 03.30.2026*

Nebraska Department of Education
School Finance & Organization Services

Final
2026/27 SPECIAL GRANT FUND LIST

1. ACE/Cultural Connections
2. Adult Education & Family Literacy Act Grants (WIOA Title II)
3. Adult Education – Integrated English Literacy & Civics Grants (WIOA Title II)
4. Adult Education Volunteer Coordination Grants (AEFLA)
5. Annenberg Foundation Grants (Rural Challenge)
6. Career Pathway Advancement Project (CPAP)
7. Career and Technical Education Grants (Federal: Perkins)
8. Career and Technical Education Grant (State)
9. Century Link/NETA Grants
10. Child Care & Development Fund
11. Clean School Bus FY22-26
12. Community 4 Kids Grant
13. Community Incentive Grants
14. Comprehensive Literacy State Development Grant (CLSD)
15. Distance Learning Grants (Federal)
16. Early Childhood Education Endowment Program Ages Birth-3 (Sixpence) Grants
17. Early Childhood Education Program Ages 3-5 Grants
18. Early Intervention Act and IDEA Part C (Infants/Toddlers with Disabilities) Grants
19. Education Improvement Fund Grants (includes Distance Education Incentive, Expanded Learning Opportunity, and Innovation Grants)
20. ESEA Title, I Grants (includes Accountability, Support for Improvement, Disadvantaged, Migrant Education, and Neglected or Delinquent)
21. ESEA Title II Part A – Supporting Effective Instruction (Principal and Teacher Training and Recruiting/Class Size Reduction)
22. ESEA Title III Grants – Language Instruction for English Learners
23. ESEA Title VI Grants - Rural and Low-Income (Rural Education Achievement Program (REAP) Grants)
24. ESRA Title IV Part B – 21st Century Community Learning Center Grants
25. ESEA Title VII Grants - Indian, Native Hawaiian, and Alaska Native Education
26. ESEA Title IX – McKinney-Vento Homeless Assistance Act Grants
27. Expanded Learning Opportunity
28. Forest Service Grants (Conservation Education)
29. Head Start Grants
30. High Ability Learner Incentive Grants (Gifted)
31. High School Equivalency Assistance Act Grants (AEFLA)
32. IDEA Part C - Planning Region Team

Nebraska Department of Education
School Finance & Organization Services

****Final****

2026/27 SPECIAL GRANT FUND LIST

33. IDEA Special Education Discretionary Grants/Cooperative Agreements (including State Improvement Grants (SpDG/PBIS), Deaf-Blind Grants, and other Office of Special Education Program (OSEP) Grants/Cooperative Agreements, Teacher Retention)
34. Immigrant Impact Education Grants
35. Indian Education Grants
36. Innovation in Education Program Grants (includes funds from USDE)
37. Johnson-O'Malley Grants
38. JROTC
39. Kiewit Foundation Grants
40. Magnet School Grants
41. Medicaid Administrative Activities in Public Schools (MAAPS)
42. Medicaid in Public Schools (MIPS)
43. Mentoring for Success Grants
44. National Assessment of Educational Progress (NAEP)
45. National Science Foundation Grants
46. NDEQ
47. NE Emerging Technologies Initiative-Pathways to STEM grant
48. Nebraska Arts Council Grants
49. Nebraska Community Foundation/TeamMates Grants
50. Nebraska Environmental Trust Grants
51. Nebraska Game & Parks Commission Grants (Conservation Education, Outdoor Classroom)
52. Nebraska Humanities Grants
53. Nebraska Natural Resources Commission Grants
54. Preschool Development Grant (PDG)
55. reVISION Action Grant (Federal: Perkins)
56. Save the Children Grant
57. Smaller Learning Communities Program Grants
58. Statewide Longitudinal Data System
59. Summer Food Service Program
60. Teaching American History (TAH) Grants
61. Technology Information Infrastructure Assistance Program Grants (U.S. Department of Commerce)
62. USDA/Fresh Fruits & Vegetables Program
63. Vocational Rehabilitation Grants
64. Waste Reduction and Recycling Grant

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 21, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Tibor Moldovan
Office Administrator, Office of Technology Services

PROPOSED AGENDA ITEM: Annual Replacement of Technology and Renewal of Software Licenses

AGENDA ITEM TYPE: Program – Technology Services, Consent Agenda

RATIONALE/BACKGROUND INFORMATION:
Every year, the department requests that the board grants Commissioner spending authority for routine agency IT operating expenses, as required by the State Board Agency Management Policies for Contracts, Grants, and Purchases. These routine operating expenses are only intended to serve the staff of the Nebraska Department of Education, including VR and ATP, but not DDS.

The routine operating expenses are categorized into different types:

- Equipment purchases:
  - Servers and videoconference systems
  - Staff equipment - laptops, displays, docks
- Software/License renewals:
  - A number of software licenses (such as Microsoft Office, AdobeSign, Kronos timekeeping, print management, etc.)
  - Other shared resources: Wordpress Web Hosting, new user onboarding, IT remote support and mobile device management.
- OCIO charges:
  - Network connection and security charges
  - Technology fees
  - Datacenter server hosting
  - Storage space
  - Exchange (email/calendar) services
- Shared Service, Infrastructure and Compute environments:
  - Printers
  - Azure

Purchases are made through state contracts and in accordance with State Procurement policies. The department uses various state negotiated contracts primarily from HP, Apple, Dell, CDWG, Insight, BH Photo, and other vendors. In rare cases where a license is not available through one of the software resellers, the department coordinates with OCIO (Nebraska Office of the Chief Information Officer) to see if existing solutions are available where we can join with OCIO or other agencies for better pricing. For instance - PrinterLogic, IBM DataStage, VMWare Horizons, and ESRI.

When selecting vendors, the department considers a number of factors such as price, support, reliability, and security. We also evaluate the ability to support the service or equipment, such as whether we have enough IT staff to support the software or if department staff needs training and who will provide the training.

Software licenses are typically renewed annually. Servers and videoconference systems are usually replaced on a 10-year replacement schedule or sooner in case of failure, while staff laptops are replaced on a 5-year schedule.

To ensure that purchases are necessary and aligned with the overall IT strategy and goals of the department, we follow Internal Operating Procedures and State's procurement guidelines. Purchases are reviewed and approved by multiple levels of staff, both at NDE and OCIO/State Procurement.

Costs are controlled by auditing resources used. Azure costs are reviewed monthly, and services are deactivated where not needed. The count for software licenses is audited monthly, and unneeded accounts are removed. Equipment that is past its prime is reused where possible, such as re-purposing usable but old staff laptops into checkout laptops, or using older displays in hoteling areas.

The department takes advantage of educational pricing first, then state government offers, where possible. We partner with ESUCC purchase cooperative to realize additional savings. Year over year budgets are compared, and any increases are discussed with the fiscal team. As much as possible, competitive bids are requested from multiple software resellers or hardware vendors.

Equipment is tracked using our internal asset tracking system, and at the end of its life, it is disposed of through the State's auction process. Any storage device or a device with non-removable storage is sanitized or physically destroyed before being auctioned off.

To ensure that resources are used effectively, efficiently, and in accordance with acceptable use policies, all new staff are trained on acceptable use policy. Periodic reminders are sent through internal communication tools reminding staff that the department and state provided equipment and resources are to be used for official business use only.

The department's request is only for spending authority. The authorization to expend resources is dependent on the availability of funds. Funding sources include Federal, General, Cash, Indirect Cost, or Legislature Appropriated. Most of the shared resources are sourced per FTE, and percentages of Federal/General/Cash and Indirect costs are generated based on the program funding sources.

STATUTORY/POLICY REFERENCE:

- LB261 There is included in the appropriation to this program for FY2026-27 $300,000 General Funds for the Nebraska Technology Initiative, which shall only be used for such purpose.

- AMP 2.02 Contracts, Grants, and Purchases, The Board shall review and approval contracts and purchases of $50,000 or more.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 4: Provide Exceptional Service
    - Strategic Outcome 4.1: Improved Agency-Wide Efficiency

Ability to provide staff of the Nebraska Department of Education with necessary technology and software solutions so they can effectively and effectively execute their duties. Utilize existing contracts and best practices to ensure financial responsibility.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: Up to $2,000,000.00

FOR CONTRACTS AND GRANTS:

- Mix of Federal, Cash, Indirect, or Legislature Appropriated.
- Software licenses are typically sourced from the revolving fund, or billed directly to an office, whereas equipment replacements are based on the program funding percentages. (Approximately 58% General, 33% Federal, 5% Indirect, 4% Cash)

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: NA
- Rationale for method of procurement: NA
- Rationale for contractor selection: NA

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: NA

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 21, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Chris Wlaschin, Information Systems Officer

PROPOSED AGENDA ITEM: Authorize the Commissioner to provide funds to the Nebraska Statewide Workforce and Education Reporting System (NSWERS) in fulfillment of NDE's financial commitment to the partnership.

AGENDA ITEM TYPE (contract/grant/rule/program/other): Consent Agenda

RATIONALE/BACKGROUND INFORMATION:

NSWERS is partnership between the Nebraska Department of Education, the Nebraska State Colleges, the University of Nebraska and the six public Nebraska community colleges to share data and develop a comprehensive, sustainable, and robust lifelong learning and workforce longitudinal data system serving the needs of the people of Nebraska. The NSWERS partnership began with Legislative Bill 1071 (2010) which required the NSWERS partners to enter into a memorandum of understanding to share student data. The resulting Memorandum of Understanding established an agreement "to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska." In the fall of 2019, these partners advanced this cooperation and completed the legal formation of the NSWERS as a joint public entity under the Nebraska Interlocal Cooperation Act for mutual advantage regarding data initiatives. A memorandum of understanding for the sharing of workforce data was completed with the Nebraska Department of Labor in 2021.

NSWERS serves an important role for NDE because of its growing capacity to provide cross-sector longitudinal data in areas of interest to NDE and K-12 education stakeholders. NSWERS receives no state funding from the legislature and is currently funded by a variety of grants from non-profit foundations and contributions from NSWERS Partners. The document establishing NSWERS and the first Memorandum of Understanding between NSWERS and NDE including the original interlocal agreement between NDE and NSWERS was entered into in August, 2022 which is attached as Appendix A. NSWERS has submitted a new funding commitment agreement to NDE for the period 2026-2030 which is contained in Appendix B to this agenda item.

These funding commitments were developed by the NSWERS Executive Council with the goal of gradually increasing partner contributions to NSWERS over time. The contribution percentages were discussed and agreed upon by the Executive Council as the targets for partner support of NSWERS.

STATUTORY/POLICY REFERENCE:

- LB 1071 (2010) requires the State Board of Education, the University of Nebraska Board of Regents, the Nebraska State Colleges Board of Trustees and the Board of Governors for each community college to enter into a memorandum of understanding to adopt a policy to share student data.
- Nebraska Revised Statute 79-776 pertains to the State Board of Education's policy to share student data. It mandates that the State Board enter into a memorandum of understanding with relevant educational boards to ensure compliance with the Family Educational Rights and Privacy Act. This policy aims to facilitate the exchange of student data while adhering to federal regulations.
- Nebraska Revised Statute 13-802. It is the purpose of the Interlocal Cooperation Act to permit local governmental units to make the most efficient use of their taxing authority and other powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.
- AMP 2.02 Contracts, Grants, and Purchases, The Board shall review and approval contracts and purchases of $50,000 or more.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
    - Strategic Outcome 1.1: Improved Student Achievement
- Strategic Priority 3: Equip Learners for the Workforce
    - Strategic Outcome 3.1: Increased Postsecondary Access and Attainment
- Strategic Priority 4: Provide Exceptional Service
    - Strategic Outcome 4.3: Improved Capacity Building

NSWERS currently focuses on data collection, infrastructure development and data dissemination on eight key educational and workforce outcomes: high school graduation rate, college going rate, post-secondary persistence, post-secondary graduation rate, time to employment, employment gap metrics, industry placement statistics and identification of employment location. In addition, NSWERS has established a six stage research framework to translate data collected into actionable information for decision making for the broad constituency of stakeholders interested in education and workforce outcomes.

NSWERS receives no state funding from the legislature and is currently funded by a variety of grants from non-profit foundations and contributions from NSWERS Partners.

PROPOSED BOARD MEETING (MONTH/YEAR): May, 2026

ESTIMATED COST: $310,688 for FY 2025-2026 and 2026-2027.

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: The funds for this contract were authorized by the State Legislature and are included in the NDE budget for 2025-2026 ($130,893) and 2026-2027 ($179,795). NDE expects the legislature to fund the 3 remaining years on this contract during the appropriate legislative year.

- New or Renewal: Renewal

- If renewal, date of first approval: July, 2023

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Not applicable

- Rationale for method of procurement: Not applicable

- Rationale for contractor selection: Not applicable

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Not applicable

**Updated 03.30.2026*

Appendix A

NEBRASKA P-20W

NSWERS FIRST AMENDED AND RESTATED AGREEMENT ESTABLISHING THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

This First Amended and Restated Agreement (this "Agreement") is entered into by and among the Nebraska State Board of Education (Board of Education), the Board of Regents of the University of Nebraska (University), the Board of Trustees of the Nebraska State Colleges (State Colleges), and each of the six Nebraska Community Colleges (Central, Mid Plains, Metropolitan, Northeast, Southeast, and Western) (Community Colleges) (collectively, the "Parties"). The Parties are all public agencies within the meaning of Nebraska Revised Statutes §13-803. Upon execution, this Agreement amends and restates the original interlocal agreement establishing the Nebraska Statewide Workforce & Educational Reporting System (NSWERS), entered into among the Parties on or about October 8, 2019.

I. PURPOSE

LB 1071 (2010) required the Nebraska State Board of Education, Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the board of governors of each community college area to enter into a Memorandum of Understanding to adopt a policy to share student data. LB 1071 is codified in the Nebraska Revised Statutes (§85-110 (University of Nebraska); §85-309 (Nebraska State College System); §79-776 (Nebraska Department of Education); §85-1511 (Nebraska Community Colleges)). The resulting Memorandum of Understanding for Sharing of Student Data between the Nebraska Department of Education, the University of Nebraska, the Nebraska State Colleges, and the Nebraska Community Colleges (herein the "MOU") established an agreement "to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska" and is incorporated herein by reference and attached hereto as Exhibit "A". The joint entity created herein shall operate under the name of the Nebraska Statewide Workforce & Educational Reporting System (NSWERS) and shall supercede the MOU once executed by all parties to the agreement identified in Article III herein.

The purpose of this Agreement is to provide for a phased (preparation and implementation phase) undertaking to create a joint entity known as NSWERS.

NSWERS will exist to provide optimized and secured access to accurate and reliable longitudinal student information to analysts and researchers to discover those policies, processes, and practices across students' academic involvement and transition into the workforce that best improve student outcomes.

NSWERS shall engage in activities including, but not limited to, overseeing and directing the operations, maintenance, and reporting of student data from the prekindergarten through postsecondary and workforce data warehouses. NSWERS shall further define, and may expand upon, the data to be shared and establish appropriate guidance as well.

II. DEFINITION OF TERMS

The following terms shall have the following meanings unless the context or use indicates or requires another or different meaning or intent.

"NSWERS" shall mean the joint entity organized and operated pursuant to this Agreement, the full name of which is: Nebraska Statewide Workforce & Educational Reporting System.

"Executive Council" shall mean the Executive Council of NSWERS appointed as provided in Section IV hereof.

"Party" shall mean the Board of Education, University, State Colleges and Community Colleges.

"Executive Council Member" shall mean a member of the Executive Council of the NSWERS.

"System" shall mean the rules, procedures, protocols, networks, software, hardware, principles, goals, guidance, and other instrumentalities used by NSWERS to fulfill the Purpose in Article I.

III. PARTIES TO THIS AGREEMENT

The only Parties to this Agreement shall be the Board of Education, University, State Colleges, and each of the six Community Colleges.

IV. ESTABLISHMENT OF NSWERS

A. Joint Entity. This agreement creates a joint administrative entity consistent with the provisions of Nebraska Revised Statute §13-804(6) to be known

as NSWERS. NSWERS shall be subject to the control of the Parties within the meaning of §13-804(6). NSWERS shall constitute a separate administrative entity, exercising the public powers granted by this Agreement and acting on behalf of the Parties. Each Party agrees to participate and engage in the phased activities of NSWERS as provided in this Agreement.

B. The execution of this Agreement by each Party facilitates (i) the creation of NSWERS as an independent administrative government entity under the Nebraska Interlocal Cooperation Act to continue and complete the planning, design and approval of the System used for the purposes provided in Article I; (ii) approval of the annual budget for NSWERS; (iii) reviewing and updating the initial annual budget with the State of Nebraska and other funding sources for the Implementation of NSWERS; and (iv) risk management including appropriate insurance, indemnification and other provisions to assure that each Party is responsible for their own conduct without creating unnecessary joint and several exposures.

C. Execution of Exhibit B to this Agreement by each Party authorizes NSWERS to begin operation as a joint entity to provide optimized and secured access to accurate and reliable longitudinal student information for the purposes provided in Article I.

D. The Executive Council shall consist of four (4) members comprised of the following:

Commissioner of Education

President of the University of Nebraska

Chancellor of the Nebraska State College System

A President of one of the Nebraska Community Colleges

E. Executive Council Members other than the Nebraska Community College representative shall be appointed for such terms as shall be specified in the appointment and until their successors are appointed. The intent of the Parties is for Executive Council Members to serve for so long as they remain in their official capacity as stated in IV(A). The Nebraska Community College representative shall be elected by majority vote of the Presidents of participating Nebraska Community Colleges signatory to this document. Election of the representative for the Nebraska Community Colleges shall take place no later than January 15th of each calendar year.

F. Executive Council Members shall serve without compensation from NSWERS.

G. A vacancy on the Executive Council shall be filled by the Party whose position on the Executive Council is vacant.

H. No Executive Council Member shall be eligible to vote during any period of time that the Party such Executive Council Member represents is in default on any amount owed to the NSWERS. During the existence of such default, the vote or votes of the Executive Council Members representing such Party shall not be counted as eligible votes for any purpose of this Agreement, or for the determination of a quorum to transact business.

V. POWERS AND DUTIES OF NSWERS

The powers and duties of the NSWERS shall include all powers which the Interlocal Cooperation Act confers upon the NSWERS to the extent that such powers are consistent with the purposes specified in Article I hereof and the Bylaws of NSWERS.

VI. FINANCIAL MATTERS

A. NSWERS shall not be operated for profit, but shall be operated in such manner as shall enhance the missions and welfare of the Parties. NSWERS shall operate on a fiscal year from July 1 to June 30 and shall establish an operating budget which shall include all revenue of every type and description and expenses of every type and description. Each Party shall pay for contracted services and shall make payments therefore as provided in such contract.

B. The Executive Council shall prepare and distribute to each Party on April 1 of each year a written estimate of the revenues and expenditures proposed for the subsequent fiscal year. Included within the written estimate of revenues and expenditures shall be a recommended funding amount needed and the proposed source for the same. The proposed budget must be unanimously approved by the voting members of the Executive Council. In the event that unexpected conditions arise which cause any material increase to the overall budget, the Executive Council shall inform each Party in a timely manner. In the event that the Executive Council deems it necessary to seek additional funds, assets, or administrative services from the Parties, such request will be submitted in writing and reviewed within the budgeting framework and time constraints of each Party. Each Party reserves its authorization, appropriation, and other powers to approve any requested additional funds, assets, or administrative services.

(1) The Executive Council commits to serving as the lead in pursuing external sources funding for the costs associated with the

NSWERS system (beginning July 1, 2022). In the event that the recommended amount of funding is not secured, the Executive Council shall inform the Parties as soon as possible.

(2) Subsequent determinations regarding dedication of any funds or resources by any party will be based upon future grants, appropriations or other funding sources.

C. NSWERS shall keep or shall cause to be kept appropriate books and records with respect to all financial activities of the NSWERS. Such books and records will be available for inspection by any Party.

VII. DURATION

This Agreement shall become effective upon execution by the Parties hereto and shall continue in effect indefinitely until it is terminated as herein provided.

VIII. TERMINATION AND DISPOSITION OF PROPERTY

At any time during which the NSWERS shall not have outstanding any bonds, notes or other evidences of indebtedness, this Agreement may be terminated by the unanimous action of the Parties and the NSWERS may be dissolved or liquidated.

Upon dissolution or liquidation, general assets of the NSWERS shall be sold and the proceeds thereof distributed to the Parties as determined by the Executive Council. Institutional or agency data submitted to NSWERS shall remain the property of the submitting institution or agency and is not a general asset of the entity.

Institutional or agency data submitted to NSWERS shall be returned to the submitting institution or agency upon dissolution or liquidation of the entity; however, in the event return of submitted data is not feasible, said data shall be destroyed in a manner compliant with prevailing industry standard techniques. Data products derived from submitted data and reliant on personally identifiable information shall likewise be returned to the submitting institution or agency or shall be destroyed.

IX. MISCELLANEOUS

A. Entire Agreement; Amendment. This Agreement, the Articles of NSWERS and the Bylaws contain the entire agreement of the Parties and shall be binding upon the successors and assigns of the respective Parties. All prior agreements and understandings between the Parties are hereby superseded. No amendment, deletion or addition shall be made to this Agreement except as agreed upon by all Parties in writing.

B. Governing Law. This Agreement shall be governed by the laws of the State of Nebraska.

C. Conflict of Interest. No officer, employee, or agent of any of the Parties shall have any personal pecuniary interest, direct or indirect, arising out of or related to this Agreement.

D. Severability. The terms of this Agreement are severable. If any term or provision is declared by a court of competent jurisdiction to be illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

E. Nondiscrimination. No Party will discriminate against any employee, or applicant for employment to be employed in the performance of this Agreement, with respect to hire, tenure, terms, conditions, or privilege of employment because of the race, color, national origin, sex, sexual orientation, gender identity, marital status, disability, religion or age of the employee or applicant.

F. Hold Harmless. To the extent allowed by law, each Party (the "Indemnifying Party") shall assume all risk of loss and hold the other Parties, their employees, agents, assignees, and legal representatives harmless from all liabilities, demands, claims, suits, losses, damages, causes of action, fines or judgments and all expenses incident thereto, for injuries to persons, for civil rights liability, and for loss of, damage to, or destruction of property arising out of or in connection with this Agreement and proximately caused by the negligent or intentional acts or omissions of the Indemnifying Party, its employees, agents, assignees or legal representatives.

G. Insurance. The Parties agree to separately maintain self-insurance coverage or a policy of general liability insurance in the amount of One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) in the aggregate.

H. Headings. The captions or headings in this Agreement are for reference only and do not define, describe, extend, or limit the scope or intent of the Agreement.

I. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, and which together shall constitute a single document.

J. Notice. All notices, consents, approvals, demands, requests or other communications required or permitted to be given under any of the provisions of this Agreement will be in writing and will be sent to the person(s) and address(es) set forth below via certified mail, hand delivery, overnight courier, or facsimile transmission (to the extent a facsimile number is set forth below). All such notices shall be effective when received.

If to Board of Education:	Nebraska Department of Education c/o Commissioner of Education 500 S. 84th Street, 2nd Floor Lincoln, NE 68510-2611
with a copy to:	Nebraska Department of Education c/o Office of Legal Services 500 S. 84th Street, 2nd Floor Lincoln, NE 68510-2611
If to the University:	University of Nebraska c/o President 3835 Holdrege Street P.O. Box 830743 Lincoln, NE 68583
with a copy to:	University of Nebraska c/o Office of General Counsel 3835 Holdrege Street P.O. Box 830743 Lincoln, NE 68583
If to State Colleges:	Nebraska State College System c/o Chancellor 1327 H Street, Suite 200 Lincoln, NE 68508
with a copy to:	Nebraska State College System c/o Office of General Counsel 1327 H Street, Suite 200 Lincoln, NE 68508
If to Central CC:	Central Community College c/o College President 3134 W. Highway 34

P.O. Box 4903
Grand Island, NE 68802-4903

with a copy to:

Central Community College
c/o Vice President for Administrative Services
3134 W. Highway 34
P.O. Box 4903
Grand Island, NE 68802-4903

If to Metropolitan CC:

Metropolitan Community College
c/o College President
P.O. Box 3777
Omaha, NE 68164

with a copy to:

Metropolitan Community College
c/o Associate Vice Chancellor for Compliance and General Counsel
P.O. Box 3777
Omaha, NE 68164

If to Mid-Plains CC:

Mid-Plains Community College
c/o College President
601 W. State Farm Road
North Platte, NE 69101

with a copy to:

Mid-Plains Community College
c/o Vice President of Administrative Services
1101 Halligan Drive
North Platte, NE 69101

If to Northeast CC:

Northeast Community College
c/o Office of the President
801 East Benjamin Avenue
Norfolk, NE 68701

with a copy to:

Northeast Community College
c/o Office of the Vice President of Administrative Services and General Counsel
801 East Benjamin Avenue
Norfolk, NE 68701

If to Southeast CC:

Southeast Community College
c/o Office of the President
301 South 68th Street Place
Lincoln, NE 68510

With a copy to:

Perry Law Firm
c/o Derek Aldridge
233 South 13th Street, Suite 1400
Lincoln, NE 68508

If to Western Nebraska CC:

Western Nebraska Community College
c/o Office of the President
1601 East 27th Street
Scottsbluff, NE 69361

with a copy to:

Dr. Nino Kalatozi
Western Nebraska Community College
1601 East 27th Street
Scottsbluff, NE 69361

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers.

THE NEBRASKA STATE BOARD OF EDUCATION

DATE:

By: _____
Commissioner

Oct 4, 2022

THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

DATE:

By: _____
President

08/19/22 | 17:32 CDT

THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

DATE:

By: Paul Turman
Chancellor

08/21/22 | 08:20 PDT

THE BOARD OF GOVERNORS OF CENTRAL COMMUNITY COLLEGE

DATE:

By: Matthew Gotschall
President

08/19/22 | 15:59 CDT
DATE:

THE BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE

By: Penny Schmailzl
President

08/24/22 | 11:23 PDT
DATE:

THE BOARD OF GOVERNORS OF MID-PLAINS COMMUNITY COLLEGE

By:
President

08/22/22 | 09:04 CDT
DATE:

THE BOARD OF GOVERNORS OF NORTHEAST COMMUNITY COLLEGE

By: Leah Barrett
President

09/13/22 | 09:52 CDT
DATE:

THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE

By:
President

08/30/22 | 11:48 PDT
DATE:

THE BOARD OF GOVERNORS OF WESTERN NEBRASKA COMMUNITY COLLEGE

By: John Marrin
President

08/19/22 | 14:44 CDT
DATE:

EXHIBIT "A"

Memorandum of Understanding for Sharing of Student Data between the Nebraska Department of Education, the University of Nebraska, the Nebraska State Colleges, and the Nebraska Community Colleges

The Nebraska State Board of Education, the Board of Regents for the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the Board of Governors for each Community College Area (hereinafter "Organizations") agree to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska.

The Organizations agree to share data in a manner that safeguards the confidentiality of personally identifiable information in students' education records as defined by the federal Family Education Rights and Privacy Act (FERPA) and any other applicable federal or state laws and regulations. FERP A establishes restrictions on the disclosure and re-disclosure of personally identifiable information in students' education records without the written consent of the parent or eligible student. FERP A permits student information to be used by state educational authorities for the purposes of the evaluation of state or federally supported education programs, and/or conducting research for or on behalf of the state supported schools to improve education.

The Organizations agree to share certain student data under the following stipulations:

1. The Organizations agree to provide individual student data including, but not limited to; demographic, enrollment and completion/degree information.
2. The data, including any personally identifiable student information, will be used for the purposes of evaluating the state's education system, including the prekindergarten through postsecondary levels, and researching the same to improve instruction and education, to align resources to strategic objectives, to inform educational policy development, and to ascertain the attainment of state educational goals.
3. The student data will be maintained in a secure environment by the Organizations and shall not be shared with other parties, entities, or state agencies except as provided herein.
4. The individual student data will not be released outside any of the participating Organizations unless otherwise permitted by law.
5. The participating Organizations will maintain a record of those individuals who are allowed access to the data and shall assure that each person is fully cognizant of the restrictions placed upon use of the data and the restrictions upon its disclosure.

6. The participating Organizations will limit access to student data to those authorized officials, employees and agents of a participating Organization who require the data to develop, share, maintain, analyze and evaluate information for the purposes outlined in this agreement.
7. No external release of reports or information based on the data will include any information that is determined to likely constitute personally identifiable information from an education record of a student unless such release is allowed by FERPA.
8. No compensation will be exchanged between the Organizations for participation in this agreement.
9. The Nebraska Department of Education will maintain the prekindergarten through postsecondary data warehouse to carry out the purposes of this agreement.
10. The Organizations agree that decisions related to the creation, operations, maintenance, and reporting of student data from the prekindergarten through postsecondary data warehouse will be carried out by the data governing council created herein with the following representation:
    a. Commissioner of Education, or his or her designee;
    b. President of the University of Nebraska, or his or her designee;
    c. Chancellor of the Nebraska State College System, or his or her designee; and
    d. The Executive Director of the Nebraska Community College Association or successor organization, or his or her designee.

    The data governing council shall further define, and may expand upon, the data to be shared. Any reports generated with data from the data warehouse will be reviewed by the data governing council prior to their release. The data governing council will establish appropriate guidance and a process regarding timely submission of data release reports so that adequate time is allowed for review of any report prior to the release date of a report.
11. This agreement shall take effect upon completion of signatures and remain in effect unless amended by all the Organizations.

Kandy Imes, President
Nebraska State Board of Education

James B. Milliken, President
University of Nebraska

Stan Carpenter, Chancellor
Nebraska State Colleges

Dr. Jack Huck, President
Southeast Community College

Dr. Bill Path, President
Northeast Community College

Dr. Greg Smith, President
Central Community College

Randy Schmailzl, President
Metropolitan Community College

Dr. Michael Chipps, President
Mid-Plains Community College

Richard Douglas, Attorney
Western Nebraska Community
College

EXHIBIT "B"

ATTACHMENT TO NSWERS AGREEMENT ESTABLISHING THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

The undersigned, a public agency within the meaning of Nebraska Revised Statutes §13-803 executes the attached NSWERS Agreement Establishing the Nebraska Statewide Workforce & Educational Reporting System initiating the Implementation Phase.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers.

THE NEBRASKA STATE BOARD OF EDUCATION **DATE:**

By: _____ Oct 4, 2022
Commissioner

THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA **DATE:**

By: _____ 08/19/22 | 17:32 CDT
President

THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES **DATE:**

By: Paul Turman _____ 08/21/22 | 08:20 PDT
Chancellor

THE BOARD OF GOVERNORS OF CENTRAL COMMUNITY COLLEGE **DATE:**

By: Matthew Gotschall
President

08/19/22 | 15:59 CDT

THE BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE

DATE:

By: Randy Schmailzl
President

08/24/22 | 11:23 PDT

THE BOARD OF GOVERNORS OF MID-PLAINS COMMUNITY COLLEGE

DATE:

By:
President

08/22/22 | 09:04 CDT

THE BOARD OF GOVERNORS OF NORTHEAST COMMUNITY COLLEGE

DATE:

By: Leah Barrett
President

09/13/22 | 09:52 CDT

THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE

DATE:

By:
President

08/30/22 | 11:48 PDT

THE BOARD OF GOVERNORS OF WESTERN NEBRASKA COMMUNITY COLLEGE

DATE:

By: John Marvin
President

08/19/22 | 14:44 CDT

DocuSign

Certificate Of Completion

Envelope Id: 85A6975900BF4D1DA5DD80BFA5BBED93
Subject: Please DocuSign: Amended NSWERS Interlocal Agreement
Source Envelope:
Document Pages: 15
Certificate Pages: 6
AutoNav: Enabled
EnvelopeId Stamping: Disabled
Time Zone: (UTC-06:00) Central Time (US & Canada)

Signatures: 16
Initials: 0

Status: Sent

Envelope Originator:
Matthew Hastings
1400 R St.
Lincoln, NE 68588
matthewhastings@nebraska.edu
IP Address: 129.93.161.220

Record Tracking

Status: Original
8/18/2022 11:54:46 AM

Holder: Matthew Hastings
matthewhastings@nebraska.edu

Location: DocuSign

Signer Events	Signature	Timestamp
John Marrin marrinj1@wncc.edu Security Level: Email, Account Authentication (Optional)	John Marrin Signature Adoption: Pre-selected Style Using IP Address: 198.206.239.253	Sent: 8/19/2022 2:40:52 PM Viewed: 8/19/2022 2:43:58 PM Signed: 8/19/2022 2:44:52 PM
Electronic Record and Signature Disclosure: Accepted: 8/19/2022 2:43:58 PM ID: 2f228773-04aa-4130-b642-297f2d488076		
Leah Barrett lbarrett@northeast.edu President Security Level: Email, Account Authentication (Optional)	Leah Barrett Signature Adoption: Pre-selected Style Using IP Address: 162.127.8.31	Sent: 8/19/2022 2:40:52 PM Resent: 8/26/2022 12:39:58 PM Viewed: 9/13/2022 9:51:06 AM Signed: 9/13/2022 9:52:31 AM
Electronic Record and Signature Disclosure: Accepted: 8/22/2022 8:08:51 AM ID: 6ca241df-e071-49d8-a785-10c11856d142		
Matthew Blomstedt matt.blomstedt@nebraska.gov Security Level: Email, Account Authentication (Optional)		Sent: 8/19/2022 2:40:53 PM Resent: 8/26/2022 12:39:59 PM
Electronic Record and Signature Disclosure: Accepted: 5/3/2021 8:36:50 AM ID: 4dcbd993-06d1-4daf-b779-44033cebb8fc		
Matthew Gotschall mgotschall@cccneb.edu Security Level: Email, Account Authentication (Optional)	Matthew Gotschall Signature Adoption: Pre-selected Style Using IP Address: 198.99.91.32	Sent: 8/19/2022 2:40:53 PM Viewed: 8/19/2022 3:59:16 PM Signed: 8/19/2022 3:59:51 PM
Electronic Record and Signature Disclosure: Accepted: 8/19/2022 3:59:16 PM ID: 005b2f61-c527-4ecf-b165-b2f4a9b0c358		

Signer Events	Signature	Timestamp
Paul Illich pillich@southeast.edu Security Level: Email, Account Authentication (Optional)	 Signature Adoption: Drawn on Device Using IP Address: 64.89.52.44	Sent: 8/19/2022 2:40:54 PM Resent: 8/26/2022 12:39:59 PM Viewed: 8/30/2022 1:48:03 PM Signed: 8/30/2022 1:48:33 PM
Electronic Record and Signature Disclosure: Accepted: 8/30/2022 1:48:03 PM ID: 4bccad56-4a64-4c12-8085-c81e5e320e94		
Paul Turman pturman@nscs.edu Chancellor Security Level: Email, Account Authentication (Optional)	 Signature Adoption: Pre-selected Style Using IP Address: 174.197.2.238	Sent: 8/19/2022 2:40:54 PM Viewed: 8/21/2022 10:19:57 AM Signed: 8/21/2022 10:20:11 AM
Electronic Record and Signature Disclosure: Accepted: 8/21/2022 10:19:57 AM ID: 39f4d4fb-e2b9-4ced-969e-404ac5dae3a1		
Randy Schmailzl rschmailzl@mccneb.edu Security Level: Email, Account Authentication (Optional)	 Signature Adoption: Pre-selected Style Using IP Address: 199.184.232.1	Sent: 8/19/2022 2:40:56 PM Viewed: 8/24/2022 1:22:03 PM Signed: 8/24/2022 1:23:23 PM
Electronic Record and Signature Disclosure: Accepted: 8/24/2022 1:22:03 PM ID: 1fbbcfd8-c203-435d-948a-61b542d5c939		
Ryan Purdy purdyr@mpcc.edu Security Level: Email, Account Authentication (Optional)	 Signature Adoption: Uploaded Signature Image Using IP Address: 72.15.174.2	Sent: 8/19/2022 2:40:55 PM Viewed: 8/22/2022 9:03:48 AM Signed: 8/22/2022 9:04:17 AM
Electronic Record and Signature Disclosure: Accepted: 8/22/2022 9:03:48 AM ID: 59dcbfab-9ddd-476d-96c0-0a26c4d5700b		
Walter "Ted" Carter, Jr. tcarter@nebraska.edu President Security Level: Email, Account Authentication (Optional)	 Signature Adoption: Drawn on Device Using IP Address: 76.85.154.104 Signed using mobile	Sent: 8/19/2022 2:40:55 PM Viewed: 8/19/2022 4:43:30 PM Signed: 8/19/2022 5:32:49 PM
Electronic Record and Signature Disclosure: Accepted: 8/19/2022 4:43:30 PM ID: a539572a-6275-4d03-b8a3-52433dd6deb2		

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	**Status**	**Timestamp**
Agent Delivery Events	**Status**	**Timestamp**
Intermediary Delivery Events	**Status**	**Timestamp**

Certified Delivery Events	Status	Timestamp
Carbon Copy Events	**Status**	**Timestamp**
Witness Events	**Signature**	**Timestamp**
Notary Events	**Signature**	**Timestamp**
Envelope Summary Events	**Status**	**Timestamps**
Envelope Sent	Hashed/Encrypted	8/19/2022 2:40:56 PM
Certified Delivered	Security Checked	8/19/2022 4:43:30 PM
Signing Complete	Security Checked	8/19/2022 5:32:49 PM
Payment Events	**Status**	**Timestamps**
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Internet 2 OBO University of Nebraska - Lincoln (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Internet 2 OBO University of Nebraska - Lincoln:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: esignature@nebraska.edu

To advise Internet 2 OBO University of Nebraska - Lincoln of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at esignature@nebraska.edu and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Internet 2 OBO University of Nebraska - Lincoln

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to esignature@nebraska.edu and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Internet 2 OBO University of Nebraska - Lincoln

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to esignature@nebraska.edu and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Internet 2 OBO University of Nebraska - Lincoln as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Internet 2 OBO University of Nebraska - Lincoln during the course of your relationship with Internet 2 OBO University of Nebraska - Lincoln.

NEBRASKA P-20W

NSWERS AGREEMENT
ESTABLISHING THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

The parties to this Agreement are the Nebraska State Board of Education (Board of Education), the Board of Regents of the University of Nebraska (University), the Board of Trustees of the Nebraska State Colleges (State Colleges), the Nebraska Department of Labor (Department of Labor) and each of the six Nebraska Community Colleges (Central, Mid Plains, Metropolitan, Northeast, Southeast, and Western) (Community Colleges). The Parties are all public agencies within the meaning of Nebraska Revised Statutes §13-803.

I. PURPOSE

LB 1071 (2010) required the Nebraska State Board of Education, Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the board of governors of each community college area to enter into a Memorandum of Understanding to adopt a policy to share student data. LB 1071 is codified in the Nebraska Revised Statutes (§85-110 (University of Nebraska); §85-309 (Nebraska State College System); §79-776 (Nebraska Department of Education); §85-1511 (Nebraska Community Colleges)). The resulting Memorandum of Understanding for Sharing of Student Data between the Nebraska Department of Education, the University of Nebraska, the Nebraska State Colleges, and the Nebraska Community Colleges (herein the "MOU") established an agreement "to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska" and is incorporated herein by reference and attached hereto as Exhibit "A". Nebraska Revised Statutes §48-611 and §48-612 require the Commissioner of Labor to take all appropriate steps to facilitate employment of individuals in Nebraska, assist in the vocational training of students, ensure accurate data concerning employment is maintained and to research and report on same. The joint entity created herein shall operate under the name of the Nebraska Statewide Workforce & Educational Reporting System (NSWERS) and shall supercede the MOU once executed by all parties to the agreement identified in Article III herein.

The purpose of this Agreement is to provide for a phased (preparation and implementation phase) undertaking to create a joint entity known as NSWERS. NSWERS will exist to provide optimized and secured access to accurate and reliable longitudinal student information to analysts and researchers to discover those

policies, processes, and practices across students' academic involvement and transition into the workforce that best improve student outcomes.

NSWERS shall engage in activities including, but not limited to, overseeing and directing the operations, maintenance, and reporting of student data from the prekindergarten through postsecondary and workforce data warehouses. NSWERS shall further define, and may expand upon, the data to be shared and establish appropriate guidance as well.

II. DEFINITION OF TERMS

The following terms shall have the following meanings unless the context or use indicates or requires another or different meaning or intent.

"NSWERS" shall mean the joint entity organized and operated pursuant to this Agreement, the full name of which is: Nebraska Statewide Workforce & Educational Reporting System.

"Executive Council" shall mean the Executive Council of NSWERS appointed as provided in Section IV hereof.

"Party" shall mean the Board of Education, University, Department of Labor, State Colleges and Community Colleges.

"Executive Council Member" shall mean a member of the Executive Council of the NSWERS.

"System" shall mean the rules, procedures, protocols, networks, software, hardware, principles, goals, guidance, and other instrumentalities used by NSWERS to fulfill the Purpose in Article I.

III. PARTIES TO THIS AGREEMENT

The only Parties to this Agreement shall be the Board of Education, University, Department of Labor, State Colleges, and each of the six Community Colleges.

IV. PHASED ESTABLISHMENT OF NSWERS

A. Phases. The Parties Agree that the initial execution of this Agreement initiates only the Preparation Phase portions of this Agreement and that the execution of the supplement to this Agreement in the form as attached in Exhibit B

executed by all of the Parties is required to initiate the Implementation Phase of this Agreement.

B. Joint Entity. This agreement creates a joint administrative entity consistent with the provisions of Nebraska Revised Statute § 13-804(6) to be known as NSWERS. NSWERS shall be subject to the control of the Parties within the meaning of §13-804(6). NSWERS shall constitute a separate administrative entity, exercising the public powers granted by this Agreement and acting on behalf of the Parties. Each Party agrees to participate and engage in the phased activities of NSWERS as provided in this Agreement.

C. Preparation Phase begins with the execution of this Agreement by each Party and includes (i) the creation of NSWERS as an independent administrative government entity under the Nebraska Interlocal Cooperation Act to continue and complete the planning, design and approval of the System used for the purposes provided in Article I; (ii) proposal and approval of the initial annual budget for NSWERS; (iii) reviewing and updating the initial annual budget with the State of Nebraska and other funding sources for the Implementation of NSWERS; and (iv) risk management including appropriate insurance, indemnification and other provisions to assure that each Party is responsible for their own conduct without creating unnecessary joint and several exposures.

D. Implementation Phase shall include the execution of Exhibit B to this Agreement by each Party authorizing NSWERS to begin operation as a joint entity to provide optimized and secured access to accurate and reliable longitudinal student information for the purposes provided in Article I.

E. The Executive Council shall consist of five (5) members comprised of the following:

Commissioner of Education
President of the University of Nebraska
Commissioner of Labor
Chancellor of the Nebraska State College System
A President of one of the Nebraska Community Colleges

F. Executive Council Members other than the Nebraska Community College representative shall be appointed for such terms as shall be specified in the appointment and until their successors are appointed. The intent of the Parties is for Executive Council Members to serve for so long as they remain in their official capacity as stated in IV(B). The Nebraska Community College representative shall be elected by majority vote of the Presidents of participating Nebraska Community Colleges signatory to this document. Initial election of the representative for the Nebraska Community Colleges shall take place as soon as practicable after

execution of this Agreement and no later than January 15th of each calendar year thereafter.

G. Executive Council Members shall serve without compensation from NSWERS.

H. A vacancy on the Executive Council shall be filled by the Party whose position on the Executive Council is vacant.

I. No Executive Council Member shall be eligible to vote during any period of time that the Party such Executive Council Member represents is in default on any amount owed to the NSWERS. During the existence of such default, the vote or votes of the Executive Council Members representing such Party shall not be counted as eligible votes for any purpose of this Agreement, or for the determination of a quorum to transact business.

V. POWERS AND DUTIES OF NSWERS

The powers and duties of the NSWERS shall include all powers which the Interlocal Cooperation Act confers upon the NSWERS to the extent that such powers are consistent with the purposes specified in Article I hereof and the Bylaws of NSWERS.

VI. FINANCIAL MATTERS

A. NSWERS shall not be operated for profit, but shall be operated in such manner as shall enhance the missions and welfare of the Parties. NSWERS shall operate on a fiscal year from July 1 to June 30 and shall establish an operating budget which shall include all revenue of every type and description and expenses of every type and description. Each Party shall pay for contracted services and shall make payments therefore as provided in such contract.

B. The Executive Council shall prepare and distribute to each Party on April 1 of each year a written estimate of the revenues and expenditures proposed for the subsequent fiscal year. Included within the written estimate of revenues and expenditures shall be a recommended funding amount needed and the proposed source for the same. The proposed budget must be unanimously approved by the voting members of the Executive Council. In the event all members do not unanimously approve the proposed budget on or before June 1 of each year, the Parties agree that the approved budget for the then-current fiscal year will be the budget for the subsequent fiscal year. In the event that unexpected conditions arise which cause any material increase to the overall budget, the Executive Council shall inform each Party in a timely manner. In the event that the Executive

Council deems it necessary to seek additional funds, assets, or administrative services from the Parties, such request will be submitted in writing and reviewed within the budgeting framework and time constraints of each Party. Each Party reserves its authorization, appropriation, and other powers to approve any requested additional funds, assets, or administrative services.

(1) The University of Nebraska hereby commits to serving as the administrative lead in pursuing external sources funding for the costs associated with the NSWERS system in the first three fiscal years immediately following the execution of this Agreement (beginning July 1, 2019). In the event that the recommended amount of funding is not secured, the University of Nebraska shall hereby commit to provide funding in an amount not to exceed Two Million Dollars ($2,000,000) in fiscal year one and funding in an amount not to exceed One Million Three Hundred Thousand Dollars ($1,300,000) in fiscal year two and three, all said amounts to be subject to reduction by the amount of any funding provided by interlocal parties or any external funding received in each fiscal year.

(2) The University of Nebraska shall hereby commit to provide funding in an amount not to exceed One Million Three Hundred Thousand Dollars ($1,300,000) per year for the purpose of continued funding and maintenance of the staffing and operating expenses associated with the operation of NSWERS beginning in the fourth fiscal year following execution of this Agreement. Said commitment shall be subject to reduction by the amount of any external funding received in any fiscal year and shall terminate in the event the recommended amount of funding to provide for the operation of NSWERS is secured from interlocal parties or external sources.

(3) Subsequent determinations regarding dedication of any funds or resources by any party will be based upon future grants, appropriations or other funding sources.

C. NSWERS shall keep or shall cause to be kept appropriate books and records with respect to all financial activities of the NSWERS. Such books and records will be available for inspection by any Party.

VII. DURATION

This Agreement shall become effective upon execution by the Parties hereto and shall continue in effect indefinitely until it is terminated as herein provided.

VIII. TERMINATION AND DISPOSITION OF PROPERTY

At any time during which the NSWERS shall not have outstanding any bonds, notes or other evidences of indebtedness, this Agreement may be terminated by the unanimous action of the Parties and the NSWERS may be dissolved or liquidated.

Upon dissolution or liquidation, general assets of the NSWERS shall be sold and the proceeds thereof distributed to the Parties as determined by the Executive Council. Institutional or agency data submitted to NSWERS shall remain the property of the submitting institution or agency and is not a general asset of the entity. Institutional or agency data submitted to NSWERS shall be returned to the submitting institution or agency upon dissolution or liquidation of the entity; however, in the event return of submitted data is not feasible, said data shall be destroyed in a manner compliant with prevailing industry standard techniques. Data products derived from submitted data and reliant on personally identifiable information shall likewise be returned to the submitting institution or agency or shall be destroyed.

IX. MISCELLANEOUS

A. Entire Agreement; Amendment. This Agreement, the Articles of NSWERS and the Bylaws contain the entire agreement of the Parties and shall be binding upon the successors and assigns of the respective Parties. All prior agreements and understandings between the Parties are hereby superseded. No amendment, deletion or addition shall be made to this Agreement except as agreed upon by all Parties in writing.

B. Governing Law. This Agreement shall be governed by the laws of the State of Nebraska.

C. Conflict of Interest. No officer, employee, or agent of any of the Parties shall have any personal pecuniary interest, direct or indirect, arising out of or related to this Agreement.

D. Severability. The terms of this Agreement are severable. If any term or provision is declared by a court of competent jurisdiction to be illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

E. Nondiscrimination. No Party will discriminate against any employee, or applicant for employment to be employed in the performance of this Agreement, with respect to hire, tenure, terms, conditions, or privilege of employment because

of the race, color, national origin, sex, sexual orientation, gender identity, marital status, disability, religion or age of the employee or applicant.

F. Hold Harmless. To the extent allowed by law, each Party (the "Indemnifying Party") shall assume all risk of loss and hold the other Parties, their employees, agents, assignees, and legal representatives harmless from all liabilities, demands, claims, suits, losses, damages, causes of action, fines or judgments and all expenses incident thereto, for injuries to persons, for civil rights liability, and for loss of, damage to, or destruction of property arising out of or in connection with this Agreement and proximately caused by the negligent or intentional acts or omissions of the Indemnifying Party, its employees, agents, assignees or legal representatives.

G. Insurance. The Parties agree to separately maintain self-insurance coverage or a policy of general liability insurance in the amount of One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) in the aggregate.

G. Headings. The captions or headings in this Agreement are for reference only and do not define, describe, extend, or limit the scope or intent of the Agreement.

H. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, and which together shall constitute a single document.

I. Notice. All notices, consents, approvals, demands, requests or other communications required or permitted to be given under any of the provisions of this Agreement will be in writing and will be sent to the person(s) and address(es) set forth below via certified mail, hand delivery, overnight courier, or facsimile transmission (to the extent a facsimile number is set forth below). All such notices shall be effective when received.

If to Board of Education: Nebraska Department of Education
c/o Commissioner of Education
301 Centennial Mall South, 6th Floor
P.O. Box 94987
Lincoln, NE 68509-4987

with a copy to: Nebraska Department of Education
c/o Office of Legal Services
301 Centennial Mall South, 6th Floor
P.O. Box 94987
Lincoln, NE 68509-4987

If to the University: University of Nebraska
c/o President
3835 Holdrege Street
P.O. Box 830743
Lincoln, NE 68583

with a copy to: University of Nebraska
c/o Office of General Counsel
3835 Holdrege Street
P.O. Box 830743
Lincoln, NE 68583

If to State Colleges: Nebraska State College System
c/o Chancellor
1327 H Street, Suite 200
Lincoln, NE 68508

with a copy to: Nebraska State College System
c/o Office of General Counsel
1327 H Street, Suite 200
Lincoln, NE 68508

If to Department of Labor: Nebraska Department of Labor
c/o Commissioner
550 South 16th Street
Lincoln, NE 68508

with a copy to: Nebraska Department of Labor
c/o Office of General Counsel
550 South 16th Street
Lincoln, NE 68508

If to Central CC: Central Community College
c/o College President
3134 W. Highway 34
P.O. Box 4903
Grand Island, NE 68802-4903

with a copy to:

Central Community College
c/o Vice President for Administrative Services
3134 W. Highway 34
P.O. Box 4903
Grand Island, NE 68802-4903

If to Metropolitan CC:

Mr. Randy Schmailzl
College President
Metropolitan Community College
P.O. Box 3777
Omaha, NE 68164

with a copy to:

James R. Thibodeau
Associate Vice Chancellor for Compliance
and General Counsel
Metropolitan Community College
P.O. Box 3777
Omaha, NE 68164

If to Mid-Plains CC:

Mr. Ryan Purdy
c/o Office of the President
Mid-Plains Community College
601 W. State Farm Road
North Platte, NE 69101

with a copy to:

Michael Steele
c/o Vice President of Administrative Services
Mid-Plains Community College
1101 Halligan Drive
North Platte, NE 69101

If to Northeast CC:

Northeast Community College
c/o Office of the President
801 East Benjamin Avenue
Norfolk, NE 68701

with a copy to:

Northeast Community College
c/o Office of the Executive Vice President
801 East Benjamin Avenue
Norfolk, NE 68701

If to Southeast CC: Southeast Community College
c/o Office of the President
301 South 68th Street Place
Lincoln, NE 68510

with a copy to: Perry Law Firm
c/o Rex R. Shultze
233 South 13th Street, Suite 1400
Lincoln, NE 68508

If to Western NE CC: Western Nebraska Community College
c/o Office of the President
1601 East 27th Street
Scottsbluff, NE 69361

with a copy to: Dr. Nino Kalatozi
Western Nebraska Community College
1601 East 27th Street
Scottsbluff, NE 69361

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers this ____ day of _____, 2019.

ATTEST:

By: _____

THE NEBRASKA STATE BOARD OF EDUCATION:

By: _____

Commissioner

ATTEST:

By: _____

THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

By: _____
President

79043

ATTEST:

By: _____

THE NEBRASKA DEPARTMENT OF LABOR:

By: _____
Commissioner

ATTEST:

By: _____

THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

By: Paul Turman
Chancellor

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF CENTRAL COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF MID-PLAINS COMMUNITY COLLEGE

By: _____
President

79043

ATTEST:

By: Diane M. Reeboja

THE BOARD OF GOVERNORS OF NORTHEAST COMMUNITY COLLEGE

By: Mary R. Honbe
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: Susan L. Verbeck

THE BOARD OF GOVERNORS OF WESTERN NEBRASKA COMMUNITY COLLEGE

By: F. Lynn Kenton
President

EXHIBIT "A"

17 90 43

Memorandum of Understanding for Sharing of Student Data

between the Nebraska Department of Education, the University of Nebraska,

the Nebraska State Colleges, and the Nebraska Community Colleges

The Nebraska State Board of Education, the Board of Regents for the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the Board of Governors for each Community College Area (hereinafter "Organizations") agree to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska.

The Organizations agree to share data in a manner that safeguards the confidentiality of personally identifiable information in students' education records as defined by the federal Family Education Rights and Privacy Act (FERPA) and any other applicable federal or state laws and regulations. FERPA establishes restrictions on the disclosure and re-disclosure of personally identifiable information in students' education records without the written consent of the parent or eligible student. FERPA permits student information to be used by state educational authorities for the purposes of the evaluation of state or federally supported education programs, and/or conducting research for or on behalf of the state supported schools to improve education.

The Organizations agree to share certain student data under the following stipulations:

1. The Organizations agree to provide individual student data including, but not limited to; demographic, enrollment and completion/degree information.
2. The data, including any personally identifiable student information, will be used for the purposes of evaluating the state's education system, including the prekindergarten through postsecondary levels, and researching the same to improve instruction and education, to align resources to strategic objectives, to inform educational policy development, and to ascertain the attainment of state educational goals.
3. The student data will be maintained in a secure environment by the Organizations and shall not be shared with other parties, entities, or state agencies except as provided herein.
4. The individual student data will not be released outside any of the participating Organizations unless otherwise permitted by law.
5. The participating Organizations will maintain a record of those individuals who are allowed access to the data and shall assure that each person is fully cognizant of the restrictions placed upon use of the data and the restrictions upon its disclosure.

6. The participating Organizations will limit access to student data to those authorized officials, employees and agents of a participating Organization who require the data to develop, share, maintain, analyze and evaluate information for the purposes outlined in this agreement.
7. No external release of reports or information based on the data will include any information that is determined to likely constitute personally identifiable information from an education record of a student unless such release is allowed by FERPA.
8. No compensation will be exchanged between the Organizations for participation in this agreement.
9. The Nebraska Department of Education will maintain the prekindergarten through postsecondary data warehouse to carry out the purposes of this agreement.
10. The Organizations agree that decisions related to the creation, operations, maintenance, and reporting of student data from the prekindergarten through postsecondary data warehouse will be carried out by the data governing council created herein with the following representation:
    a. Commissioner of Education, or his or her designee;
    b. President of the University of Nebraska, or his or her designee;
    c. Chancellor of the Nebraska State College System, or his or her designee; and
    d. The Executive Director of the Nebraska Community College Association or successor organization, or his or her designee.

    The data governing council shall further define, and may expand upon, the data to be shared. Any reports generated with data from the data warehouse will be reviewed by the data governing council prior to their release. The data governing council will establish appropriate guidance and a process regarding timely submission of data release reports so that adequate time is allowed for review of any report prior to the release date of a report.
11. This agreement shall take effect upon completion of signatures and remain in effect unless amended by all the Organizations.

Kandy Imes, President
Nebraska State Board of Education

James B. Milliken, President
University of Nebraska

Stan Carpenter, Chancellor
Nebraska State Colleges

Dr. Jack Huck, President
Southeast Community College

Dr. Bill Path, President
Northeast Community College

Dr. Greg Smith, President
Central Community College

Randy Schmailzl, President
Metropolitan Community College

Dr. Michael Chipps, President
Mid-Plains Community College

Richard Douglas, Attorney
Western Nebraska Community
College

79043

EXHIBIT "B"

ATTACHMENT TO NSWERS AGREEMENT ESTABLISHING THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

The undersigned, a public agency within the meaning of Nebraska Revised Statutes §13-803 executes the attached NSWERS Agreement Establishing the Nebraska Statewide Workforce & Educational Reporting System initiating the Implementation Phase this ____ day of _____, 20___.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers this ____ day of _____, 20___.

ATTEST:

By: _____

THE NEBRASKA STATE BOARD OF EDUCATION:

By: _____
Commissioner

ATTEST:

By: _____

THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

By: _____
President

ATTEST:

By: _____

THE NEBRASKA DEPARTMENT OF LABOR:

By: _____
Commissioner

79043

ATTEST:

By: _____

THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

By: _____
Chancellor

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF CENTRAL COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF MID-PLAINS COMMUNITY COLLEGE

By: _____
President

ATTEST:

By: _____

THE BOARD OF GOVERNORS OF NORTHEAST COMMUNITY COLLEGE

By: _____
President

ATTEST:

THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE

By: _____

By:_____
President

ATTEST:

THE BOARD OF GOVERNORS OF WESTERN NEBRASKA COMMUNITY COLLEGE

By: _____

By:_____
President

NEBRASKA P-20W

NEBRASKA STATEWIDE WORKFORCE & EDCUATIONAL REPORTING SYSTEM (NSWERS)

NSWERS BYLAWS

ARTICLE I
ESTABLISHMENT OF JOINT ENTITY

Section 1.1. Establishment and Name. LB 1071 (2010) required the Nebraska State Board of Education, Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the board of governors of each community college area to enter into a Memorandum of Understanding to adopt a policy to share student data. LB1071 is codified in the Nebraska Revised Statutes (§85-110 (University of Nebraska); §85-309 (Nebraska State College System); §79-776 (Nebraska Department of Education); §85-1511 (Nebraska Community Colleges)). The resulting Memorandum of Understanding for Sharing of Student Data between the Nebraska Department of Education, the University of Nebraska, the Nebraska State Colleges, and the Nebraska Community Colleges (herein the "MOU") established an agreement "to share student data for the purposes of evaluation of and research related to public pre-kindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska" and is incorporated herein by reference. Nebraska Revised Statutes §48-611 and §48-612 require the Commissioner of Labor to take all appropriate steps to facilitate employment of individuals in Nebraska, assist in the vocational training of students, ensure accurate data concerning employment is maintained and to research and report on same. The data governing council created herein shall operate under the name of the Nebraska Statewide Workforce & Educational Reporting System (NSWERS).

Section 1.2 Definitions.

Section 1.2.1 "President" shall mean the President of NSWERS as appointed pursuant to Section 4.2 herein.

Section 1.2.2 "Vice President" shall mean the Vice President of NSWERS as appointed pursuant of Section 4.3 herein.

Section 1.3. Members of NSWERS. The membership of NSWERS shall include signatories to the MOU and the Nebraska Department of Labor (herein the "Participating Agencies"). The initial membership of NSWERS is identified on Exhibit "A" attached hereto.

Section 1.4. New Members. Prospective members of NSWERS may be nominated by any Participating Agency, and new members will be added with unanimous approval by NSWERS Executive Council.

Section 1.5. Powers and Duties. NSWERS shall make decisions related to the creation, operations, maintenance, and reporting of student data from the prekindergarten through postsecondary and workforce data warehouses. NSWERS shall further define, and may expand upon, the data to be shared and establish appropriate guidance.

Section 1.6. Principal Office. The principal office of NSWERS is the University of Nebraska Central Administration, 3835 Holdrege Street, Lincoln, Nebraska 68583-0743. Meetings shall be conducted at the President of NSWERS' institutional offices or as the Executive Council members may designate from time to time.

ARTICLE II
EXECUTIVE COUNCIL AND COMMITTEES

Section 2.1. Executive Council Membership. The Participating Agencies shall be represented by a council of five (5) representative members comprised of the Commissioner of Education, President of the University of Nebraska, Commissioner of Labor, Chancellor of the Nebraska State College System, and a President of one of the Nebraska Community Colleges (herein the "Executive Council"). The representative for the Nebraska Community Colleges shall be elected by majority vote of the Presidents of participating Nebraska Community Colleges signatory to the Agreement establishing NSWERS. Initial election of the representative for the Nebraska Community Colleges shall take place as soon as practicable after execution of the NSWERS Agreement and no later than January 15th of each calendar year thereafter.

Section 2.2. Duties. Subject to Section 3.5 hereinafter elaborated, the Executive Council shall define and prioritize the high-level objectives, policies and operating

parameters of NSWERS. Specific duties include: maintain overall responsibility and authority over NSWERS; designate a President, Vice-President and Secretary-Treasurer; secure funding, resources and support for the NSWERS system and staff; approve the budget and annual plan for NSWERS; approve NSWERS policies and procedures; establish expectations and priorities for the research agenda; solicit and organize non-voting members of the Advisory Committee; and appoint representatives.

Section 2.3. Term. Each Executive Council member shall hold membership until their successor is designated, elected or appointed by their respective Participating Agency or Agencies.

Section 2.4. Removal and Vacancies. Executive Council members may only be removed by their respective Participating Agency or Agencies. Any vacancies shall be promptly filled by designation, election or appointment of the respective Participating Agencies.

Section 2.5. Compensation. The Executive Council members shall not be compensated for their services.

Section 2.6. Committees of the Executive Council. NSWERS, by resolution of the majority of the Executive Council members at which a quorum is present, may establish committees that may exercise specific duties of NSWERS. Such committees shall at all times be subject to the direction and control of the Executive Council. Committee members shall be appointed by the affirmative vote of a majority of the Executive Council members present. A majority of members of any committee shall constitute a quorum for the transaction of business at a meeting of such committee. In other matters of procedure, the provisions of these Bylaws shall apply to committees and members thereof to the same extent they apply to the Executive Council. The designation of any committee and the delegation thereto of authority shall not operate to relieve NSWERS of any responsibility of NSWERS.

Section 2.6.1 Advisory Committee. NSWERS shall have a standing advisory committee of stakeholders comprised of membership selected from outside of the Participating Agencies to make recommendations to inform NSWERS' objectives (herein the "Advisory Committee"). The Advisory Committee shall be subject to the provisions of Section 2.6 above.

Section 2.6.2 Management Committee. NSWERS shall have a standing management committee comprised of representative members of NSWERS responsible for operational management and advancing NSWERS' agenda and initiatives at the direction of the Executive Council (herein the "Management Committee"). The Management Committee shall be subject to the provisions of Section 2.6 above.

Section 2.6.3 Technology Committee. NSWERS shall have a standing technology committee responsible for architecting and governing the data warehouse and the connection to data sources at the direction of the Management Committee (herein the "Technology Committee"). The Technology Committee shall be subject to the provisions of Section 2.6 above.

Section 2.6.4 Research Review Committee. NSWERS shall have a standing research review committee responsible for reviewing research requests within the context of the research agenda at the direction of the Management Committee (herein the "Research Review Committee"). The Research Review Committee shall be subject to the provisions of Section 2.6 above.

Section 2.6.5 Other Committees. Additional committees having and exercising the authority of NSWERS may be established by the Executive Council as set forth in Section 2.6.

ARTICLE III
MEETINGS OF NSWERS

Section 3.1. First Meeting. The Commissioner of the Nebraska Department of Education shall convene the first meeting of the Executive Council.

Section 3.2. Regular Meetings. The Executive Council shall meet at least two times annually. Meetings shall be held at the President's institutional offices or at such other place the Executive Council may designate.

Section 3.3. Special Meetings. Special meetings may be called from time to time with the approval of the President and Vice President of NSWERS.

Section 3.4. Notice of Meetings. Notice of the time and place of regular and special Executive Council meetings will be given to the membership by electronic mail and

published on NSWERS' web page. NSWERS will comply with the applicable provision of the Open Meetings Act (Nebraska Revised Statutes §§84-1407 to 84-1414) for all Executive Council regular or special meetings.

Section 3.5. Quorum. A majority of the representative members shall constitute a quorum for the transaction of business of any meeting of the Executive Council. An affirmative vote of a majority of all members of the Executive Council qualified to serve and vote at said time shall be required for the adoption of any resolution unless otherwise provided by law or these Bylaws. In all other matters a majority of those present at the meeting shall control action of NSWERS.

Section 3.6. Acts of NSWERS. Except as otherwise required by Nebraska law or specified in these Bylaws, NSWERS shall take action by the affirmative vote of the majority of the representative members comprising the Executive Council, who shall be entitled to one (1) vote on each matter submitted to a vote.

Section 3.7. Presumption of Assent. A member of the Executive Council who is present at a meeting of the Executive Council at which action on any matter is taken shall be presumed to have assented to the action taken unless their dissent is entered in the minutes of the meeting or unless they file a written dissent with the President.

ARTICLE IV
OFFICERS OF NSWERS

Section 4.1 Number. The officers of NSWERS shall be a President, Vice President, and Secretary-Treasurer, and such other officers as the Executive Council may deem appropriate.

Section 4.2. President of NSWERS. There shall be a President of NSWERS who shall serve for two years and rotate among the Nebraska Department of Education, the University of Nebraska, the Nebraska Department of Labor, the Nebraska State Colleges, and the Nebraska Community Colleges. The President shall be the principal executive officer of NSWERS and shall preside at all meetings of the Executive Council. Establishment of the order of rotation shall be conducted in accordance with Section 3.5 herein.

Section 4.3 Vice President. The Vice President shall be the member who will serve as President in the next two-year term. In the absence of the President, or in the event of his or her refusal to act, the Vice President shall perform the duties of the President and, in general perform all the duties incident to the office of Vice President as the Executive Council may assign.

Section 4.4 Secretary-Treasurer. The Secretary-Treasurer shall be elected by the Executive Council at its initial meeting. The Secretary-Treasurer shall maintain minutes of the proceedings of the Executive Council; see that all notices are given in accordance with these Bylaws or as required by law; shall be the custodian of all books, records, papers, and property of NSWERS; shall have charge of custody and be responsible for all funds of NSWERS; and in general shall perform all the duties incident to the office of Secretary-Treasurer and such other duties as the Executive Council may assign.

Section 4.5 Term of Service. The term of service of the officers shall be two years.

Section 4.6 Compensation. Officers of NSWERS shall not be compensated for their service.

ARTICLE V
CONTRACTS, CHECKS, AND DEPOSITS

Section 5.1 Contracts. The Executive Council may authorize any officer or agent of NSWERS to enter into any contract or execute and deliver any instrument in the name of and on behalf of NSWERS, and such authority may be general or confined to specific instances.

Section 5.2 Checks, Drafts, and Orders for the Payment of Money. All checks, drafts, or orders for payment of money, notes or other evidences of indebtedness issued in the name of NSWERS shall be signed by such officer or officers, agent or agents of NSWERS and in such a manner as shall from time to time be determined by resolution of the Executive Council. In the absence of such determination by the Executive Council, such instruments shall be signed by the President of NSWERS.

Section 5.3 Deposits. All funds of NSWERS shall be deposited and be secured in the same manner as public funds to the credit of the NSWERS in such banks or banks as the Executive Council may select.

ARTICLE VI
GENERAL PROVISIONS

Section 6.1. Amendments. These Bylaws may be amended or repealed and new Bylaws may be adopted by the affirmative vote of the majority of the representative members at any regular or special meeting, provided that at least ten (10) days written notice is given of the intention to adopt new Bylaws or alter, amend or repeal the existing Bylaws at such meeting.

Section 6.2. Records. NSWERS shall keep records and minutes of the proceedings of the meetings and actions of the Executive Council and of the committees of the Executive Council. The minutes of each meeting shall be reviewed and approved at each regular meeting of the Executive Council. If a special meeting occurs, minutes of that meeting shall be reviewed and approved at the next regular meeting of the Executive Council. The records and minutes of the Executive Council shall be available on NSWERS web page.

Section 6.3. Resolution of Inconsistencies. In the Event of a conflict or inconsistency between the NSWERS Agreement establishing the Nebraska Statewide Workforce & Educational Reporting System (NSWERS) and the terms of the NSWERS Bylaws created herein, the Agreement establishing NSWERS shall govern.

Approved and adopted by unanimous action of the NSWERS Executive Council present on _____, 2019.

NSWERS

Commissioner of Education

University of Nebraska,
President

179043

Commissioner of Labor

Nebraska State College System,
Chancellor

Nebraska Community College
Representative

EXHIBIT A

MEMBERS OF THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

Nebraska Department of Education

University of Nebraska

Nebraska Department of Labor

Nebraska State College System

Central Community College

Metropolitan Community College

Mid-Plains Community College

Northeast Community College

Southeast Community College

Western Nebraska Community College

NEBRASKA P-20W

NSWERS FIRST AMENDED AND RESTATED AGREEMENT ESTABLISHING THE NEBRASKA STATEWIDE WORKFORCE & EDUCATIONAL REPORTING SYSTEM (NSWERS)

This First Amended and Restated Agreement (this "Agreement") is entered into by and among the Nebraska State Board of Education (Board of Education), the Board of Regents of the University of Nebraska (University), the Board of Trustees of the Nebraska State Colleges (State Colleges), and each of the six Nebraska Community Colleges (Central, Mid Plains, Metropolitan, Northeast, Southeast, and Western) (Community Colleges) (collectively, the "Parties"). The Parties are all public agencieswithin the meaning of Nebraska Revised Statutes §13-803. Upon execution, this Agreement amends and restates the original interlocal agreement establishing the Nebraska Statewide Workforce & Educational Reporting System (NSWERS), entered into among the Parties on or about October 8, 2019.

I. PURPOSE

LB 1071 (2010) required the Nebraska State Board of Education, Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the board of governors of each community college area to enter into a Memorandum of Understanding to adopt a policy to share student data. LB 1071 is codified in the Nebraska Revised Statutes (§85-110 (University of Nebraska); §85-309 (Nebraska State College System); §79-776 (Nebraska Department of Education); §85-1511 (Nebraska Community Colleges)). The resulting Memorandum of Understanding for Sharing of Student Data between the Nebraska Department of Education, the University of Nebraska, the Nebraska State Colleges, and the Nebraska Community Colleges (herein the "MOU") established an agreement "to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska" and is incorporated herein by reference and attached hereto as Exhibit "A". The joint entity created herein shall operate under the name of the Nebraska Statewide Workforce & Educational Reporting System (NSWERS) and shall supercede the MOU once executed by all parties to the agreement identified in Article III herein.

The purpose of this Agreement is to provide for a phased (preparation and implementation phase) undertaking to create a joint entity known as NSWERS. NSWERS will exist to provide optimized and secured access to accurate and reliable longitudinal student information to analysts and researchers to discover those

policies, processes, and practices across students' academic involvement and transition into the workforce that best improve student outcomes.

NSWERS shall engage in activities including, but not limited to, overseeing and directing the operations, maintenance, and reporting of student data from the prekindergarten through postsecondary and workforce data warehouses. NSWERS shall further define, and may expand upon, the data to be shared and establish appropriate guidance as well.

II. DEFINITION OF TERMS

The following terms shall have the following meanings unless the context or use indicates or requires another or different meaning or intent.

"NSWERS" shall mean the joint entity organized and operated pursuant to this Agreement, the full name of which is: Nebraska Statewide Workforce & Educational Reporting System.

"Executive Council" shall mean the Executive Council of NSWERS appointed as provided in Section IV hereof.

"Party" shall mean the Board of Education, University,State Colleges and Community Colleges.

"Executive Council Member" shall mean a member of the Executive Council of the NSWERS.

"System" shall mean the rules, procedures, protocols, networks, software, hardware, principles, goals, guidance, and other instrumentalities used by NSWERS to fulfill the Purpose in Article I.

III. PARTIES TO THIS AGREEMENT

The only Parties to this Agreement shall be the Board of Education, University, State Colleges, and each of the six CommunityColleges.

IV. ESTABLISHMENT OF NSWERS

A. Joint Entity. This agreement creates a joint administrative entity consistent with the provisions of Nebraska Revised Statute § 13-804(6) to be known as NSWERS. NSWERS shall be subject to the control of the Parties within the meaning of §13-804(6). NSWERS shall constitute a separate administrative entity, exercising the public powers granted by this Agreement and acting on behalf of the Parties. Each Party agrees to participate and engage in the phased activities of

NSWERS as provided in this Agreement.

B. The execution of this Agreement by each Party facilitates (i) the creation of NSWERS as an independent administrative government entity under the Nebraska Interlocal Cooperation Act tocontinue and complete the planning, design and approval of the System used for thepurposes provided in Article I; (ii) approval of the annual budget for NSWERS; (iii) reviewing and updating the initial annual budget with theState of Nebraska and other funding sources for the Implementation of NSWERS; and (iv) risk management including appropriate insurance, indemnification and other provisions to assure that each Party is responsible for their own conduct without creating unnecessary joint and several exposures.

C. Execution of Exhibit B to thisAgreement by each Party authorizes NSWERS to begin operation as a joint entity to provide optimized and secured access to accurate and reliable longitudinal student information for the purposes provided in Article I.

D. The Executive Council shall consist of four (4) members comprised ofthe following:

Commissioner of Education
President of the University of Nebraska
Chancellor of the Nebraska State College System
A President of one of the Nebraska Community Colleges

A. Executive Council Members other than the Nebraska Community College representative shall be appointed for such terms as shall be specified in the appointment and until their successors are appointed. The intent of the Parties is for Executive Council Members to serve for so long as they remain in their official capacity as stated in IV(A). The Nebraska Community College representative shall be elected by majority vote of the Presidents of participating Nebraska Community Colleges signatory to this document. Election of the representative for the Nebraska Community Colleges shall take place

no later than January 15th of each calendar year.

E. Executive Council Members shall serve without compensation from NSWERS.

F. A vacancy on the Executive Council shall be filled by the Party whose position on the Executive Council is vacant.

G. No Executive Council Member shall be eligible to vote during any period of time that the Party such Executive Council Member represents is in default on any amount owed to the NSWERS. During the existence of such default, the vote or votes of the Executive Council Members representing such Party shall not be counted as eligible votes for any purpose of this Agreement, or for the determination of a quorum to transact business.

V. POWERS AND DUTIES OF NSWERS

The powers and duties of the NSWERS shall include all powers which the Interlocal Cooperation Act confers upon the NSWERS to the extent that such powers are consistent with the purposes specified in Article I hereof and the Bylaws of NSWERS.

VI. FINANCIAL MATTERS

A. NSWERS shall not be operated for profit, but shall be operated in such manner as shall enhance the missions and welfare of the Parties. NSWERS shall operate on a fiscal year from July 1 to June 30 and shall establish an operating budget which shall include all revenue of every type and description and expenses of every type and description. Each Party shall pay for contracted services and shall make payments therefore as provided in such contract.

B. The Executive Council shall prepare and distribute to each Party on April 1 of each year a written estimate of the revenues and expenditures proposed for the subsequent fiscal year. Included within the written estimate of revenues and expenditures shall be a recommended funding amount needed and the proposed source for the same. The proposed budget must be unanimously approved by the voting members of the Executive Council. In the event that unexpected conditions arise which cause any material increase to the overall budget, the Executive Council shall inform each Party in a timely manner. In the event that the Executive

Council deems it necessary to seek additional funds, assets, or administrative services from the Parties, such request will be submitted in writing and reviewed within the budgeting framework and time constraints of each Party. Each Party reserves its authorization, appropriation, and other powers to approve any requested additional funds, assets, or administrative services.

(1) The Executive Council commits to serving as the lead in pursuing external sources funding for the costs associated with the NSWERS system (beginning July1, 2022). In the event that the recommended amount of funding is not secured, the Executive Council shall inform the Parties as soon as possible.

(2) Subsequent determinations regarding dedication of any funds or resources by any party will be based upon future grants, appropriations or other funding sources.

C. NSWERS shall keep or shall cause to be kept appropriate books and records with respect to all financial activities of the NSWERS. Such books and records will be available for inspection by any Party.

VII. DURATION

This Agreement shall become effective upon execution by the Parties hereto and shall continue in effect indefinitely until it is terminated as herein provided.

VIII. TERMINATION AND DISPOSITION OF PROPERTY

At any time during which the NSWERS shall not have outstanding any bonds, notes or other evidences of indebtedness, this Agreement may be terminated by the unanimous action of the Parties and the NSWERS may be dissolved or liquidated.

Upon dissolution or liquidation, general assets of the NSWERS shall be sold and the proceeds thereof distributed to the Parties as determined by the Executive Council. Institutional or agency data submitted to NSWERS shall remain the property of the submitting institution or agency and is not a general asset of the entity. Institutional or agency data submitted to NSWERS shall be returned to the submitting institution or agency upon dissolution or liquidation of the entity; however, in the event return of submitted data is not feasible, said data shall be destroyed in a manner compliant with prevailing industry standard techniques. Data products derived from submitted data and reliant on personally identifiable information shall likewise be returned to the submitting institution or agency or shall be destroyed.

IX. MISCELLANEOUS

A. Entire Agreement; Amendment. This Agreement, the Articles of NSWERS and the Bylaws contain the entire agreement of the Parties and shall be binding upon the successors and assigns of the respective Parties. All prior agreements and understandings between the Parties are hereby superseded. No amendment, deletion or addition shall be made to this Agreement except as agreed upon by all Parties in writing.

B. Governing Law. This Agreement shall be governed by the laws of the State of Nebraska.

C. Conflict of Interest. No officer, employee, or agent of any of the Parties shall have any personal pecuniary interest, direct or indirect, arising out of or related to this Agreement.

D. Severability. The terms of this Agreement are severable. If any term or provision is declared by a court of competent jurisdiction to be illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

E. Nondiscrimination. No Party will discriminate against any employee, or applicant for employment to be employed in the performance of this Agreement, with respect to hire, tenure, terms, conditions, or privilege of employment because

of the race, color, national origin, sex, sexual orientation, gender identity, marital status, disability, religion or age of the employee or applicant.

F. Hold Harmless. To the extent allowed by law, each Party (the "Indemnifying Party") shall assume all risk of loss and hold the other Parties, their employees, agents, assignees, and legal representatives harmless from all liabilities, demands, claims, suits, losses, damages, causes of action, fines or judgments and all expenses incident thereto, for injuries to persons, for civil rights liability, and for loss of, damage to, or destruction of property arising out of or in connection with this Agreement and proximately caused by the negligent or intentional acts or omissions of the Indemnifying Party, its employees, agents, assignees or legal representatives.

G. Insurance. The Parties agree to separately maintain self-insurance coverage or a policy of general liability insurance in the amount of One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) in the aggregate.

H. Headings. The captions or headings in this Agreement are for reference only and do not define, describe, extend, or limit the scope or intent of theAgreement.

I. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, and which together shall constitute a single document.

J. Notice. All notices, consents, approvals, demands, requests or other communications required or permitted to be given under any of the provisions of this Agreement will be in writing and will be sent to the person(s) and address(es) set forth below via certified mail, hand delivery, overnight courier, or facsimile transmission (to the extent a facsimile number is set forth below). All such noticesshall be effective when received.

If to Board of Education: Nebraska Department of Education
c/o Commissioner of Education
500 S. 84th Street, 2nd Floor
Lincoln, NE 68510-2611

with a copy to: Nebraska Department of Education
c/o Office of Legal Services
500 S. 84th Street, 2nd Floor
Lincoln, NE 68510-2611

If to the University:	University of Nebraska c/o President 3835 Holdrege Street P.O. Box 830743 Lincoln, NE 68583
with a copy to:	University of Nebraska c/o Office of General Counsel 3835 Holdrege Street P.O. Box 830743 Lincoln, NE 68583
If to State Colleges:	Nebraska State College System c/o Chancellor 1327 H Street, Suite 200 Lincoln, NE 68508
with a copy to:	Nebraska State College System c/o Office of General Counsel 1327 H Street, Suite 200 Lincoln, NE 68508
If to Central CC:	Central Community College c/o College President 3134 W. Highway 34 P.O. Box 4903 Grand Island, NE 68802-4903

with a copy to:	Central Community College c/o Vice President for Administrative Services 3134 W. Highway 34 P.O. Box 4903 Grand Island, NE 68802-4903
If to Metropolitan CC:	Metropolitan Community College College President P.O. Box 3777 Omaha, NE 68164
with a copy to:	Metropolitan Community College Associate Vice Chancellor for Compliance and General Counsel Metropolitan Community College P.O. Box 3777 Omaha, NE 68164
If to Mid-Plains CC:	Mid-Plains Community College President 601 W. State Farm Road North Platte, NE 69101
with a copy to:	Mid-Plains Community College Vice President of Administrative Services 1101 Halligan Drive North Platte, NE 69101
If to Northeast CC:	Northeast Community College c/o Office of the President 801 East Benjamin Avenue Norfolk, NE 68701
with a copy to:	Northeast Community College c/o Office of the Executive Vice President 801 East Benjamin Avenue Norfolk, NE 68701

If to Southeast CC: Southeast Community College
c/o Office of the President
301 South 68th Street Place
Lincoln, NE 68510

with a copy to: Perry Law Firm
c/o Rex R. Shultze
233 South 13th Street, Suite 1400
Lincoln, NE 68508

If to Western NE CC: Western Nebraska Community College
c/o Office of the President
1601 East 27th Street
Scottsbluff, NE 69361

with a copy to: Dr. Nino Kalatozi
Western Nebraska Community College
1601 East 27th Street
Scottsbluff, NE 69361

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers this____day of_____, 2022.

ATTEST:

THE NEBRASKA STATE BOARD OF EDUCATION:

By:_____

By:_____
Commissioner

ATTEST:

THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

By: _____

By:_____
President

ATTEST:

THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

By: _____

By: _____
Chancellor

ATTEST:

THE BOARD OF GOVERNORS OF CENTRAL COMMUNITY COLLEGE

By: _____

By: _____
President

ATTEST:

THE BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE

By: _____

By: _____
President

ATTEST:

THE BOARD OF GOVERNORS OF MID-PLAINS COMMUNITY COLLEGE

By: _____

By: _____
President

ATTEST:

THE BOARD OF GOVERNORS OF NORTHEAST COMMUNITY COLLEGE

By: _____

By:_____
President

ATTEST:

THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE

By: _____

By:_____
President

ATTEST:

THE BOARD OF GOVERNORS OF WESTERN NEBRASKA COMMUNITY COLLEGE

By: _____

By:_____
President

CONTRIBUTION COMMITMENT AGREEMENT

This Agreement is entered into by and between the Nebraska Department of Education (hereinafter the "Contributor") and the Nebraska Statewide Workforce and Educational Reporting System (NSWERS) (collectively, the "Parties") to formalize and facilitate the Contributor's commitment of resources to NSWERS.

WHEREAS, NSWERS is an interlocal entity that has created a state-of-the-art data system that promotes a strong economy, good jobs, growing business, and thriving communities.

WHEREAS, NSWERS is the only resource in the state that integrates education and workforce data over time, from preschool to grade 12, through college, and into work, creating a holistic view of the learning and earning journey;

University of Nebraska

WHEREAS, the Contributor recognizes the benefits and value of NSWERS work and wishes to formalize a commitment of resources to ensure NSWERS' ability to continue to benefit the Contributor, individually, and the educational community, collectively;

Now, therefore, in consideration of the mutual benefits to both Parties, the following terms shall govern the commitment of resources to NSWERS.

1. **Defined Contribution Commitment.** The Contributor hereby commits to provide financial contributions to NSWERS in the amounts and for the fiscal years set forth in Schedule A, attached hereto and incorporated by reference.

2. **Facilitation of Contribution.** For Fiscal Year 2026 (July 1, 2025 – June 30, 2026), NSWERS shall invoice the Contributor on or after the Effective Date and prior to June 30, 2026. For Fiscal Year 2027 and for each subsequent fiscal year during the Term, NSWERS may invoice the Contributor annually either at the beginning of the applicable fiscal year or at another time during that fiscal year. Payment shall be made within forty-five (45) days of invoice receipt.

3. **Use of Contribution.** The Contribution shall be used to support NSWERS' core mission, including statewide data system operations, data integration, secure analytics and reporting, data governance and privacy protections, and training and technical assistance to partners.

4. **Documentation of Contribution.** Following the receipt of the contribution defined in Paragraph 1, NSWERS will provide the Contributor with written confirmation of its receipt of each annual contribution.

5. **Reliance on Contribution.** The Parties agree that NSWERS may reasonably rely on the provision of the contribution defined in Paragraph 1 and Schedule A, consistent with the terms of this Agreement, in all respects related to the defined use of the contribution in Paragraph 3. Notwithstanding the foregoing, any payment obligation of the Contributor that extends beyond the current fiscal year is subject to the availability of funds appropriated or otherwise made available to the Contributor for such purpose. In the event sufficient funds are not appropriated or otherwise made available for any subsequent fiscal year, the Contributor may terminate this Agreement as to the affected and any subsequent fiscal years by providing written notice to NSWERS as soon as reasonably practicable, and the Contributor shall not be obligated to make payments for such fiscal years.

6. **Term of Agreement.** This Agreement shall be effective on April 15, 2026, or upon full execution by the Parties, whichever occurs later (the "Effective Date"), and shall remain in effect through June 30, 2030 unless terminated, in whole or in part, in accordance with Paragraph 5.

7. **Amendments.** This Agreement may be amended only by written agreement of the Parties.

8. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties with respect to the subject matter herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

Nebraska Department of Education
By: Brian Maher _____
Title: Commissioner of Education
Date: _____

Nebraska Statewide Workforce and Educational Reporting System
By: Matthew J. Hastings
Executive Director
Date: _____

University of Nebraska

Schedule A – Multi-Year Financial Contribution Commitment

Fiscal Year 2026 (July 1, 2025 – June 30, 2026): $130,893
Fiscal Year 2027 (July 1, 2026 – June 30, 2027): $179,795
Fiscal Year 2028 (July 1, 2027 – June 30, 2028): $231,514
Fiscal Year 2029 (July 1, 2028 – June 30, 2029): $286,060
Fiscal Year 2030 (July 1, 2029 – June 30, 2030): $286,060

Total Commitment: $1,114,322

University of Nebraska

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

STATE BOARD OF EDUCATION
EXECUTIVE COMMITTEE REPORT

Date: May 8, 2026

The Executive Committee reports on its May 7, 2026, meeting. Members present were chair Elizabeth Tegtmeier, vice chair Liz Renner, Sherry Jones, and Deborah Neary.

The Committee reviewed one action item. This item was the proposed revisions to the Nebraska Council on Teacher Education (NCTE) Organizational Policies, and NDE staff provided information on the proposed revisions. The committee recommends the Board approve the proposed revisions.

The committee also reviewed three information items. First, the committee received an update on legislative activity from NDE staff. Second, the committee received an update from NDE staff on Special Education activities. Finally, the committee discussed revisions to the Commissioner's contract.

This concludes the Executive Committee report.

Elizabeth Tegtmeier, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 23, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Administrator, Accreditation, Certification, & Approval

PROPOSED AGENDA ITEM: Revisions to the Nebraska Council on Teacher Education (NCTE) organizational policies.

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
The Nebraska Council on Teacher Education (NCTE) as an advisory body of the Nebraska State Board of Education. The membership is appointed by the State Board of Education from representatives of state-wide organizations which have a direct involvement or interest in teacher and administrative preparation, and from Nebraska approved educator preparation programs. NCTE develops and recommends items for State Board approval and adoption, which include:

- standards relating to the approval of educator preparation programs
- standards relating to the issuance of certification for educators
- standards relating to certification endorsements

Additionally, NCTE members participate in educator preparation program approval onsite and offsite reviews. NCTE also acts as a forum where stakeholders can discuss issues affecting educator preparation, certification, and seek solutions to problems impacting the quality of preparation of educations in Nebraska.

NCTE, as outlined in section 15.00 in their organizational policies, has the ability to recommend changes to the State Board of Education regarding the organizational polices. The agenda for the February 13, 2026, NCTE meeting included discussion of potential revisions to the organizational policies and resulted in a vote to recommend changes to the State Board. The substantive proposed areas of change include two topics:

1. Organization membership – section 4.00
2. Timeline regarding posting meeting agenda and associated materials

The recommended changes to NCTE Organization Policies, as recommended by NCTE, are attached for potential action.

STATUTORY/POLICY REFERENCE:

- Nebraska Revised State Statute 79-808(3) provides for reimbursement of members of an advisory committee established by the Board to assist in teacher education and certification matters
- Nebraska Council on Teacher Education (NCTE) Organizational Policies, Section 15.00 outlines the process for NCTE to recommend changes to the policies and states:
    - *These Organizational Policies may be recommended for changes by majority vote of the membership present provided that such recommended changes shall have been provided to the membership at least 30 days prior to the date of the business meeting at which a vote to amend is taken. The NCTE President, or his/her designee, shall present the recommendations to the State Board of Education. Such recommended changes shall become effective when approved by the State Board of Education.*

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 2: Grow the Educator Pipeline
    - Strategic Outcome 2.1: Increased Supply of Teachers

The organizational policies for the NCTE provide a framework for the operation of the council. Adjustments to the policies may contribute to improved operations of the council, which could contribute to robust conversations regarding growth of the educator pipeline.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $0

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA
FOR GRANT SUBAWARDS:

**Updated 03.30.2026*

ORGANIZATIONAL POLICIES
OF THE
NEBRASKA COUNCIL ON TEACHER EDUCATION

1.00- THE NEBRASKA COUNCIL ON TEACHER EDUCATION

The Nebraska Council on Teacher Education (NCTE) is an advisory body to the Nebraska State Board of Education. The membership is appointed by the State Board of Education from representatives of state-wide organizations which have a direct involvement or interest in teacher and administrative preparation, and from higher education institutions in Nebraska which are approved by the State Board of Education to prepare and recommend for certification teachers, administrators, and counselors; and those people recommended for special services endorsements. The State Board of Education reserves unto itself sole authority over college program approval and certification.

2.00- PURPOSE

As an advisory body to the State Board of Education (Board), NCTE will develop and recommend for State Board approval and adoption:

2.01 Standards relating to state approval of higher education institutions providing teacher and/or administrative preparatory programs; and programs leading to special services certification.

2.02 Standards relating to admission into and retention in an approved professional education program leading to teacher, administrative, or special services certification.

2.03 Standards relating to the issuance of teacher, administrative, and special services certification.

2.04 Standards relating to certification endorsements.

2.05 Standards relating to the relationships of Nebraska teacher, administrator, and special services certification with other states and national bodies.

Further, NCTE members will, at the request of the Nebraska Department of Education (NDE), and pursuant to NDE regulations, participate in educator program approval reviews and associated campus visits to those institutions seeking approval for their programs leading to teacher, administrative, and/or special services certification and endorsements, and may recommend approval or non-approval of those programs in compliance with regulations adopted by the State for such purposes.

Additionally, NCTE, through its regular meetings, will provide a forum where representatives of educator preparation, practicing educators, the Nebraska Department of Education, and other educator preparation and certification stakeholders can meet and discuss those issues affecting professional preparation, and seek solutions to problems impacting on the quality of preparation of certified professionals in school settings. The goal of the college approval and professional certification process is to ensure the citizens of Nebraska, in particular, and citizens of the United States, in general, that the teachers and administrators in this state are well qualified and meet all state laws governing certification.

3.00 STATUTORY AUTHORITY
Appointments to the NCTE are made by the Board pursuant to its authorization. Sections 79-318(9), R.R.S., 1943, and 79-808, R.R.S., 1943.

4.00 -MEMBERSHIP
The State Board of Education shall appoint all members of the NCTE. Membership shall include equal representation of Higher Education, School Governance, and Teachers as specified in Sections 4.01, 4.02, and 4.03. Terms shall begin August 1 in the year in which the members are appointed and shall continue until July 31 in the year in which their terms expire.

Members are expected to act as liaisons between the NCTE and the groups they represent.

Organizations submitting nominations for members and alternates shall give consideration to balancing the representation with regard to geographic location and state board district, gender, ethnicity, grade level, academic subject area, and school enrollment size. Selection of members shall be in accordance with the following provisions:

4.01- Higher Education
One (1) representative shall be nominated from each Board approved teacher preparation college or university. The representatives shall be nominated by the university or college chancellor or president.

4.02- School Governance
The number of persons representing School Governance shall equal the number of Board approved teacher preparation institutions, and nominated as follows:

4.02A- ~~NCAPE~~ NCNS Representative. One (1) administrator shall be nominated by the ~~Nebraska Council of American Private Education (NCAPE)~~ Nebraska Coalition of Nonpublic Schools (NCNS) to represent private schools.

4.02B– School Board Membership. Two (2) School Governance members shall be nominated by the Nebraska Association of School Boards (NASB).

4.02C- Administrative/Supervisory Membership. Those nominated and appointed shall include individuals who perform in administrative or supervisory roles in public school or agency settings and include School Administrators, Curriculum Directors, Human Resources and ESU personnel.

4.02C~~i~~1- Nine (9) members shall be nominated by the Nebraska Council on School Administrators (NCSA).

4.02C~~ii~~2- One (1) Administrative/Supervisory member shall by appointed by the State Board of Education.

4.02D- Community College Representative. One (1) individual representing Community Colleges shall be nominated by the Nebraska Community College Association.

4.02E- Nebraska Department of Education (NDE). Two (2) representatives of the Nebraska Department of Education shall be nominated by the Nebraska Commissioner of Education.

4.03- Teachers
The number of persons representing practicing teachers shall equal the number of Board approved teacher preparation institutions, and shall be nominated as follows:

4.03A ~~Two (2)~~ Four (4) shall be nominated by the State Board of Education, and

4.03B The remaining shall be nominated by the Nebraska State Education Association (NSEA).

5.00- ALTERNATES
Each category of membership shall nominate alternates to the Council. The alternates may serve as voting members when members of the official delegation are unable to attend. Names of alternates shall be submitted at the same time as proposed NCTE nominations.

~~5.01 The NCSA may nominate six (6) alternates; NASB, one (1); NSEA, eight (8); NDE, one (1); NCAPE, one (1); State Board of Education, two (2); and Educator Preparation institutions, one (1) each.~~

Each represented group may nominate alternates as follows:

5.01 Educator Preparation institutions may nominate one (1) alternate each.
5.02 School Governance
5.02A NCNS may nominate one (1) alternate
5.02B NASB may nominate one (1) alternate
5.02C Administrative/Supervisory
05.02C1 NCSA may nominate six (6) alternates
05.02C2 The State Board may nominate one (1) Administrative/ supervisory alternate
5.02D NCCA may nominate one (1) alternate
5.02E The State Board may nominate one (1) NDE alternate
5.03 Teachers
5.03A The State Board may nominate two (2) teacher alternates
5.03B NSEA may nominate eight (8) alternates

5.0~~4~~2 Alternates may attend meetings of NCTE at times other than when serving as an official delegate but under such circumstances shall not have voting privileges. When not replacing an official delegate, expenses of alternates in attendance are not eligible for state reimbursement.

6.00 METHOD OF SELECTING MEMBERS AND ALTERNATES
Nominations for members and alternates shall be submitted to the Executive Committee of NCTE, which shall review the nominees to determine if the requirements are achieved as described in Section 4.00. If necessary, the Executive Committee will ask a nominating group to modify its list so that the requirements are achieved. The Executive Committee shall submit the final list of nominees to the Commissioner of Education for State Board action prior to the first meeting of the membership year.

When NCTE members are no longer in the position which qualified them for appointment to NCTE, they shall immediately resign from the NCTE. If an approved alternate cannot be utilized for the remaining membership year, the Executive Committee will ask the nominating group or institution for an immediate replacement. Interim replacements made after the annual State Board of Education approval will be approved by NDE staff and formally approved by the State

Board if they continue to serve as an NCTE member in the next membership year.

7.00 LENGTH OF TERM
Representatives from the School Governance and the Teachers categories shall serve a term of four years. Representatives of Higher Education and the Department of Education shall be appointed annually.

8.00 NCTE OFFICERS
NCTE officers shall consist of President and President-Elect, who shall serve for a term of two years. Nominations for President-Elect shall be presented at the spring semester meeting of odd numbered years and elected by the membership of NCTE at the summer meeting. The President-Elect shall serve two years as President-Elect and two years as President. The President and President-Elect shall assume office August 1 of the odd numbered years. A representative of the Nebraska Department of Education or his/her designee shall serve as the recording secretary in a non-voting capacity.

The President and President-Elect shall be representative of different membership groups, i.e., Governance, Higher Education, Teachers.

The President or the President's designee shall serve as the presiding officer of NCTE and liaison to the Board.

The President and/or the President's designee, will attend regularly, and present a report, at least annually, to the State Board of Education as part of the Board agenda or public comment period.

9.00 EXECUTIVE COMMITTEE
The President, President-Elect, Chairpersons of the Standing Committees, and the two NDE representatives shall constitute the Executive Committee. In the event that any of the following groups: Governance, Higher Education, or Teachers are not represented on the Executive Committee by virtue of office or serving on a Standing Committee, the Executive Committee shall appoint a representative of that unrepresented group to serve for a one-year term.

9.01 Duties. The duties of the Executive Committee shall include the following:

9.01A Meet at least thirty (30) days prior to each regular meeting of the NCTE to prepare an agenda.

9.01B Provide guidance and leadership in conducting the business of NCTE.

9.01C Coordinate the work of the Standing Committees and *ad hoc* committees.

9.01D Review the list of nominees and alternates for appointment to NCTE as provided under the provisions governing membership (Section 6.00) and transmit a final list of nominees to the Commissioner of Education for Board action. The Executive Committee is responsible for determining reasonable balance in the NCTE as described in Section 4.00.

9.01E Appoint a nominating committee of three members: one each from school governance, higher education, and teacher delegates who shall seek candidates for the office of President-Elect. This committee will prepare a slate of nominees to be presented at the ~~March~~ spring semester meeting of the odd numbered years and voted on at the ~~June~~ summer meeting. Nominations may also be

made from the floor.

9.01F Appoint the President-Elect as President if the President fails to complete his/her term. The Executive Committee shall then appoint, from the membership of NCTE, an individual to fill the office of President-Elect until the office can be filled by election at the next June meeting.

9.01G Appoint the President and President-Elect if both offices should simultaneously become vacant, until the offices can be filled by election at the next June meeting.

9.01H Assign members of NCTE to Standing Committees of NCTE and make reassignments to fill vacancies as they occur.

9.01I Annually approve a calendar of anticipated endorsement reviews.

9.01J Review proposed endorsements as presented by the *ad hoc* committee chair. The Executive Committee may return the proposed endorsement to the *ad hoc* committee with recommendations for modification, make minor changes in the proposed endorsement with the approval of the *ad hoc* committee chair, and/or forward it to the appropriate Standing Committee

9.01K Review every proposed endorsement as presented by the *ad hoc* committee chair for requests to change the number of semester credit hours, grade levels, and undergraduate or graduate status. Any changes in these three areas must be approved by the Executive Committee.

9.01L Initiate, receive, and/or evaluate proposals for new endorsements. The Executive Committee will refer any proposed new endorsement to the full Council. The full Council will decide whether such a proposed endorsement shall be recommended for addition to Rule 24. If the Council decides favorably, an *ad hoc* committee will be set up under the normal procedures.

9.01M The Executive Committee may initiate, receive and/or evaluate proposals for endorsement revisions and will refer those proposals to the appropriate *ad hoc* or Standing Committee for action under the normal procedures.

9.01N Act on behalf of the full Council when there is a need for a decision which cannot be postponed to a subsequent regular meeting of the full Council. When such action is taken, a report will be made to the membership at the next regular meeting. The Executive Committee may make a decision on any topic except to reverse a recent decision of the Council.

10.00 STANDING COMMITTEE OFFICERS.

During the spring semester meeting of each even numbered year, each Standing Committee, from its membership, shall elect a Chairperson, Vice Chairperson, and Secretary who shall serve for a term of two years. The officers may be re-elected once. Succeeding officers for each position must be elected from a different representational group. The term shall begin August 1st of the same year. In the event of a resignation or vacancy, the Standing Committee shall elect a successor at the next regularly scheduled meeting.

The Secretary shall provide a copy of the minutes to NDE within 14 days of the meeting for inclusion in the published minutes of the Council.

11.00- STANDING COMMITTEES

There shall be three Standing Committees with membership drawn from the members of NCTE. Membership on each Standing Committee shall consist of one-third of the NCTE membership, and each committee shall include a balanced number of representatives from Higher Education, Governance, and Teachers. The Executive Committee will determine, to the extent possible, – the priority agenda items for the membership year for each Standing Committee at their meeting preceding the first annual NCTE meeting. Additional agenda items may be identified throughout the membership year.

11.01- Responsibilities of the Standing Committees shall be to:

Conduct periodic review of educator certification requirements and recommend changes to NCTE for consideration and adoption. Such recommendations, when approved, shall constitute recommendations to the Board for revision in applicable educator preparation and certification Rules.

Deliberate and make recommendations to the full Council on such special issues as assigned.

Review the requirements for endorsements on a schedule determined by the Executive Committee in collaboration with NDE staff and shall recommend revisions in such requirements to the full Council. Action taken by the full Council shall constitute a recommendation to the Board. The committee, in conducting such reviews, shall utilize the expertise of *ad hoc* committees which shall meet the requirements set forth under Section 17.00. Recommend the names and addresses of appropriate persons to serve on the *ad hoc* committees according to the categories stipulated in the *Ad Hoc* Committee Guidelines. Such names will be submitted to the Nebraska Department of Education who will create a balanced *ad hoc* committee according to the guidelines in Section 17.00.

If, in the opinion of the Executive Committee, extra meetings of a Standing Committee need to occur in order to process the endorsements in an expeditious manner, special meetings may be called. In such cases, the State of Nebraska will cover the usual expenses as described in Section 16.00.

12.00- COLLEGE APPROVAL

The full Council shall act as a committee of the whole to recommend college approval. Using the standards adopted by the Board for approval of educator preparation programs, the Department of Education shall schedule and provide for folio review teams and college visits. The visitation teams will include NCTE representatives who have participated in NDE-sponsored college approval process training.

A. 12.01The number of persons serving on State folio review and visitation teams will be determined by the size of the institution.

B. 12.02 Areas of expertise for persons nominated to serve on state approval teams will be reviewed by NDE prior to appointment to a review team.

C. 12.03 Persons selected to serve on visitation teams must verify that they do not have a conflict of interest with that institution.

D. 12.04 The Nebraska Department of Education shall coordinate college program approval training and updates on a schedule recommended by the Executive Committee.

E. 12.05 NDE staff will report the results of the state program approval to NCTE. The unit head, or his/her designee, shall be afforded an opportunity to respond to a visitation report before a recommendation is made by the full Council to the Department of Education. The rejoinder will be made to the Executive Committee prior to the commencement of the morning business meeting. A recommendation for action by the NCTE will be made by the Executive Committee during the afternoon business meeting.

F. 12.06 NCTE executive committee representatives shall forward NCTE recommendations to the Commissioner of Education for State Board of Education action.

13.00 MEETINGS OF NCTE

There shall be three regular meetings of NCTE – one during the fall semester, one during the spring semester, and one during the summer. Meetings of the NCTE shall be subject to the open meetings law and public notice of said meetings shall be made by NDE.

The meeting agenda and associated materials for Council action will be posted to the website ~~thirty (30)~~ fifteen (15) days prior to the meeting date.

Special meetings of the Council may be called by the President when authorized by the Executive Committee and approved by the Commissioner of Education.

All meetings will be in compliance with the Nebraska Open Meetings Act, Nebraska Revised State Statute 85-1401 through 84-1414.

14.00 VISITORS COMMENT PERIOD

In conjunction with each meeting of NCTE, there shall be a public comment period at which time those members of the public wishing to address NCTE shall have an opportunity to do so, subject to procedures adopted by NCTE. The presiding officer shall have the right to limit discussion in order to facilitate the work of NCTE.

In conjunction with debate on specific recommendations being considered by NCTE, the Chairperson of a Standing Committee or the President may request that a non-member be allowed to address the membership regarding that issue. The request shall be granted unless there is an objection. In such event, the non-member shall be granted speaking privileges only by an affirmative vote of a majority of the membership present.

15.00 AMENDMENTS TO THESE ORGANIZATIONAL POLICIES

These Organizational Policies may be recommended for changes by majority vote of the membership present provided that such recommended changes shall have been provided to the membership at least 30 days prior to the date of the business meeting at which a vote to amend is taken. The NCTE President, or his/her designee, shall present the recommendations to the State Board of Education. Such recommended changes shall become effective when approved by the State Board of Education.

16.00 EXPENSES

Expenses for Program Reviews, Approval Visits; NCTE, Executive Committee, Task Force, and *ad hoc* committee meetings; and NCTE member and alternate (when serving as a delegate) expenses for such meetings shall be borne by the State of Nebraska in accordance with state approved expense guidelines.

Members of *ad hoc* committees will be reimbursed for expenses by the State of Nebraska in accordance with state approved expense guidelines. School districts may be reimbursed for the cost of a substitute for teachers serving on *ad hoc* committees.

17.00 PROCEDURES FOR ENDORSEMENT REVISION

17.01 Ad Hoc Committee Overview. The *ad hoc* committee membership is selected to give representation to professional teacher educators; scholars in the field; PK-12 educators; the general public; administrators; and the Nebraska Department of Education. Members are selected to reflect balanced representation with regard to geographic location and state board district, gender, ethnicity, grade level, academic subject area, and school enrollment size. It is the responsibility of the *ad hoc* committee to review and update the criteria for endorsement in the specified area, such that

teacher, administrator, and special services educator requirements reflect the best of current knowledge and are responsive to special needs in Nebraska.

17.02 Ad Hoc Chairs. Chairs of the *ad hoc* committees shall be collaboratively determined by the NDE Team Leader responsible for the endorsement area, and the NDE designee with responsibilities for NCTE coordination.

17.03 Ad Hoc Membership. The membership of an *ad hoc* committee shall include representation from the categories below. *Ad hoc* committees will generally include 10-12 members. Members may fulfill more than one of the categories listed below:

17.03A Practitioners currently endorsed and employed in approved or accredited public or private schools in the endorsement area at the grade levels under consideration.

17.03B Faculty members from a college or department of education who are teaching professional education courses or serve as the certification official at an approved educator preparation institution.

17.03C Specialists in the content area which might include Arts and Science college faculty or persons drawn from professional practice in the endorsement area.

17.03D Administrative or supervisory personnel from approved or accredited public or private schools with responsibility for supervision, leadership or personnel functions at the grade levels and/or in the content area.

17.03E Representation from the NCTE Standing Committee to which the endorsement has been assigned.

17.03F A Nebraska Department of Education representative who has responsibilities related to the endorsement area and who may also serve as the *Ad Hoc Committee* chair.

17.03G Representatives of national/state specialty professional associations or professionals drawn from areas of employment related to the content areas.

17.03H Additional PK-12 school practitioners or higher education faculty members to equalize the representation between these two groups.

17.03I A Nebraska Department of Education designee, who will be a non-voting member and serve as a consultant for the *ad hoc* committee.

17.04 Ad Hoc Procedures

Designated Nebraska Department of Education staff will coordinate with Ad Hoc committee:

17.04A Review Nebraska endorsement requirements for the specific area.

17.04B Review guidelines from other regulating bodies such as learned societies/specialty professional associations, national accrediting bodies, Nebraska K-12 Content Standards/Frameworks and the National Board for

Professional Teaching Standards.

17.04C- Review Nebraska and national supply and demand data.

17.04D- Review current trends and research for educator preparation in the specified areas.

17.04E Determine if there is a need to continue the endorsement area.

17.04F- Act as liaison persons between *ad hoc* committee deliberations and the groups they represent.

17.04G -Present endorsement revisions to the NCTE Executive Committee.

17.05 -NCTE Endorsement Approval. Upon approval by the Executive Committee, the revised endorsement will move through NCTE utilizing the following process.

17.05A First Hearing. The proposed endorsement (Rule 24 and Guidelines) is presented to the full Council at the general session. The *ad hoc* committee chair (or the individual(s) proposing a revision) presents the proposed endorsement and also leads discussion from the NCTE membership regarding questions and concerns identified by the membership, including those submitted prior to the meeting.

17.05B Second Hearing. The Standing Committee assigned to the endorsement continues discussion of the endorsement immediately following the 1st general session of the NCTE meeting. The Standing Committee may:

1. Recommend changes before the next regularly scheduled NCTE meeting. If major changes are needed before the Standing Committees will approve the endorsement, it is usually sent back to the ad *hoc* committee. However, the appropriate Standing Committee reserves the right to make any and all final changes before presentation to the full Council. If substantive changes or further clarification or discussion is needed prior to a final vote, the proposed endorsement will be moved to consideration at the next NCTE full Council meeting;

2. Accept the proposed endorsement at this second reading, and if no changes are needed, recommend a final vote at the 2nd General Session; or

3. Recommend the endorsement be held for final vote until the next full Council meeting.

17.05C -Presentation to the Full Council. The proposed endorsement with the approval of the Standing Committee is presented to the full Council by the Chair of the Standing Committee for a roll call vote. If a majority vote to accept the endorsement is not achieved, the endorsement will remain in Second Hearing and return to the Standing Committee for additional discussion and revision. Upon approval by the full Council, the recommendations are forwarded to the State Board.

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

STATE BOARD OF EDUCATION
BUDGET AND FINANCE COMMITTEE REPORT

Date: May 7, 2026

The Budget and Finance Committee reports that at its Thursday, May 5th meeting, members present were Kristin Christensen, Kirk Penner and Lisa Schonhoff. The Committee reviewed eight action items including grants for the 21st Century Community Learning Centers, Rural Health Transformation Projects and Nebraska Teacher Apprenticeship Program and contracts for the Safe2HelpNE hotline, Professional Learning for Leaders Grounded in the Science of Reading, and for a Career and Technical Education State Model Programs of Study and Standards Revision project which were all recommended for approval by the Committee. The Committee did not have a recommendation on the New and Expansion Early Childhood Grants. The last action item reviewed by the committee was the ACFR audit. The Committee recommends approval of this item.

The Committee then reviewed one discussion item for board member travel expenses noting no concerns.

The Committee also reviewed thirteen information items including contracts for DDS Medical Consultants, support the ATP education program, Child, Program and Family Outcomes Measurement System Results Matter, National Student Clearinghouse, the Nebraska Technology Initiative, a Grants Management System, USDA Child Nutrition Program System, and USDA Child Nutrition Monitoring and Compliance. The Committee reviewed two grant items including the Revision Action grants and a potential State Implementation Fund grant. The last three information items reviewed were updates on the Comprehensive Literacy State Development Grant Expenditures, the Single Audit Report and a Special Education Update.

This concludes the Budget and Finance Committee report.

Kristin Christensen, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.
Updated 02.02.2023

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

STATE BOARD OF EDUCATION
BUDGET AND FINANCE COMMITTEE REPORT

Date: May 8, 2026

The Budget and Finance Committee reports that at its Thursday, May 7th meeting, members present were Kristin Christensen, Kirk Penner and Lisa Schonhoff. The Committee reviewed eight action items including grants for the 21st Century Community Learning Centers, Rural Health Transformation Projects and Nebraska Teacher Apprenticeship Program and contracts for the Safe2HelpNE hotline, Professional Learning for Leaders Grounded in the Science of Reading, and for a Career and Technical Education State Model Programs of Study and Standards Revision project which were all recommended for approval by the Committee. The Committee did not have a recommendation on the New and Expansion Early Childhood Grants. The last action item reviewed by the committee was the ACFR audit. The Committee recommends approval of this item.

The Committee then reviewed one discussion item for board member travel expenses noting no concerns.

The Committee also reviewed thirteen information items including contracts for DDS Medical Consultants, support the ATP education program, Child, Program and Family Outcomes Measurement System Results Matter, National Student Clearinghouse, the Nebraska Technology Initiative, a Grants Management System, USDA Child Nutrition Program System, and USDA Child Nutrition Monitoring and Compliance. The Committee reviewed two grant items including the Revision Action grants and a potential State Implementation Fund grant. The last three information items reviewed were updates on the Comprehensive Literacy State Development Grant Expenditures, the Single Audit Report and a Special Education Update.

This concludes the Budget and Finance Committee report.

Kristin Christensen, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.
Updated 02.02.2023

NEBRASKA STATE BOARD OF EDUCATION

TRAVEL REPORT

May 2026

2025-2026 Board Travel *At-A-Glance*

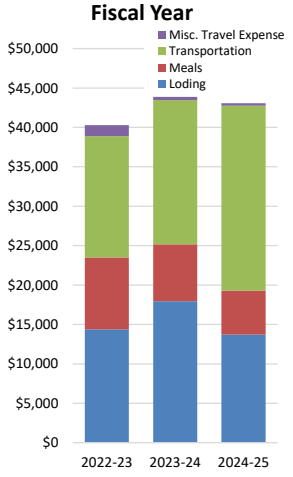
Budgeted	Monthly Spending	Annual Spending	Expenditures
$20,141	$2,532 Average	$30,500 Projected	Lodging Meals Mileage



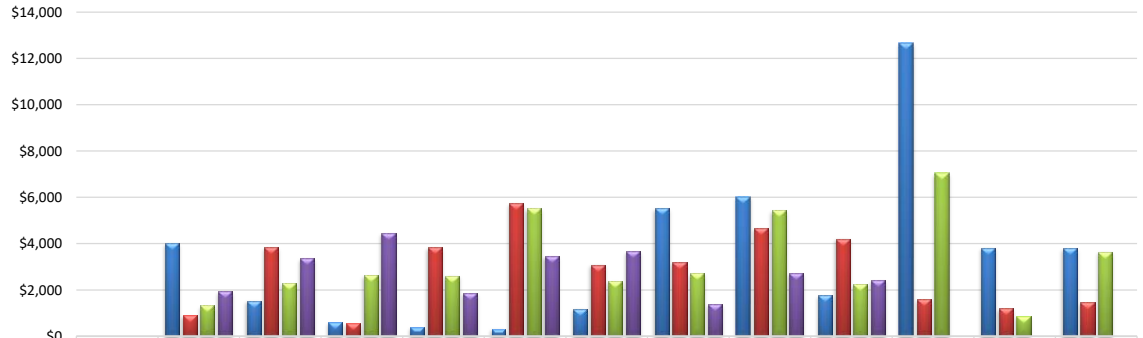
Board Member Activity

		Current Year July 2025-June 2026		*Prior Year* July 2024-June 2025		Variance	
District	**Board Member**	**April**	**Year-To-Date**	**April**	**Year-To-Date**	**April**	**Year-To-Date**
1	Patsy Koch Johns *Incumbent*	$0	$0	$0	$376	$0	-$376
1	Kristin Christensen *Appointed Dec. 2024*	$0	$1,784	$0	$99	$0	$1,686
2	Lisa Fricke *Incumbent*	$0	$0	$0	$2,833	$0	-$2,833
2	Maggie Douglas *Appointed Dec. 2024*	$0	$1,181	$0	$499	$0	$683
3	Patti Gubbels *Incumbent*	$0	$0	$0	$3,108	$0	-$3,108
3	Lisa Schonohoff *Appointed Dec. 2024*	$86	$4,044	$330	$1,307	$86	$2,737
4	Jacquelyn Morrison *Incumbent*	$0	$0	$0	$1,400	$0	-$1,400
4	Liz Renner *Appointed Dec. 2024*	$0	$1,437	$143	$326	$0	$1,110
5	Kirk Penner	$0	$93	$0	$647	$0	-$554
6	Sherry Jones	$221	$3,656	$717	$6,331	-$496	-$2,675
7	Elizabeth Tegtmeier - President	$815	$11,655	$5,110	$15,649	-$4,295	-$3,994
8	Deborah Neary - Vice President	$220	$597	$737	$1,361	-$517	-$764
		$1,342	**$24,447**	**$7,037**	**$33,938**	**-$5,222**	**-$9,490**
	Annual Budget		$20,141		$19,754		
	Under or -Over Budget		**-$4,306**		**-$14,184**		

Annual Expenditures by Fiscal Year



Annual Expenditures by Month



	July	August	September	October	November	December	January	February	March	April	May	June
2022-23	$4,032	$1,537	$618	$413	$332	$1,193	$5,545	$6,028	$1,765	$12,686	$3,832	$3,816
2023-24	$910	$3,859	$583	$3,853	$5,734	$3,097	$3,197	$4,684	$4,217	$1,607	$1,217	$1,465
2024-25	$1,325	$2,301	$2,633	$2,616	$5,549	$2,399	$2,741	$5,445	$2,243	$7,037	$867	$3,654
2025-26	$1,940	$3,372	$4,461	$1,864	$3,462	$3,669	$1,393	$2,725	$2,437	$0	$0	$0

In-State Travel Authorization Reports - May				
Name	**Event Name**	**Date**	**Location**	**Board Bylaw B16 Code A-F**
Kristin Christensen	(None)			
Lisa Schonhoff	NCEBVI Tour	March 27, 2026	Nebraska City, NE	E
Sherry Jones	(None)			
Elizabeth Tegtmeier	ECS Dinner	March 9, 2026	Lincoln, NE	E
	School Tours with Dr. Maher	April 9, 2026	Lincoln, NE and Waverly, NE	F

In-State Travel Authorization Reports - May				
Name	**Event Name**	**Date**	**Location**	**Board Bylaw B16 Code A-F**
Maggie Douglas	(NONE)			
Liz Renner	(NONE)			
Kirk Penner	(NONE)			
Deborah Neary	(NONE)			

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 13, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida and Erika Wibbels
Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Action Item: Allocation of 21st Century Community Learning Centers (CCLC) Grant Funds (BF.022026.001)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION:

- **What:** The Nebraska 21st CCLC department will release the 2026 afterschool grant using both federal 21st CCLC funding & Expanded Learning Opportunities state funding. Currently the funds provide afterschool & summer programming at 121 sites serving K-12 students in 31 communities. These programs create an afterschool environment focused on three overarching goals: 1) improving overall student academic success, 2) increasing positive behavior and social interactions, and 3) increasing active and meaningful family and community engagement.
- **Why:** Each state's allocation of Title IV, Part B funds is determined by a formula based on total Title I funds received. The Expanded Learning Opportunity (ELO) Grant Program Act was created by the Nebraska Legislature to promote academic achievement in high-need schools during out-of-school time and during summer break. Beginning July 1, 2024, 1.5 percent of the education proceeds from the Nebraska Lottery will be transferred to this fund. These ELO grants require a partnership contributing a 1:1 match of the grant award. The single application process will address the requirement to be awarded through a competitive grant process. Applications that include matching grant funds and partner contributions may be considered for both federally funded **21st Century Community Learning Centers (21st CCLC)** funding and **State funded Expanded Learning Opportunities (ELO)**. Eligibility for both funding sources does **not** guarantee additional or increased funding; however, it allows for reasonable funds to be spread throughout the state. Applications that are unable to provide matching funds remain eligible for **21st CCLC funding**. The single application streamlines state efforts and maximizes cost efficiency.

- **Who:** Public and private organizations are eligible to apply for a 2026 21st CCLC/ELO grant. To be eligible for an afterschool 21st CCLC/ELO grant, sites must serve a school building population with a free/reduced lunch rate of 40% or greater. To be eligible for the

ELO grant, the application requires a partnership(s) contributing a 1:1 match of the grant award.

- **How:** The Nebraska Department of Education (NDE) 21st CCLC office will contract with grant reviewers to engage two outside experts in the afterschool field to conduct scoring. The scores will be averaged to determine a final score. In addition to the overall score (competitive priorities and narrative), final selection of grant projects will be based on the highest overall score within a geographic area (i.e., federal congressional district) and will be dispersed between rural and urban communities. The NDE 21st CCLC team has successfully administered this federal grant program for twenty-three years, serving an average of 136 sites annually. These grants are level funded for a four-year grant period, contingent upon the satisfactory attainment of funding requirements. After the first four-year grant period, successful 21st CCLC sites are eligible to apply for a renewability grant for an additional four-years of level funding, contingent upon the satisfactory attainment of renewability funding requirements.
- **When:** These four-year grants will have a grant period of July 1, 2026-September 30, 2030.

STATUTORY/POLICY REFERENCE:

- ESEA, Title IV, Part B. Sec. 4204(a)(1), A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.
- N.R.S. §79-2504, The department shall establish and administer the Expanded Learning Opportunity Grant Program. The grant program shall provide grants to community-based organizations working in partnership with schools in high-need school districts to provide expanded learning opportunity programs.

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
  - *Strategic Outcome 1.1: Improved Student Achievement*
  - *Strategic Outcome 1.2: Reduced Chronic Absenteeism*
- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.2: Improved Skill Attainment for Clients and Learners*

The 21st Century Community Learning Centers (21st CCLC) and Nebraska Expanded Learning Opportunity (NE ELO) programs advance **Strategic Priority 1: Accelerate Student Achievement** by providing high-quality academic enrichment, targeted interventions, and consistent engagement outside the school day, resulting in improved student achievement and reduced chronic absenteeism. Additionally, 21st CCLC and NE ELO align with **Strategic Priority 3: Equip Learners for the Workforce** by exposing students to career exploration, post-secondary pathways, and skill-building experiences that strengthen college access, workforce readiness, and long-term attainment.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $1.6 million

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal: Title IV, Part of ESEA (21st Century Community Learning Centers) & State: Expanded Learning Opportunities Grant Program Act

- New or Renewal:

- If renewal, date of first approval:

The funds for this competition are included in the allocation from each program. NDE is federally mandated to award 93% of Nebraska's allocated funds to local aid. This competition allows NDE to follow regulations.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:

- Rationale for method of procurement:

- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: The competitive grant application materials, including the scoring rubric, were posted on our website and went live on GMS on January 21, 2026. A technical assistance grant writing webinar was recorded and posted January 23, 2026. The application closed on March 19, 2026, at 11:59 p.m. CST. A team of external reviewers independently scored each proposal; scores were averaged together and then reviewers met to reach consensus on final scores and funding recommendations. The slate of recommended proposals is presented to the State Board of Education for final approval at the May 8, 2026, business meeting.

**Updated 03.30.2026*

NEBRASKA
DEPARTMENT OF EDUCATION

Nebraska 21st Century Community Learning Centers
Soaring Beyond Expectations

2026 21st Century Community Learning Centers (CCLC) Grant Competition - Proposed Awardees

The 21st CCLC state team has conducted grant reviews and is proposing to fund the following applicants:

Grantee	Funding	# of Students Served*	Grade Level
Nebraska City	$148,120	SY 150, OOS 40, Summer 40	K-5
York	$85,175	SY 160, Summer 150	K-5
Fremont: Bell Field, Deer Pointe, Howard	$179,548	SY 170, Summer 75	K-4
Fremont: Grant, JCAC	$98,700	SY 90, Summer 40	K-6
Collective For Youth: OPS- Wakonda	$90,000	SY 75, Summer 50	K-5
Collective For Youth: OPS- Highland	$90,000	SY 80, Summer 50	K-5
Collective For Youth: OPS- Lewis & Clark	$95,000	SY 100, OOS 30, Summer 80	6-8
Collective For Youth: OPS- Kennedy	$75,000	SY 60, Summer 45	K-5
Collective For Youth: OPS- King Science	$95,000	SY 100, Summer 75	6-8
TOTAL	**$956,543**		

**SY- students served during afterschool hours during the school year*
OOS- students served during out-of-school days during the school year (at least 4 hours per day)
Summer- students served during summer days (at least 4 hours per day)

NEBRASKA
DEPARTMENT OF EDUCATION

Nebraska 21st Century Community Learning Centers
Soaring Beyond Expectations

2026 Expanded Learning Opportunities (ELO) Grant Competition - Proposed Awardees

The 21st CCLC state team has conducted grant reviews and is proposing to fund the following applicants:

Grantee	Funding	# of Students Served*	Grade Level
Crete Public Schools	$99,532	SY 160	K-2
Isanti Community School	$50,000	SY 50, OOS 50, Summer 50	K-12
Bancroft-Rosalie Community Schools	$50,000	SY 90, OOS 90, Summer 90	K-12
TOTAL	**$199,532**		

**SY- students served during afterschool hours during the school year*
OOS- students served during out-of-school days during the school year (at least 4 hours per day)
Summer- students served during summer days (at least 4 hours per day)

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 13, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Zainab Rida, Ph.D., R.D.
Administrator, Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Action Item: Approve the NDE to become a subrecipient of Rural Health Transformation Project funds

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION:
What: Governor Pillen announced Nebraska's Rural Health Transformation Program, through which the Nebraska Department of Health and Human Services (DHHS) received a five-year grant from the U.S. Centers for Medicare & Medicaid Services. DHHS will enter into a Memorandum of Understanding (MOU) with the Nebraska Department of Education to be a subrecipient of these funds for project objectives that have a direct connection to and benefit for the school nutrition programs.

Why: The Nebraska Rural Health Transformation Program includes several objectives that must be carried out by Nebraska Department of Education (NDE) due to its role as the State agency for the United States Department of Agriculture (USDA) School Nutrition Programs and the direct support it provides to K–12 school food service staff and operations.

How: The program will:

- Provide grants (with a maximum award of $100,000 per school or school district per year) to rural schools to transition their food preparation and storage infrastructure to support increased frequency of scratch and semi-scratch prepared items on menus.
- Provide technical assistance support for the procurement and acquisition of locally produced and grown food items suitable for the school foodservice setting.
- Provide grants to fund food infrastructure equipment to support development healthy kitchen-ready products that reduced preparation burden on schools.
- Implement the Nebraska School Nutrition Training Institute for school foodservice staff to acquire continuing education and experiential learning that supports utilization of scratch-cooking techniques and chronic-disease-prevention menu design

Who: Local Education Agencies (LEA)s participating in the USDA National School Lunch and Breakfast Programs

When: Work will commence upon approval from NDE Board of Education (May 2026)

STATUTORY/POLICY REFERENCE:

- NA

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
  - **Strategic Outcome 1.1: Improved Student Achievement**
  - **Strategic Outcome 1.2: Reduced Chronic Absenteeism**

1. Research supports the important role that nutrition plays in physical and mental wellbeing and when students have consistent access to nutrient-dense school meals, they are better able to manage academic and extracurricular demands.
2. School meals reduce chronic absenteeism by removing barriers to attendance and supporting student well-being. Reliable access to breakfast and lunch improves energy, focus, and health, leading to fewer missed days

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: As a subrecipient, the NDE would receive approximately $62,500,000 over five years (approximately $12,500,000 annually).

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Nebraska Department of Health and Human Services – the funds for these activities are included in the subrecipient award total
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 13, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Jay Martin and Zainab Rida
Office of Coordinated Student Support Services

PROPOSED AGENDA ITEM: Action Item: Contract for Safe2HelpNE hotline (BF.032026.002)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

- **What:** Safe2HelpNE is a report system designed for students, staff, and parents to anonymously report concerning behavior which could impact the safety of students or schools across Nebraska.
- **Why:** In over 80% of violent school incidents, someone "leaked" information prior to the actual incident. This means 4 of 5 times someone knew what was about to happen. 99% of students surveyed in the Nebraska school security assessment indicated they would more likely report a gun brought to school if they could do it anonymously. Safe2HelpNE, as required by the School Safety and Security Reporting System Act (Neb. Rev. Stat. §79-3101 to 79-3107), will fill a gap by providing a safe way to help someone before they do something tragic.
- **Who:** Boys Town, USA, provided communication center support for the Douglas County Pilot Project and has been the statewide project since the inception of Safe2HelpNE. It is the only in-state 24/7/365 communication center with live crisis counselors.
- **How:** Reporting methods include phone, mobile, and web-based monitored and responded to by trained crisis counselors. Students, staff, and parents can report on behavior that may impact the safety of students or schools, including, but not limited to school threats, bullying, suicide concern, crime, domestic violence, abuse, and a friend's physical or mental health. The Act required the NDE to establish a multi-modal statewide, anonymous reporting system enabling students, parents, and school personnel to report threats or concerns of possible harm. The communication center is to be functional 24/7/365, with trained crisis counselors receiving and triaging reports and then notifying school district threat assessment teams of the details of the reports. This reporting system supports public and nonpublic K-12 school threat assessment teams, the intent of which is to reduce risk and incidents of targeted violence, including harm to self, others, or school property.
- **When:** The contract period will be from July 1, 2026-June 30, 2030.

STATUTORY/POLICY REFERENCE:

- N.R.S. §79-3104 (1), The department shall establish the Safe2HelpNE report line as a statewide, anonymous reporting system to support threat assessment teams and reduce potential risks and incidents of violence resulting in harm to self, others, or school property.
- N.R.S. §79-3106 (2) It is the intent of the Legislature to appropriate funding from the General Fund for fiscal year 2024-25 and each fiscal year thereafter to the State Department of Education to carry out the School Safety and Security Reporting System Act.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
    - Strategic Outcome 1.1: Improved Student Achievement
    - Strategic Outcome 1.2: Reduced Chronic Absenteeism

Outcome 1.1 - Improved Student Achievement:
Academic achievement is fundamentally linked to a safe and secure school environment. Research indicates that when students and staff feel safe, they can focus on learning rather than threat assessment, leading to improved cognitive function and higher test scores. The School Safety and Security Act supports these outcomes by empowering students, staff, and parents to protect their communities through 24/7 anonymous reporting services.

Outcome 1.2 – Reduced Chronic Absenteeism:
Safe2Help NE report line services instill a sense of safety and security leading to students' desire to learn and attend classes in schools. The report line services allow students a sense of inclusion in keeping their own school environments safe and secure with the opportunities to report concerns. The safety services appeal gives students the desire to attend daily school lessons and activities.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $845,000 per year

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State General Funds; Neb. Rev. Stat. §79-3106 (2)
- New or Renewal: Renewal
- If renewal, date of first approval: August 2021

The funds for this contract are included in the Office's annual allocation of state funds.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: Noncompetitive negotiation
- Rationale for method of procurement: The service is only available through a single source. No other entities exist in-state that have the capacity and infrastructure to provide the services required.

- Rationale for contractor selection: Boys Town, USA, provided communication center support for the Douglas County Pilot Project and has housed the statewide project since the inception of Safe2HelpNE. It is the only in-state 24/7/365 communication center with live crisis counselors.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 30, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Brad Dirksen, Administrator, Accreditation, Certification, & Approval

PROPOSED AGENDA ITEM: Nebraska Teacher Apprenticeship Program Funding

AGENDA ITEM TYPE (contract/grant/rule/program/other): grant

RATIONALE/BACKGROUND INFORMATION:

With the passage of LB705 in 2023, the Nebraska Department of Education has been charged with creating and administering the Nebraska Teacher Apprenticeship Program, meant to "recruit and increase the number of teachers throughout the state by utilizing an apprenticeship model for training." (NRS 79-816). The legislature currently appropriates one million for this program annually.

The Department is continuing to administer the Nebraska Teacher Apprenticeship Program with the state allocated funds. An application for educator preparation programs to apply for the use of available funds is scheduled to open on February 23, 2026. The application deadline will be April 20, 2026. Applicants will evaluated based on an established rubric, which includes a focus on teacher shortage areas and reducing training costs. A request to authorize the Commissioner to award funds to administer the Nebraska Teacher Apprenticeship Program is being brought to the Board at the May 2026 meeting.

STATUTORY/POLICY REFERENCE:

- *N.R.S. § 79-816, The State Department of Education shall create and administer the Nebraska Teacher Apprenticeship Program. The purpose of the program is to help recruit and increase the number of teachers throughout the state by utilizing an apprenticeship model for training.*

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 2: Grow the Educator Pipeline*
  - *Strategic Outcome 2.1: Increased Supply of Teachers*

Authorizing funds to administer the Nebraska Teacher Apprenticeship Program helps fulfill the purpose of the law which is to recruit and increase the number of teachers throughout the state by utilizing an apprenticeship model for training. This directly aligns to the State Board of Education's Strategic Priority 2 of growing the educator pipeline.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $1,000,000.00 of grant funds to educator preparation programs.

- College of Saint Mary - $80,000
- Midland University – $920,000

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State – The funds for this grant are allocated annually by the Legislature.

- New or Renewal: New or Renewal: New (annual) round of funding

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: A competitive grant application process has been established to award state funds. Funds will be awarded to entities who score the highest on the established rubric.

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 21, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Approve new and expansion early childhood grants (BF.032026.004).

AGENDA ITEM TYPE: Grant – Discussion, March 2026; Action, May 2026

RATIONALE/BACKGROUND INFORMATION:

- The purpose of the Early Childhood Education Grant Program is to improve access to early childhood education/prekindergarten programs.
- Early Childhood programs operated with these grants are required to operate in compliance with *Rule 11: Regulations for Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants.*
- Funds are available for awarding new and/or expansion grants to public school districts to serve preschool aged students in the 2026/2027 school year because some school districts currently receiving grants will "roll-off" their current grant and no longer be eligible for funding.
- The recommended list of new and expansion grants is in the attached material for this agenda item.
- The list of proposed grants includes a total of 8 districts with an estimate of 212 children to be served in 13 classrooms.
- Proposed grants are located across Nebraska in the following State Board of Education districts.
    - District 2 1 school district
    - District 5 1 school district
    - District 6 2 school districts
    - District 7 4 school districts
- In November of 2025, a notice was sent to all school districts of a grant opportunity.
- School districts that do not operate a preschool program were eligible to apply for a grant to start a center-based early childhood program.
- Districts that currently operate one or more early childhood classrooms were eligible to apply for funds to increase the number of early childhood classrooms the district operates.
- The grants will begin July 1.

STATUTORY/POLICY REFERENCE:

- N.R.S. § 79-1103 (1)(a) The State Department of Education shall establish and administer the Early Childhood Education Grant Program.

- N.R.S. § 79-1103 (b) The first priority shall be for (i) continuation grants for programs that received grants in the prior school fiscal year…
- N.R.S. § 79-1103 (c) The second priority shall be for new grants and expansion grants for programs that will serve at-risk children who will be eligible or required to attend kindergarten the following school year.
- N.R.S. § 79-1103(d) The third priority shall be for new grants, expansion grants, and continuation grants for programs serving children younger than those who will be eligible or required to attend kindergarten the following school year

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
    - *Strategic Outcome 1.1: Improved Student Achievement*
- High quality early childhood education programs provide opportunities to prepare children to be capable and confident when beginning formal schooling. Early childhood programs operated by school districts are required to support children's development in all domains of growth and learning including language and literacy and receptive and expressive language development.

PROPOSED BOARD MEETING: Discussion, March 2026; Action, May 2026

ESTIMATED COST: Up to $1,166,225

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: State General Funds identified for the Early Childhood Education Grant Program
- Funds for this activity are appropriated by the legislature and are budgeted annually within the NDE annual budget process.
- New or Renewal: New
- If renewal, date of first approval: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: Grants were reviewed and scored by a panel of reviewers from the NDE. The reviewers were Early Childhood Education Specialists who were familiar with Rule 11 and high-quality early childhood education practices. Grant applications were examined and scored

based on stated need and capacity of the local district as well as plans for the operation of the early childhood grant and the use of funds as articulated in the grant narrative and budget forms. Final recommendations were made based on adherence to the funding priorities of Neb. Stat. § 79-1103.

**Updated 03.30.2026*

Grants Recommended for Funding

May 2026

Chase County Schools
New District Program
2 full-day classrooms, 5 days/week
36 children
$201,225

Fullerton Public Schools
New District Program
1 full-day classroom, 4 days/week
20 children
$100,000

Gering Public Schools
Expanded District Program
1 full-day classroom, 5 days/week
20 children
$155,000

Minatare Public Schools
Expanded District Program
1 full-day classrooms, 4 days/week
20 children
$155,000

Nebraska City Public Schools
Expanded District Program
2 part-day classroom, 5 days/week
36 children
$120,000

Ogallala Public Schools
Expanded District Program
2 full-day classrooms, 5 days/week
30 children
$310,000

Summerland Public Schools
Expanded District Program
2 part-day classrooms, 4 days/week
20 children
$50,000

Wilber Clatonia Public Schools
Expanded District Program
2 part-day classrooms, 4 days/week
30 children
$75,000

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 23, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Allyson DenBeste
Academic Officer

PROPOSED AGENDA ITEM: Action Item: Contract for Professional Learning for Leaders Grounded in the Science of Reading (BF.032026.005)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

The Nebraska Department of Education (NDE) Office of Teaching, Learning, and Assessment is preparing to initiate a contract with the AIM Institute to provide professional learning for building and district leaders grounded in the science of reading. This contract will address an initial scope of work with a vendor pool established to address ongoing and future needs based on participant needs.

A Request for Proposals (RFP) was released on February 25, 2026 to establish a vendor pool under a Master Agreement for a comprehensive multi-year literacy training system for school, district, and other education leaders. The intent is to align and support the NDE's literacy efforts already underway, including the Nebraska Literacy Project and the NDE's Comprehensive Literacy State Development (CLSD) grant, with leadership support grounded in the science of reading. Effectiveness of the professional learning system will be measured through participant learning, through pre and post-assessments to measure gains in leaders' literacy knowledge and course completion data, behavior change by monitoring evidence that leaders are applying learning in their systems, including literacy plans and coaching logs, and student and classroom impact through instructional observation data aligned to NDE Instructional Practice Guides (IPGs) and analyses of student achievement outcomes as the initiative matures.

Timeline

Date	Activity
February 25, 2026	RFP Released
March 5, 2026	Information Item to Budget and Finance Committee
March – April 2026	Proposal Review and Vendor Selection
May 7-8, 2026	Request the State Board of Education to authorize the Commissioner to contract for selected vendor
May 11, 2026	Notification of Intent to Award

June 1, 2026	Tentative Contract Start Date

STATUTORY/POLICY REFERENCE:
The Nebraska Reading Improvement Act requires that all teachers of children age four through grade three are adequately trained in evidence-based reading instruction. In order to support teachers as they implement evidence-based reading instruction, leaders at all levels must demonstrate literacy leadership as they build capacity for effective literacy systems that support all learners.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
    - Strategic Outcome 1.1: Improved Student Achievement

This work directly aligns with the State Board of Education's strategic priority, Accelerating Student Achievement by ensuring that all Nebraska education leaders have the knowledge and skills necessary to improve literacy outcomes for all students.

PROPOSED BOARD MEETING (MONTH/YEAR): March 2026 Information Item, May 2026 Action Item

ESTIMATED COST: $1,644,900.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Private (Sherwood Foundation)
- New or Renewal: New
- If renewal, date of first approval:

The funds for this activity are included in the grant award by the Sherwood Foundation.

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement: RFP with Competitive Negotiation
- Rationale for method of procurement: Solicitation from multiple proposals from qualified vendors allows the NDE to benefit from a variety of technical perspectives in establishing a qualified vendor pool of projects aligned to NDE's goals.
- Rationale for contractor selection: Consistent with the principles of competitive negotiation, the rationale for contractor selection is based on hiring the individual or entity who can best complete the tasks required while taking into account the contractor's total cost and any other factors relevant to the scope of the particular contracting application. An evaluation committee was formed to consistently evaluate each proposal based on pre-specified scoring criteria.

FOR GRANT SUBAWARDS:

- Describe the grantee selection process: N/A

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: **April 23, 2026**

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Katie Graham
Administrator; Office of Career, Technical, and Adult Education

Sydney Kobza
Assistant Administrator; Office of Career, Technical, and Adult Education

PROPOSED AGENDA ITEM: Action Item: Contract for the Career and Technical Education State Model Programs of Study and Standards Revision Project (BF.032026.006)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Contract

RATIONALE/BACKGROUND INFORMATION:

The Nebraska Department of Education's (NDE) Office of Career, Technical, and Adult Education is preparing to initiate the next statewide revision of Nebraska's Career and Technical Education (CTE) State Model Programs of Study and course-based standards across all six CTE content areas. This work directly aligns with the State Board of Education's strategic priority of Equipping Learners for the Workforce by ensuring that Nebraska students graduate with the academic, technical, and career readiness skills necessary to succeed in high-skill, high-wage, and high-demand careers.

NDE updates CTE Programs of Study and course-based standards on a five-year cycle to maintain quality, consistency, and statewide coherence. This review cycle reflects the rapid pace of change in industry and workforce demands.

The six CTE content areas include:

- Agriculture, Food, and Natural Resources
- Business, Marketing, and Management
- Communication and Information Systems
- Human Sciences and Education
- Health Sciences
- Skilled and Technical Sciences

This revision cycle will also include updates to Nebraska's Computer Science and Technology standards, as authorized under Neb. Rev. Stat. § 79-760.01.

In addition to the routine five-year update, this cycle will incorporate the modernization of Nebraska's Career Readiness standards (last updated in 2011), alignment with the modernized National Career Clusters Framework, formal alignment of middle school CTE pathways, and strengthened alignment to expanded learning and apprenticeship opportunities.

Contract Scope and Project Deliverables

To execute this comprehensive effort, the selected contractor will be responsible for:

- Project planning and statewide coordination;
- Structured stakeholder and industry engagement aligned to Nebraska's high-skill, high-wage, and high-demand industry sectors;
- Analysis and revision of State Model Programs of Study;
- Facilitation of educator-led course-based standards revision;
- Modernization of Nebraska's Career Readiness standards;
- Middle school CTE alignment and standards development;
- Integration of special populations considerations (e.g., learners with disabilities);
- Development of crosswalks from legacy Programs of Study and standards to revised versions; and
- Development of implementation support materials.

The project will include structured training and facilitation for approximately 100 educator standards writers statewide. The contractor will provide professional training facilitation, writing templates, quality assurance tools, and coordination support to ensure consistency, rigor, and alignment across all content areas.

Due to the breadth and scale of this work, which includes simultaneous revisions for six content areas, career readiness standards, middle school alignment, and statewide stakeholder engagement, external facilitation and project management expertise are necessary to ensure timely, high-quality delivery while maintaining ongoing program operations within NDE.

Vendor Qualifications

Proposals were requested and received from vendors with demonstrated expertise in:

- Statewide CTE standards and Programs of Study revision;
- Industry and workforce alignment;
- Implementation of the modernized national Career Clusters Framework or compatible cross-sector career pathway models;
- Facilitating educator-led standards writing processes;
- Career readiness and durable skills integration;
- Alignment of secondary and postsecondary programs, including middle school career exploration and pathway progression;
- Stakeholder engagement strategies that incorporate industry, education, workforce, and special population perspectives (as required by the federal Perkins legislation); and
- Multi-phase statewide project management.

Contractor Selection Process

NDE staff utilized the State of Nebraska's formal procurement and competitive bidding process to solicit proposals. A review committee with related expertise evaluated submissions using pre-determined criteria. The contract was awarded to the bidder determined to be most qualified and responsive to the RFP

requirements at a fair and reasonable cost to the State. WestEd has been identified to engage in a contract with the NDE for this work. The contract will specify the work to be completed as detailed above.

Contract Administration

The resulting contract will be administered by the Office of Career, Technical, and Adult Education. NDE will provide project oversight, establish governance and approval processes, and retain final approval authority for all Programs of Study and standards. Payments will be tied to the successful completion and acceptance of defined deliverables.

Timeline

Date	Activity
February 2026	RFP Released
March – April 2026	Proposal Review and Vendor Selection
May 7-8, 2026	Request the State Board of Education to authorize the Commissioner to contract with selected vendor
May 11-12, 2026	Notification of Intent to Award
June 1, 2026	Tentative Contract Start Date

STATUTORY/POLICY REFERENCE:

This work is grounded in federal requirements under the federal Strengthening Career and Technical Education for the 21st Century Act (Perkins V), which requires states to implement high-quality Programs of Study that align secondary and postsecondary pathways, lead to recognized credentials, and reflect in-demand industry sectors. Because Programs of Study serve as the foundation of program approval, funding eligibility, and student pathway progression, this statewide revision will have system-level impact across all districts and postsecondary partners.

In accordance with State Board AMP 2.02 - Contracts, Grants, and Purchases, the Board shall review and approve contracts and purchases of $50,000 or more.

STRATEGIC PLAN ALIGNMENT:

This initiative directly supports multiple priorities and strategic outcomes within the State Board of Education's Strategic Plan.

Strategic Priority 1: Accelerate Student Achievement

- **Strategic Outcome 1.1: Improved Student Achievement, Strategic Outcome 1.2: Reduced Chronic Absenteeism**
  Modernizing CTE Programs of Study and course-based standards strengthens the integration of academic, technical, and career readiness content, supporting student engagement and improved achievement outcomes. High-quality, relevant coursework connected to real-world pathways also promotes student motivation and attendance.

Strategic Priority 2: Grow the Educator Pipeline

- **Strategic Outcome 2.1: Increased Supply of Teachers**
  The revision process will engage approximately 100 Nebraska educators in structured standards writing and professional learning, building educator leadership and instructional capacity.

Additionally, updated Programs of Study in areas such as Education and Training and Early Childhood Education contribute to the development of future educator pipelines.

Strategic Priority 3: Equip Learners for the Workforce

- **Strategic Outcome 3.1: Increased Postsecondary Access and Attainment, Strategic Outcome 3.2: Improved Skill Attainment for Clients and Learners**
  Aligning Programs of Study to high-skill, high-wage, high-demand sectors and modernizing a Career Readiness framework strengthens alignment to postsecondary pathways, credentials, and workforce expectations. Enhanced middle school alignment and expanded work-based learning connections further support skill development and successful transitions beyond high school.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: Up to $349.000.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source:
  - Federal Perkins. The funds for this contract are included in the grant award for this program through the use of statewide Perkins Leadership funds.

- New or Renewal:
  - New

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
  - RFP with Competitive Negotiation

- Rationale for method of procurement:
  - Solicitation from multiple proposals from qualified vendors allows the NDE to benefit from a variety of technical perspectives in selecting the best solution for NDE's desired outcomes.

- Rationale for contractor selection:
  - Consistent with the principles of competitive negotiation, the rationale for contractor selection is based on hiring the individual or entity who can best complete the tasks required while taking into account the contractor's total cost and any other factors relevant to the scope of the particular contracting application. An evaluation committee was formed to consistently evaluate each proposal based on pre-specified scoring criteria.

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: **April 14, 2026**

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Bryce Wilson, Finance Officer

PROPOSED AGENDA ITEM: Accept the 2025 Annual Comprehensive Financial Report (ACFR) Audit Report

AGENDA ITEM TYPE (contract/grant/rule/program/other): Other

RATIONALE/BACKGROUND INFORMATION:
The ACFR audit is an annual audit performed by the State Auditor's office on the financial information for the State. The purpose of the ACFR audit is to make sure the State's financial statements are correct and that appropriate controls are in place to protect State resources. The attached ACFR Management Letter notes the findings related to the Department of Education.

STATUTORY/POLICY REFERENCE:
State Statute 81-1125.01 requires the ACFR audit to be completed each year.

STRATEGIC PLAN ALIGNMENT:

- · *Strategic Priority 4: Provide Exceptional Service*
  - *o Strategic Outcome 4.1: Improved Agency-Wide Efficiency*

The State's audit helps NDE identify issues and make improvements to our process that lead to improved accuracy and efficiency.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: None

FOR CONTRACTS AND GRANTS: N/A

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

FOR GRANT SUBAWARDS: N/A

**Updated 03.30.2026*

NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Mike Foley
State Auditor

Mike.Foley@nebraska.gov
PO Box 98917
State Capitol, Suite 2303
Lincoln, Nebraska 68509
402-471-2111, FAX 402-471-3301
auditors.nebraska.gov

December 17, 2025

Dr. Brian Maher, Commissioner
Nebraska Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509-4987

Dear Dr. Maher:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the State of Nebraska (State), as of and for the year ended June 30, 2025, and the related notes to the financial statements, which collectively comprise the State's basic financial statements, and have issued our report thereon dated December 17, 2025. In planning and performing our audit of the financial statements, we considered the State's system of internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the State's internal control. Accordingly, we do not express an opinion on the effectiveness of the State's internal control.

In connection with our audit described above, we noted certain internal control or compliance matters related to the activities of the Nebraska Department of Education (Department) or other operational matters that are presented below for your consideration. These comments and recommendations, which have been discussed with the appropriate members of the Department's management, are intended to improve internal control or result in other operating efficiencies.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider Comments #1 (Tax Equity and Educational Opportunity Support Act (TEEOSA) Calculation Errors), #2 (Special Education Expense Reimbursement Errors), and #3 (Financial Statement Errors) to be significant deficiencies.

These comments will also be reported in the State of Nebraska's Statewide Single Audit Report Schedule of Findings and Questioned Costs.

Draft copies of this management letter were furnished to the Department to provide management with an opportunity to review and to respond to the comments and recommendations contained herein. All formal responses received have been incorporated into this management letter. *Government Auditing Standards* require the auditor to perform limited procedures on the responses. The responses were not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them. Responses that indicate corrective action has been taken were not verified at this time, but they will be verified in the next audit.

The following are our comments and recommendations for the year ended June 30, 2025.

1. Tax Equity and Educational Opportunity Support Act (TEEOSA) Calculation Errors

The Department is responsible for the accurate calculation of school State Aid funding under the TEEOSA. In simplified terms, the TEEOSA formula compares a school district's formula needs to its formula resources. If a school district's resources exceed its needs, the district will not receive any Equalization Aid. If the opposite is true, the district will receive Equalization Aid for the amount that formula needs exceed formula resources. This Equalization Aid is then added to four additional aid types, such as Foundation Aid, to calculate the total State Aid received. The calculation of each school district's formula needs consists of 18 different components, and each district's formula resources consists of 6 different components as provided by statute.

During our review of the calculation of school State Aid for 26 schools completed in August 2025, we noted the Department lacked procedures to ensure that these calculations were complete and accurate. Errors were noted associated with multiple components of the State Aid calculation, including the poverty allowance, the calculation of the general fund operating expenditure (GFOE), the transportation allowance, verification of annual financial report data, variances in average daily membership audits, and various documentation errors. These are described in detail below.

Poverty Allowance Error

One component of a school district's formula needs is the poverty allowance. The poverty allowance, governed by Neb. Rev. Stat. § 79-1007.06 (Reissue 2024), includes multiple calculations involving the number of low-income and free lunch and milk students compared to the school's formula students. The lesser of the amount calculated and the amount of funding requested by the school district is then used in the final calculation of formula needs.

We noted the poverty allowance calculation was not completed in compliance with State statute. As shown below, in relevant part, Neb. Rev. Stat. § 79-1003(18) (Reissue 2024) provides a definition of free lunch and free milk calculated students, which is used in the poverty allowance calculation:

> *(b) for schools that provided free meals to all students pursuant to the community eligibility provision, the greater of the number of students in such school who individually qualified for free lunch or free milk using the most recent school fiscal year for which the school did not provide free meals to all students pursuant to the community eligibility provision or one hundred ten percent of the product of the students who qualified for free meals at such school pursuant to the community eligibility provision* ***multiplied by the identified student percentage*** *calculated pursuant to such federal provision, except that the free lunch and free milk calculated students for any school pursuant to subdivision (18)(b) of this section shall not exceed one hundred percent of the students qualified for free meals at such school pursuant to the community eligibility provision[.]*

(Emphasis added.) The Department failed to multiply the number of students times the identified student percentage for all 21 school districts participating in the community eligibility program. While this error was caught by the Auditor of Public Accounts (APA) during the fiscal year 2025 audit, similar errors would have been made in prior year State Aid calculations for any school district participating previously in the community eligibility provision.

After receiving confirmation from the Department that this portion of the statute had not been considered, we requested additional information to help determine the impact of such error on the State Aid payments. Despite an explanation from the Department that the error was "a technical error at the state Department of Education after a report that was changed wasn't caught by the person doing the calculation for Omaha's funding," the Department was unable to provide the APA with complete information to recalculate the poverty allowance at the time of fieldwork. (https://www.1011now.com/2025/11/21/pillen-calls-education-funding-overhaul-after-30m-overpayment-omaha-schools/)

The Department did provide a listing of schools and their identified student percentage; however, that report contained enrollment data on a different day than used in the State Aid calculation and, therefore, the total enrolled students used in one part of the calculation did not agree to a different part. At the time of fieldwork, the Department was unable to explain how this report would be used in the calculation, rendering us unable to determine the impact of this error on the State Aid calculation.

In November 2025, Omaha Public Schools released a statement regarding an error made by the Department in the calculation of the Poverty Allowance and noted an overpayment for the year tested of $30 million. We requested information on how this calculation was completed – because, as previously noted, the relevant data was not available at the time of fieldwork. The Department provided a spreadsheet with only a portion of the calculation related to the students multiplied by the identified student percentage and explained that the Department "worked through the data with the Nutrition team and were able to come up with the [identified student percentages] used/approved by the Feds for the different groups as applied to free lunch reimbursements. We believe it makes the most sense to use the approved grouping/approved [identified student percentage] for this calculation." The reported error of $30 million has not been verified during our testing and will be subject to review in a future Department audit.

The Department lacked sufficient procedures to catch errors of this nature. As explained by the Education Commissioner, their procedures, amongst others, include "the funding assessments are released to school districts for their review. And if mistakes aren't caught during that round, the final step is a review by the state auditor's office, which caught these overpayment errors." (https://nebraskapublicmedia.org/es/news/news-articles/state-ed-board-member-says-overpaid-districts-stole-money-after-overpayment-mistakes/).

The Commissioner appears to misunderstand the purpose of the APA's **external** audit – which cannot be considered part of the Department's internal control procedures. In fact, the definition of a deficiency in internal control exists when the design or operation of a control **does not allow management or employees, in the normal course of performing their assigned functions,** to prevent, or detect and correct, misstatements on a timely basis. The Department is solely responsible for the $1.1 billion in State Aid payments and all necessary control procedures related to the accurate calculation, certification, and distribution of aid to each district.

Additionally, a member of the Board of Education stated, the following:

> *Board member Deborah Neary, who represents a district that overlaps with the Omaha Public Schools district, defended the mistakes made by the department, saying employees have been consistent in clean audits in the past, and that they're allowed mistakes.*
>
> *"As a matter of fact, we have always had one of the cleanest audits of any of the state agencies for many, many years," Neary said. "I'm really proud of our finance team. They're allowed a mistake once in a while. This is a mistake – and Dr. Maher can't say this, but I can – that could have been caught on the other end as well. There's many ways this could have been stopped, but actually, the system worked exactly the way it's supposed to work, which is, it was found during the audit, which is what an audit is all about."*

(https://nebraskapublicmedia.org/es/news/news-articles/state-ed-board-member-says-overpaid-districts-stole-money-after-overpayment-mistakes/)

Similar to the Commissioner, this Board member has the mistaken belief that the external audit is part of the Department's internal control system. The system did not work the way it was supposed to work because the Department lacked necessary procedures to identify and correct the error prior to the aid certification. The Board member also believes the Department has had "one of the cleanest audits of any of the state agencies for many, many years." In reality, since 2021, the Annual Comprehensive Financial Report (ACFR) audits noted the following significant financial statement accounting errors identified by the APA:

Fiscal Year	$ Amount of Financial Statement Errors
2021	$ 6,187,991
2023	$ 6,891,971
2024	$ 281,351,290
2025	$ 55,311,855

See Comment #3 (Financial Statement Errors) for details on the 2025 amount.

Additionally, as indicated by the above quotation, the Board appears to lay some blame with the school district for not catching this error. The Department's own guidance document related to the Certification of State Aid for TEEOSA fails to include any information regarding the community eligibility provision or the identified student percentage. In fact, it states that the source of information used to calculate students eligible for free lunch and free milk is taken from the Nutrition Services lunch report, which does not contain the identified student percentage. Unless expectations are that each school district should be well versed in the State statutes pertaining to TEEOSA, the failure to provide the appropriate information appears to fall solely on the Department. This, coupled with the amount of interrelated components between the formula resources and needs, makes it difficult, at best, for any school district to ensure the amount certified is accurate. It is also important to remember that Omaha Public Schools did not receive a sudden windfall of an extra $30 million. The Department's calculation has been incorrect since Omaha Public Schools began participation in the community eligibility provision. The relevant portions of the guidance document relating to the Poverty Allowance are shown below:

POVERTY ALLOWANCE

The Poverty Allowance is the lesser of:

- The amount the District designates they will spend on poverty for the 2024/25 school year.
- The sum of the statewide average general fund operating expenditures per student multiplied by graduated percentages then multiplied by student weightings based on free lunch/milk students or students under 19 or residing in homes with adjusted gross income in 2022 tax year and 2022/23 school year equal to or less than the maximum household income that would allow a student to be a free lunch or free milk student during the 2022/23 school year.

On the more detailed pages of the same guidance, the Department provides the following:

POVERTY ALLOWANCE

Poverty Student = number of low income students or the number of students who are free lunch and free milk students whichever is greater + (poverty students – 3 year average of poverty students) if greater than 0.
Low Income Students = number of low income children within the local system X ratio of formula students/total children under 19.

Low Income Child = a child under 19 living in a household having an annual adjusted gross income in 2022 tax year 2022/23 school year equal to or less than the maximum household income for a household of that size that would have allowed the child to meet the income qualifications to be a free lunch and free milk student during the 2022/23 school year.

2024/25 Statewide Average General Fund Operating Expenditures per Formula Student = 13,023.25

The lesser of: Maximum Poverty Allowance designated by the school district OR

Poverty Adjustment Calculation
Local System Formula Students = (Stu)
Poverty Students = (Poverty)
Poverty Adjustment (Povadj)
Stu X .05 = a
Stu X .10 = b
Stu X .15 = c
Stu X .20 = d
Stu X .25 = e
Stu X .30 = f

- If (Poverty) is less than or equal to a, then (Povadj) = 0
- If (Poverty) is greater than a, and (Poverty) is less than or equal to b, then ((Poverty) – a) X (.0375 X Statewide Average GFOE per formula student)) = (Povadj)
- If (Poverty) is greater than b, and (Poverty) is less than or equal to c, then ((b-a) X (.0375 X Statewide Average GFOE per formula student)) + (((Poverty) – b) X (.075 X Statewide Average GFOE per formula student)) = (Povadj)
- If (Poverty) is greater than c, and (Poverty) is less than or equal to d, then ((b-a) X (.0375 X Statewide Average GFOE per formula student)) + ((c-b) X (.075 X Statewide Average GFOE per formula student)) + (((Poverty) –c) X (.1125 X statewide average GFOE per formula student)) = (Povadj)
- If (Poverty) is greater than d, and (Poverty) is less than or equal to e, then ((b-a) X (.0375 X Statewide Average GFOE per formula student)) + ((c-b) X (.075 X Statewide Average GFOE per formula student)) + ((d-c) X (.1125 X Statewide Average GFOE per formula student)) + (((Poverty) –d) X (.15 X Statewide Average GFOE per formula student)) = (Povadj)
- If (Poverty) is greater than e, and (Poverty) is less than or equal to f, then ((b-a) X (.0375 X Statewide Average GFOE per formula student)) + ((c-b) X (.075 X Statewide Average GFOE per formula student)) + ((d-c) X (.1125 X Statewide Average GFOE per formula student)) + ((e-d) X (.15 X Statewide Average GFOE per formula student)) + (((Poverty) – e) X (.1875 X Statewide Average GFOE per formula student)) = (Povadj)
- If (Poverty) is greater than f, then ((b-a) X (.0375 X Statewide Average GFOE per formula student)) + ((c-b) X (.075 X Statewide Average GFOE per formula student)) + ((d-c) X (.1125 X Statewide Average GFOE per formula student)) + ((e-d) X (.15 X Statewide Average GFOE per formula student)) + ((f-e) X (.1875 X Statewide Average GFOE per formula student)) + (((Poverty) – f) X (.225 X Statewide Average GFOE per formula student)) = (Povadj)

DATA SOURCES:
√ Low income student count is from the 2022 Nebraska Income Tax Returns, Department of Revenue website
√ Students on free lunch and free milk is taken from the October 2022 Lunch Report, Department of Education, Nutrition Services

It must be noted that nowhere in the description above does the Department refer to either community eligibility provision or the identified student percentage.

Lastly, the Department has stated on multiple occasions that this money will be reallocated to all the school districts. Upon inquiry, the Department referenced Neb. Rev. Stat. § 79-1015.01 (Reissue 2024) to support such reallocation of the full amount certified. Our understanding, however, is that the purpose of this statute is primarily to correct any errors arising from the change in the number of students enrolled at each school, not to address situations in which the initial certification was incorrect. As noted throughout the above comment, this error did not result from enrollment changes; instead, it was due to the failure of the Department to certify accurately to the Nebraska Legislature (Legislature) the actual amount of school funding needed. We question not only the logic of reallocating funds that should not have been paid out in the first place, effectively giving school districts a windfall for two years, but also the specific authority for doing so. We recommend the Department seek formal guidance from the Nebraska Attorney General (Attorney General) regarding this unique situation, as well as work with the Legislature, both to determine if State Aid should be redistributed when the original certified amount is subsequently found to have been incorrect and to implement measures for addressing or, better yet, preventing similar occurrences in the future.

GFOE Errors

The GFOE calculation, as governed by Neb. Rev. Stat. § 79-1003(22) (Reissue 2024), is not directly included in the State Aid calculation; however, it is an essential element used in the calculation of 11 components of formula needs and 2 components of formula resources. GFOE consists of each school district's annual reported total general fund operating expenditures less funds associated with several categories laid out in State statute, including "summer school tuition" and "tuition paid to other school districts, [and] tuition paid to postsecondary institutions for college credit."

The Department failed to exclude all statutory items from the calculation of GFOE. We noted the following errors:

- One receipt code related to the Medicaid Administrative Activities (MAAPS) was included in the GFOE calculation as a reduction; however, this receipt should not have reduced the total expenditures because it is not noted as a reduction in State statute, resulting in errors in the amount of State Aid paid for 147 school districts, totaling $3,669,200, with the largest underpayments attributed to the Lincoln Public Schools totaling $883,692 and Millard Public Schools totaling $487,047. See **Exhibit A** herein for a listing of underpayments by school district. The APA did not review whether this error was corrected by the Department in its $30 million adjustment to Omaha Public Schools, as reported by the various media outlets. This will be reviewed in a future audit.

- One expenditure code related to tuition paid to other organizations was included in the GFOE calculation as a reduction; however, this expenditure code is comingled with items that are not eligible as a reduction of GFOE. We noted $6,361,410 coded to this expenditure code; however, as it is comingled, we were unable to determine how much recorded was in error. Any amounts adjusted from this expenditure code would have a similarly widespread effect as the error noted in the bullet above.

- For one school district, Winside Public Schools, the Department failed to include costs, totaling $2,655, related to Summer School Tuition to Postsecondary Schools as a reduction of GFOE. This failure to calculate accurately the GFOE caused an overcalculation of the Basic Funding need component of $156. Because the formula needs did not exceed formula resources for this school district, there was no impact on the amount of State Aid paid.

Transportation Allowance Error

One component of a District's formula need is the transportation allowance. Governed by Neb. Rev. Stat. § 79-1007.12 (Reissue 2024), the transportation allowance is included in the State Aid calculation at the lesser of the following: 1) the school district's general fund transportation expenditures, excluding special education transportation and any "other expenditures previously excluded from" GFOE; or 2) the number of miles traveled times 400% of the mileage rate.

As noted above, § 79-1007.12(1) requires "other expenditures previously excluded from" GFOE to be excluded from the calculation; however, the Department failed to exclude all such items. Included in the Department's guidance document related to TEEOSA, the GFOE calculation excludes any amounts paid for an "Increase in Retirement Contribution," but such items were not adjusted by the Department in the calculation of the transportation allowance. Copied below is the relevant page from the guidance document:

GENERAL FUND OPERATING EXPENDITURES

- Each district's General Fund Operating Expenditures for the most recently available complete data year.
- Calculated from the 2022/23 Annual Financial Report (AFR) as follows:

Total General Fund Expenditures	01-2-20400-000
Minus	
Tuition Paid	1-2-011xx-xxx and 01-2-012xx-xxx with object codes 561, 565, 569 and 01-2-013xx-xxx and 1-2-21xx-xxx with object codes 561
Adult Education	01-2-01400-000
Transfers from Other Funds	01-1-05200-000
Community Services	01-2-03300-000
Redemption of General Fund Debt Service Principal	01-2-05000-805, 807 & 831
Transportation Paid to Other Districts	01-2-02710-511, 01-2-02711-511, 01-2-02712-511, 01-2-02713-511,01-2-02714-511 & 01-2-02715-511
Categorical Grants from Corporations & Other Private Interest	01-2-03400-000
State Categorical Programs	01-2-035xx-000
Retirement Incentive Plan	01-2-02290-287
Staff Development Assistance	01-2-02290-288
Transfers to Bond Fund	01-2-08000-914
Tuition Received from Other Educational Entities (Distance Education)	01-1-01315-000
Summer School Tuition and Fees	01-1-01312-000
Preschool Tuition and Fees	01-1-01370-000
Contributions and Donations	01-1-01920-000
Textbook Loan	01-1-03155-000
Medicaid Administrative Activities (MAAPS)	01-1-04709-000
Impact Aid	01-1-04305-000
Johnson O'Malley	01-1-04306-000
Legal Services (in excess of .0015 of the 2022/23 formula need)	01-2-02330-000
Levy Override Receipts .99 ((Total General Fund Levy – $1.05) x (Assessed Value/100))	(Calculated Amt)
Increase in Retirement Contribution	Object Code 237 Functions (1xxx, & 2xxx)
Voluntary Termination (per statute)	Object Code 238 Functions (1xxx, & 2xxx)
Lobbyist Fees and Expenses	1-2-2310-314, 1-2-2320-314 & 1-2-2510-314

DATA SOURCE:
2022/23 Annual Financial Report

Because the amount to be included in the State Aid calculation is the lesser of two figures, as noted above, only 4 of the 26 school districts tested were affected by this error, with an overcalculated allowance totaling $16,897. One of those district's final State Aid was impacted by this error, resulting in an overpayment of $2,054 for that district.

Additionally, we noted that the Department had no documented review process or verification for the accuracy of miles traveled reported by school districts. A process requiring supporting documentation was implemented for the 2025-2026 school year, and such process will be reviewed during next year's audit. For the remaining 22 of 26 school districts tested, the miles traveled was used to calculate the Transportation Allowance included in the final State Aid calculation. We noted 2,144,931 miles traveled with a calculated allowance of $5,747,156 that would be unsupported.

Lack of Verification of Annual Financial Report Data

Each school district reports its annual financial data to the Department annually by November 1st for the previous school year using account codes prescribed by the Department. This annual financial data, which is not audited nor has any independent assurance provided on its accuracy, is then used in the following: 1) the calculation of GFOE, which is then used throughout various components, as noted above; 2) seven formula needs components; and 3) one formula resource component.

Each school is also audited annually by an independent accounting firm. The audited financial statements use broad categories of receipts and disbursements, such as regular instruction disbursements or special education disbursements. The Department compares the audited financial statements to the annual financial data for these broad categories of receipts and disbursements.

The State Aid calculation uses more specific categories than those included in the audited financial statements. For example, "increased retirement contributions" is included in the transportation allowance calculation, as noted above; however, this detailed line item would comprise only a portion of the audited total for regular instruction disbursements. Therefore, this specific amount used in the State Aid calculation cannot be considered audited or verified.

Similarly, for 25 of the 26 school districts tested, 24 specific financial statement categories could not be considered audited or verified, as noted below:

- Eleven accounts related to the calculation of GFOE were not verified. The amount reported by the school districts on the annual financial report related to those 11 accounts was $6,547,272.
- Seven accounts related to the calculation of formula needs were not verified. The amount reported by the school districts on the annual financial report related to those seven accounts was $24,166,715.
- Six accounts related to the calculation of formula resources were not verified. The amount reported by the school districts on the annual financial report related to those six accounts was $46,062.

Variances in Average Daily Membership Audits

Each school district uses software to record student membership and attendance data. This data interfaces to the Department software used in the calculation of State Aid. The Department requires each school district to have an independent annual audit of these records to ensure enrollment and attendance data agree between the two systems.

Title 92 of Nebraska Administrative Code requires this independent audit to include tests for compliance with the calculation of Average Daily Membership (ADM), which is used in the school district's formula students calculation. The formula students calculation is then used in 11 formula needs components and 3 formula resources components.

The Department reviewed these ADM audits; however, if variances in the number of students are noted, the Department failed to take appropriate action to ensure the formula students calculation was accurate. During our review of 26 ADM audits tested, we noted six school districts that reported variances between their attendance records and the amounts recorded in the Department's records. The Department did not appear to make any adjustments for these variances in the State Aid calculation.

School District Tested	Days Over (Under) Department Records
Winside Public Schools	(503)
Centennial Public Schools	63
Humphrey Public Schools	10,593
Columbus Public Schools	24,446
Madison Public Schools	3,295
Riverside Public Schools	Exact amounts not reported

The Department lacks any procedures to ensure these variances are updated in time for the recertification of State Aid. The Department explained that these amounts cannot be used in the initial calculation due to timing of when the State Aid calculation needs to be certified and when the audits are received. The Department currently pulls the data in late July of each year to start the prior year correction on August 1, while the audit reports are not received until November. The Department explained further that "reasonableness checks which is the best that can be done. The whole State Aid formula is designed to use the best data available which is what we do but was never designed to be absolute perfect as many of the numbers are estimates that get checked in a lot of different ways but many can't be verified to perfect."

While the APA sympathizes with the Department's workload, the prior year correction is a part of the certification that is required to be completed by March 1 of each year and is intended to be a "true-up" for any variances between the estimated State Aid and actual State Aid owed. Further, the explanation provided related to timing appears to be wholly inaccurate. The ADM audits used in the fiscal year 2025 recertification payment calculation were due by November 2023 and November 2024; however, the prior year correction calculation that would utilize this information would not be completed until August 2025. The Department could not provide any information as to if, or when, these errors were corrected to ensure the accuracy of the State Aid calculation performed after the audits were received.

Other Documentation Errors

As noted throughout the above comment, membership data for each school district is used by the Department in the State Aid calculation. For two school districts tested, we noted that the documentation in the Department's system did not support the calculation completed by the Department, as follows:

- For Columbus Public Schools, the Fall Membership from 2023-2024 used in the calculation of Formula Students could not be verified to support and had a variance of one student. Assuming the accuracy of the supporting documentation, this variance of one formula student would cause a $9,703 overpayment of State Aid.

- For Ralston Public Schools, the Fall Membership from 2021-2022 used in the calculation of Formula Students could not be verified to support and had a variance of one student. Assuming the accuracy of the supporting documentation, this variance of one formula student would cause a $510 overpayment of State Aid.

- For Ralston Public Schools, the Total Net Option Students could not be verified to support and had a variance of four students. Assuming the accuracy of the supporting documentation, this variance of four students would cause a $40,422 overpayment of State Aid.

A good internal control plan requires adequate procedures for verifying all amounts used in the calculation of the various State Aid components – including dollar amounts, mileage, student membership/enrollment numbers, or exclusions from general fund operating expenditures – to ensure the State Aid components and, ultimately, the amount of State Aid to be provided to school districts is calculated properly. Such procedures should also include the following: 1) a comprehensive review of the various components to ensure that all calculations and reported data are in line with TEEOSA statutes; 2) adequate supporting documentation to support all figures used in the State Aid calculation; and 3) the correction of variances noted in any ADM audits, with the most accurate figures included in the State Aid calculation.

Without such procedures, there is a significant risk of the school districts not being paid the correct amount of State Aid.

> We recommend the Department implement procedures to ensure the following: 1) all State Aid formula calculations are supported adequately, in compliance with State statute, and calculated accurately; 2) a comprehensive review is completed of all State Aid formula calculations for compliance with TEEOSA statutes; and 3) all financial and ADM audits are reviewed, and any issues noted are addressed appropriately. We recommend further that the Department work with both the Attorney General and the Legislature regarding the issue of redistributing State Aid to schools when the original certified amount was inaccurate.

Department Response: The NDE made all the noted changes in the 2025/26 TEEOSA Recalculation which was made public in November of 2025. NDE has reviewed our current TEEOSA calculation process and made updates to further improve the internal controls that were already in place.

NDE relies on statutorily required school district audits completed by independent auditors to test Annual Financial Report data. NDE verifies the audited information matches the Annual Financial Report data submitted.

APA Response: As stated in the management letter, we understand that the Department has a procedure to verify the audited information to the annual financial report; however, the audited information only contains broad financial categories and not the specific line items used in the State Aid calculation. While we agree that this process is a good initial control, we continue to recommend the Department consider a procedure to review the specific line items to ensure their accuracy.

2. Special Education Expense Reimbursement Errors

The Department is authorized to reimburse school districts from its General Fund and Education Future Fund appropriations for allowable excess costs for all special education (SPED) programs and support services. During the prior year, it was noted that the Department was noncompliant with the reimbursement of these costs at 80%. During the 2025 Legislative session, through LB 264 (2025), the new language in Neb. Rev. Stat. § 79-1142 (Supp. 2025) was adopted to authorize the Department to reimburse a pro-rata share based on the amounts appropriated, as follows:

> *(3)(a) Except as provided in subsection (6) of this section, for special education and support services provided in each school fiscal year, the department shall reimburse each school district in the following school fiscal year* ***a pro rata amount*** *of the total allowable excess costs for all special education programs and support services as determined by the department pursuant to subdivision (3)(b) of this section. . . .*
>
> *(b) The department shall reimburse the total allowable excess costs for all special education programs and support services from the General Fund and Education Future Fund appropriations approved by the Legislature for special education pursuant to section 79-1145, minus the amounts set aside pursuant to subsection (5) of this section,* ***on a pro rata basis at the maximum rate of reimbursement such appropriations will allow as determined by the department.***

(Emphasis added.) The Department failed to make payments based on the pro-rata share of the total amount appropriated, as provided by the revised statutory language, and lacked adequate procedures to ensure the Department's software was distributing these funds accurately. This error appeared to be related partially to a full reliance by Department staff on the Department's Special Education software and a lack of understanding of how that software was making distributions. Such errors caused all 247 school districts to be paid the incorrect amount of special education reimbursements during fiscal year 2025, ranging from a $5,142,285 overpayment to Omaha Public Schools to a $994,863 underpayment to Lincoln Public Schools. See **Exhibit B** herein for full listing by school district.

A good internal control plan requires procedures to ensure that the reimbursement of special education expenses is calculated accurately and distributed in accordance with State statute.

Without such procedures, there is an increased risk of not only school districts receiving the incorrect amount of funding but also the Department being noncompliant with State statute.

> We recommend the Department implement procedures to ensure the reimbursement to school districts for special education expenses is calculated in accordance with State statute.

Department Response: The Department updated the SPEDFRS system to correctly apply the pro rata reimbursement methodology required by statute and corrected the miscalculations in the current year to ensure reimbursements align with the revised statutory language. The Department is revising and formalizing internal procedures to verify SPEDFRS reimbursement calculations. The system has already been updated and additional verification steps will be completed during the final payment to ensure accuracy

3. Financial Statement Errors

The Department is responsible for recording accurately financial transactions in the State's accounting system and providing additional financial information, including various accounts receivable and payable entries, to the Department of Administrative Services – State Accounting Division (State Accounting) for proper financial statement and footnote presentation.

The Department failed to report accurately values related to interagency billings, multiple grants payables, and the special education expense reimbursement payable. See below for more information.

The table below details over $54.7 million in errors made by the Department that, after APA inquiry, were proposed and adjusted by State Accounting to ensure the State's financial statements were materially correct:

Description	Amount
As noted in Comment #2 ("Special Education Expense Reimbursement Errors") herein, the Department makes payments to school districts for reimbursement of special education costs. The reimbursement for special education transportation costs is on a one-year lag; therefore, it is calculated and reported to State Accounting for inclusion as a payable. As noted in the prior year, the Department used only the unspent General Fund appropriations in determining the payable; however, as a portion of this funding is paid from the Education Future Fund, this procedure was neither reasonable nor reflected the actual amount of the payable. The Department underreported its special education transportation payable by $16,424,343 due to this error.	$ 16,424,343
The Department is party to multiple Federal grants. Due to the number of expenses for these grants that occur after the fiscal year, the Department has created a procedure to calculate the expected payables rather than attempt to record them all as a prior period adjustment in the State's accounting system. This payable is then compared to transactions that were actually recorded as a prior period adjustment in the State's accounting system to ensure the expected payable and amounts reported as a prior period adjustment are not duplicated. State Accounting then records the net amount. The Department failed to report accurately the Federal payables for nine grants due to errors in this calculation, as follows:	
• Every Student Succeeds Act Grant – The Department incorrectly reduced the payable for 2023-2024 expenses that had not yet been paid out, totaling $18,555,571, resulting in an understatement of payables.	$ 18,555,571
• Early Childhood Sixpence Project – The Department failed to identify only transactions recorded as prior period adjustments in its calculation and instead reduced the expected payable by fiscal year 2026 transactions, which understated the payable by $4,370.	$ 4,370

Description	Amount
• Discretionary Project Fund Grants – Multiple errors were noted with these grants because the Department failed to do the following: 1) identify all fiscal year 2025 transactions related to these grants, which would overstate the payable; 2) use the accurate total grant award amount for one grant tested, which would understate the payable; and 3) identify only transactions recorded as prior period adjustments in the calculation and instead reduced the payable by fiscal year 2026 transactions, which would understate the payable. The net impact of these errors was a $330,161 overstatement of the payable.	$ (330,161)
• The Department failed to adjust the expected payable by any prior period adjustments: o Early Childhood TEACH grants overstated the payable by $86,728. o CDA Navigator grants overstated the payable by $51,970. o Quality Enhancement – Child Care Development Fund grants overstated the payable by $14,440. o Nurturing Healthy Behaviors grants overstated the payable by $10,127.	$ (163,265)
• Individuals with Disabilities Education Act Grant – Similar to the Every Student Succeeds Act grant, the Department incorrectly reduced the payable for 2023-2024 expenses that had not yet been paid out, totaling $9,016,549. When completing its procedure for comparing the expected payables to the amounts recorded as a prior period adjustment in the State's accounting system, the Department failed to include this grant on the spreadsheet, which resulted in an overstatement of $9,076,310. The net effect of these errors was a $59,761 overstatement of the payable.	$ (59,761)
• Rural and Low Income Schools Grant – The Department incorrectly projected 100% of this grant to be recorded as a payable; however, this grant was awarded through September 30, 2025, and, therefore, only 89% of the grant expenditures would have been incurred prior to the fiscal year end. This error resulted in a $25,526 overstatement of the payable.	$ (25,526)
• The total of all above Grants also caused a $17,981,228 understatement in the associated Federal receivable.	$ 17,981,228
The Department failed to void several interagency transactions that were rebilled. This error resulted in the interagency revenue and receivable being recorded twice for a $2,380,858 overstatement.	$ 2,380,858
Total Adjusted Errors	**$ 54,767,657**

Additionally, we identified over $500,000 in other accounting issues and financial statement errors that did not require formal adjustments to the financial statements, as described in the table below:

Description	Amount
Payments made after the end of each fiscal year but for the prior fiscal year are recorded in the State's accounting system as a prior period adjustment, and an adjustment to the beginning balance in the relevant fund is made by State Accounting. The Department inappropriately recorded $938,920 in expenditures as prior period adjustments, resulting in $938,920 of expenses recorded as a beginning balance adjustment in error.	$ 938,920
Similar issues as reported in the table above were noted for Department grants paid with State funds, as follows: • The Department failed to identify only transactions recorded as prior period adjustments in its calculation for three grants and instead reduced the expected payable by fiscal year 2026 transactions. o State CTE grants understated the payable by $150,000. o Early Childhood project grants understated the payable by $22,400. o Discretionary Project grants understated the payable by $512.	$ 172,912

Description	Amount
• The Department failed to adjust the expected payable by any prior period adjustments: o Early Childhood Education Expansion grants overstated the payable by $537,696. o TEACH – Step Up to Quality grants overstated the payable by $29,938.	$ (567,634)
Total Unadjusted Errors	**$ 544,198**

A proper system of internal control requires procedures to ensure complete and accurate financial information is entered into the State's accounting system and reported to State Accounting at year-end for proper financial statement presentation.

Without such procedures, there is an increased risk of material misstatements occurring and remaining undetected.

A similar finding was noted in the previous audits.

> We recommend the Department implement procedures to ensure the accuracy of financial information entered into the State's accounting system and reported to State Accounting.

Department Response: The Department agrees with the finding. The understatement of the special education transportation payable occurred because the accrual calculation relied solely on unspent General Fund appropriations rather than estimating the full reimbursement obligation supported by both the General Fund and the Education Future Fund. The FY year-end accrual has been corrected to reflect the total obligation based on the Department's three-year average methodology.

The Department will update written procedures and implement an independent review and reasonableness check during year-end close to verify accuracy and funding source completeness.

The Department agrees with the finding. The misstatements in Federal payables resulted from manual processes and inconsistent identification of prior period adjustments and current-year activity. The affected grant payables and related receivables have been corrected for year-end reporting. To strengthen accuracy, the Department is transitioning its ACFR preparation from manual methods to an automated, formula-based process with embedded edit checks. Beginning with the next cycle, all Federal payable calculations will undergo a structured three-level review: peer/group review, verification by the Central Accounting Director, and final review and approval by the Assistant Administrator of Budget & Grants Management and the Finance Officer. These improvements will ensure consistent, accurate reporting of Federal payables going forward.

* * * * *

It should be noted that this letter is critical in nature, as it contains only our comments and recommendations and does not include our observations on any strengths of the Department.

Our audit procedures were designed primarily to enable us to form an opinion on the Basic Financial Statements. Our audit procedures were also designed to enable us to report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards* and, therefore, may not bring to light all weaknesses in policies or procedures that may exist. Our objective is, however, to use our knowledge of the Department and its interaction with other State agencies and administrative departments gained during our work to make comments and suggestions that we hope will be useful to the Department.

The purpose of this letter is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the State's internal control over financial reporting or compliance.

This communication is intended solely for the information and use of management, the Governor and State Legislature, others within the Department, Federal awarding agencies, pass-through entities, and management of the State of Nebraska and is not suitable for any other purposes. However, this communication is a matter of public record, and its distribution is not limited.



Kris Kucera, CPA, CFE
Assistant Deputy Auditor

General Fund Operating Expenditure Calculation Errors **Exhibit A**
By School District
Payments Made in FY2025

District #	School District Name	Original State Aid Calculated	APA Calculated State Aid	Underpayment
55-0001-000	LINCOLN PUBLIC SCHOOLS	$ 72,974,146	$ 73,857,838	$ 883,692
28-0017-000	MILLARD PUBLIC SCHOOLS	64,231,083	64,718,130	487,047
77-0027-000	PAPILLION LA VISTA COMMUNITY SCHS	21,053,217	21,301,867	248,650
40-0002-000	GRAND ISLAND PUBLIC SCHOOLS	68,970,126	69,171,125	200,999
77-0001-000	BELLEVUE PUBLIC SCHOOLS	50,746,695	50,944,566	197,871
77-0037-000	GRETNA PUBLIC SCHOOLS	17,158,538	17,311,265	152,727
27-0001-000	FREMONT PUBLIC SCHOOLS	21,616,697	21,731,819	115,122
59-0002-000	NORFOLK PUBLIC SCHOOLS	10,896,284	10,996,270	99,986
71-0001-000	COLUMBUS PUBLIC SCHOOLS	16,380,852	16,474,376	93,524
28-0059-000	BENNINGTON PUBLIC SCHOOLS	14,056,646	14,149,183	92,537
22-0011-000	SO SIOUX CITY COMMUNITY SCHS	28,819,854	28,911,390	91,536
56-0001-000	NORTH PLATTE PUBLIC SCHOOLS	9,345,814	9,431,451	85,637
01-0018-000	HASTINGS PUBLIC SCHOOLS	20,824,777	20,900,606	75,829
79-0032-000	SCOTTSBLUFF PUBLIC SCHOOLS	18,477,438	18,552,005	74,567
24-0001-000	LEXINGTON PUBLIC SCHOOLS	25,313,653	25,381,042	67,389
76-0002-000	CRETE PUBLIC SCHOOLS	12,580,512	12,643,045	62,533
34-0015-000	BEATRICE PUBLIC SCHOOLS	5,850,234	5,911,617	61,383
19-0123-000	SCHUYLER COMMUNITY SCHOOLS	3,642,494	3,694,882	52,388
79-0016-000	GERING PUBLIC SCHOOLS	9,551,172	9,600,627	49,455
28-0066-000	WESTSIDE COMMUNITY SCHOOLS	30,256,911	30,298,804	41,893
13-0001-000	PLATTSMOUTH COMMUNITY SCHOOLS	4,456,881	4,492,674	35,793
73-0017-000	MC COOK PUBLIC SCHOOLS	5,571,913	5,605,648	33,735
66-0111-000	NEBRASKA CITY PUBLIC SCHOOLS	4,810,037	4,842,135	32,098
07-0006-000	ALLIANCE PUBLIC SCHOOLS	2,637,097	2,668,409	31,312
17-0001-000	SIDNEY PUBLIC SCHOOLS	5,068,332	5,092,361	24,029
24-0011-000	COZAD COMMUNITY SCHOOLS	2,636,449	2,655,813	19,364
40-0082-000	NORTHWEST PUBLIC SCHOOLS	10,359,111	10,376,257	17,146
66-0501-000	PALMYRA DISTRICT O R 1	3,664,829	3,681,610	16,781
90-0560-000	WAKEFIELD PUBLIC SCHOOLS	2,044,174	2,056,649	12,475
10-0002-000	GIBBON PUBLIC SCHOOLS	897,961	909,720	11,759
55-0148-000	MALCOLM PUBLIC SCHOOLS	3,227,512	3,238,925	11,413
28-0054-000	RALSTON PUBLIC SCHOOLS	10,698,127	10,709,477	11,350
78-0009-000	YUTAN PUBLIC SCHOOLS	2,244,232	2,254,701	10,469
78-0107-000	CEDAR BLUFFS PUBLIC SCHOOLS	3,869,712	3,879,407	9,695
81-0003-000	HAY SPRINGS PUBLIC SCHOOLS	1,615,758	1,622,637	6,879
65-0011-000	SUPERIOR PUBLIC SCHOOLS	1,015,193	1,021,872	6,679
87-0013-000	WALTHILL PUBLIC SCHOOLS	3,330,119	3,336,461	6,342
89-0003-000	FORT CALHOUN COMMUNITY SCHS	4,344,880	4,351,159	6,279
61-0049-000	PALMER PUBLIC SCHOOLS	1,806,034	1,811,900	5,866
54-0501-000	NIOBRARA PUBLIC SCHOOLS	1,955,020	1,960,776	5,756
67-0001-000	PAWNEE CITY PUBLIC SCHOOLS	963,378	968,156	4,778
16-0030-000	CODY-KILGORE PUBLIC SCHS	1,338,825	1,343,523	4,698
23-0071-000	CRAWFORD PUBLIC SCHOOLS	559,911	564,383	4,472
22-0031-000	HOMER COMMUNITY SCHOOLS	2,008,739	2,013,157	4,418
14-0101-000	WYNOT PUBLIC SCHOOLS	1,451,145	1,455,514	4,369
56-0037-000	HERSHEY PUBLIC SCHOOLS	2,787,275	2,791,432	4,157

General Fund Operating Expenditure Calculation Errors **Exhibit A**
By School District
Payments Made in FY2025

District #	School District Name	Original State Aid Calculated	APA Calculated State Aid	Underpayment
10-0019-000	SHELTON PUBLIC SCHOOLS	460,869	465,001	4,132
45-0044-000	STUART PUBLIC SCHOOLS	1,542,391	1,546,402	4,011
56-0007-000	MAXWELL PUBLIC SCHOOLS	1,862,368	1,865,497	3,129
88-0021-000	ARCADIA PUBLIC SCHOOLS	1,352,096	1,354,858	2,762
77-0046-000	SPRINGFIELD PLATTEVIEW COMMUNITY SCHOOLS	3,213,883	3,216,326	2,443
10-0119-000	AMHERST PUBLIC SCHOOLS	1,673,855	1,676,212	2,357
89-0024-000	ARLINGTON PUBLIC SCHOOLS	2,267,616	2,269,973	2,357
41-0002-000	GILTNER PUBLIC SCHOOLS	1,430,624	1,432,853	2,229
26-0001-000	PONCA PUBLIC SCHOOLS	1,639,726	1,641,762	2,036
47-0103-000	ELBA PUBLIC SCHOOLS	1,144,074	1,146,088	2,014
55-0160-000	NORRIS SCHOOL DIST 160	4,902,861	4,904,854	1,993
71-0005-000	LAKEVIEW COMMUNITY SCHOOLS	2,447,940	2,449,933	1,993
34-0034-000	FREEMAN PUBLIC SCHOOLS	1,693,913	1,695,863	1,950
62-0063-000	BRIDGEPORT PUBLIC SCHOOLS	1,727,046	1,728,954	1,908
69-0055-000	LOOMIS PUBLIC SCHOOLS	1,241,343	1,243,100	1,757
48-0303-000	MERIDIAN PUBLIC SCHOOLS	1,140,550	1,142,243	1,693
93-0083-000	MC COOL JUNCTION PUBLIC SCHS	1,165,607	1,167,257	1,650
28-0015-000	DOUGLAS CO WEST COMMUNITY SCHS	2,847,471	2,849,014	1,543
59-0005-000	BATTLE CREEK PUBLIC SCHOOLS	1,573,746	1,575,246	1,500
27-0595-000	NORTH BEND CENTRAL PUBLIC SCHS	1,632,298	1,633,777	1,479
48-0300-000	TRI COUNTY PUBLIC SCHOOLS	1,332,832	1,334,268	1,436
07-0010-000	HEMINGFORD PUBLIC SCHOOLS	1,243,678	1,245,092	1,414
91-0074-000	BLUE HILL COMMUNITY SCHOOLS	1,114,137	1,115,551	1,414
13-0097-000	ELMWOOD-MURDOCK PUBLIC SCHOOLS	1,407,982	1,409,311	1,329
78-0072-000	MEAD PUBLIC SCHOOLS	1,055,990	1,057,297	1,307
20-0020-000	BANCROFT-ROSALIE COMM SCHOOLS	1,008,806	1,010,070	1,264
64-0023-000	JOHNSON-BROCK PUBLIC SCHOOLS	1,136,986	1,138,229	1,243
01-0090-000	ADAMS CENTRAL PUBLIC SCHOOLS	2,246,370	2,247,571	1,201
32-0046-000	MAYWOOD PUBLIC SCHOOLS	860,558	861,759	1,201
87-0001-000	PENDER PUBLIC SCHOOLS	1,214,201	1,215,380	1,179
93-0012-000	YORK PUBLIC SCHOOLS	2,917,804	2,918,962	1,158
51-0006-000	PAXTON CONSOLIDATED SCHOOLS	845,567	846,703	1,136
90-0595-000	WINSIDE PUBLIC SCHOOLS	919,264	920,400	1,136
50-0501-000	AXTELL COMMUNITY SCHOOLS	1,013,283	1,014,376	1,093
41-0091-000	HAMPTON PUBLIC SCHOOL	789,040	790,112	1,072
72-0032-000	SHELBY - RISING CITY PUBLIC SCHOOLS	1,135,713	1,136,785	1,072
70-0002-000	PIERCE PUBLIC SCHOOLS	1,586,142	1,587,171	1,029
71-0067-000	HUMPHREY PUBLIC SCHOOLS	986,546	987,553	1,007
56-0006-000	BRADY PUBLIC SCHOOLS	741,253	742,239	986
27-0594-000	LOGAN VIEW PUBLIC SCHOOLS	1,391,224	1,392,167	943
80-0005-000	MILFORD PUBLIC SCHOOLS	1,733,090	1,734,033	943
06-0001-000	BOONE CENTRAL SCHOOLS	1,443,624	1,444,545	921
17-0009-000	POTTER-DIX PUBLIC SCHOOLS	655,811	656,647	836
67-0069-000	LEWISTON CONSOLIDATED SCHOOLS	675,030	675,866	836
47-0100-000	CENTURA PUBLIC SCHOOLS	1,091,248	1,092,020	772

General Fund Operating Expenditure Calculation Errors **Exhibit A**
By School District
Payments Made in FY2025

District #	School District Name	Original State Aid Calculated	APA Calculated State Aid	Underpayment
21-0015-000	ANSELMO-MERNA PUBLIC SCHOOLS	721,239	721,989	750
54-0096-000	CROFTON COMMUNITY SCHOOLS	952,717	953,467	750
24-0004-000	OVERTON PUBLIC SCHOOLS	758,653	759,382	729
33-0021-000	CAMBRIDGE PUBLIC SCHOOLS	757,668	758,375	707
02-0018-000	ELGIN PUBLIC SCHOOLS	627,029	627,715	686
36-0100-000	BURWELL PUBLIC SCHOOLS	751,355	752,041	686
91-0002-000	RED CLOUD COMMUNITY SCHOOLS	728,179	728,865	686
10-0009-000	ELM CREEK PUBLIC SCHOOLS	839,780	840,423	643
15-0010-000	CHASE COUNTY SCHOOLS	1,346,284	1,346,927	643
25-0095-000	SOUTH PLATTE PUBLIC SCHOOLS	666,832	667,475	643
04-0001-000	BANNER COUNTY PUBLIC SCHOOLS	515,922	516,543	621
18-0002-000	SUTTON PUBLIC SCHOOLS	949,004	949,625	621
20-0030-000	WISNER-PILGER PUBLIC SCHOOLS	979,019	979,619	600
24-0020-000	GOTHENBURG PUBLIC SCHOOLS	1,614,142	1,614,742	600
34-0100-000	DILLER-ODELL PUBLIC SCHOOLS	676,335	676,935	600
76-0082-000	WILBER-CLATONIA PUBLIC SCHOOLS	1,232,649	1,233,249	600
03-0500-000	ARTHUR COUNTY SCHOOLS	447,781	448,359	578
13-0032-000	LOUISVILLE PUBLIC SCHOOLS	1,384,081	1,384,638	557
24-0101-000	SUMNER-EDDYVILLE-MILLER SCHS	578,309	578,866	557
76-0044-000	DORCHESTER PUBLIC SCHOOL	592,441	592,934	493
19-0039-000	LEIGH COMMUNITY SCHOOLS	622,208	622,658	450
46-0001-000	MULLEN PUBLIC SCHOOLS	460,676	461,105	429
75-0100-000	ROCK COUNTY PUBLIC SCHOOLS	537,213	537,642	429
74-0056-000	FALLS CITY PUBLIC SCHOOLS	1,462,183	1,462,590	407
90-0017-000	WAYNE COMMUNITY SCHOOLS	1,812,898	1,813,284	386
01-0003-000	KENESAW PUBLIC SCHOOLS	598,619	598,983	364
31-0506-000	FRANKLIN PUBLIC SCHOOLS	624,137	624,501	364
57-0501-000	STAPLETON PUBLIC SCHOOLS	404,256	404,577	321
85-0060-000	DESHLER PUBLIC SCHOOLS	514,575	514,875	300
30-0054-000	SHICKLEY PUBLIC SCHOOLS	369,457	369,735	278
72-0015-000	CROSS COUNTY COMMUNITY SCHOOLS	726,565	726,843	278
56-0565-000	WALLACE PUBLIC SCH DIST 65 R	383,104	383,361	257
86-0001-000	THEDFORD PUBLIC SCHOOLS	308,599	308,856	257
54-0576-000	WAUSA PUBLIC SCHOOLS	431,483	431,675	192
17-0003-000	LEYTON PUBLIC SCHOOLS	318,825	318,997	172
73-0179-000	SOUTHWEST PUBLIC SCHOOLS	545,937	546,109	172
21-0089-000	ARNOLD PUBLIC SCHOOLS	381,021	381,171	150
33-0018-000	ARAPAHOE PUBLIC SCHOOLS	548,763	548,913	150
54-0583-000	VERDIGRE PUBLIC SCHOOLS	298,001	298,130	129
66-0027-000	SYRACUSE-DUNBAR-AVOCA SCHOOLS	1,332,755	1,332,884	129
82-0015-000	LITCHFIELD PUBLIC SCHOOLS	234,964	235,093	129
05-0071-000	SANDHILLS PUBLIC SCHOOLS	189,382	189,489	107
26-0070-000	ALLEN CONSOLIDATED SCHOOLS	278,508	278,615	107
38-0011-000	HYANNIS AREA SCHOOLS	284,138	284,245	107
08-0051-000	BOYD COUNTY SCHOOLS	539,566	539,652	86
45-0137-000	CHAMBERS PUBLIC SCHOOLS	239,958	240,044	86

General Fund Operating Expenditure Calculation Errors **Exhibit A**
By School District
Payments Made in FY2025

District #	School District Name	Original State Aid Calculated	APA Calculated State Aid	Underpayment
54-0013-000	CREIGHTON COMMUNITY PUBLIC SCHS	542,279	542,365	86
56-0055-000	SUTHERLAND PUBLIC SCHOOLS	496,434	496,520	86
59-0080-000	ELKHORN VALLEY SCHOOLS	758,395	758,459	64
70-0542-000	OSMOND COMMUNITY SCHOOLS	336,255	336,319	64
60-0090-000	MC PHERSON COUNTY SCHOOLS	104,082	104,125	43
83-0500-000	SIOUX COUNTY PUBLIC SCHOOLS	160,079	160,122	43
84-0003-000	STANTON COMMUNITY SCHOOLS	678,901	678,944	43
06-0075-000	RIVERSIDE PUBLIC SCHOOLS	376,390	376,411	21
45-0007-000	O'NEILL PUBLIC SCHOOLS	1,296,257	1,296,278	21
28-0010-000	ELKHORN PUBLIC SCHOOLS	20,391,748	20,391,750	2
	Totals	**$ 732,324,273**	**$ 735,993,473**	**$ 3,669,200**

Source: Prepared by APA

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
28-0001-000	OMAHA PUBLIC SCHOOLS	$ 5,142,285
13-0056-000	CONESTOGA PUBLIC SCHOOLS	$ 168,709
46-0001-000	MULLEN PUBLIC SCHOOLS	$ 65,108
79-0016-000	GERING PUBLIC SCHOOLS	$ 32,013
15-0536-000	WAUNETA-PALISADE PUBLIC SCHS	$ 18,852
13-0032-000	LOUISVILLE PUBLIC SCHOOLS	$ 8,314
34-0001-000	SOUTHERN SCHOOL DISTRICT 1	$ 7,562
00-0001-000	EDUCATIONAL SERVICE UNIT 01	$ (292)
05-0071-000	SANDHILLS PUBLIC SCHOOLS	$ (1,451)
60-0090-000	MC PHERSON COUNTY SCHOOLS	$ (1,452)
52-0100-000	KEYA PAHA COUNTY SCHOOLS	$ (1,554)
86-0001-000	THEDFORD PUBLIC SCHOOLS	$ (1,626)
82-0015-000	LITCHFIELD PUBLIC SCHOOLS	$ (1,804)
92-0045-000	WHEELER CENTRAL SCHOOLS	$ (1,821)
81-0003-000	HAY SPRINGS PUBLIC SCHOOLS	$ (2,049)
03-0500-000	ARTHUR COUNTY SCHOOLS	$ (2,116)
47-0103-000	ELBA PUBLIC SCHOOLS	$ (2,142)
58-0025-000	LOUP COUNTY PUBLIC SCHOOLS	$ (2,156)
83-0500-000	SIOUX COUNTY PUBLIC SCHOOLS	$ (2,279)
45-0137-000	CHAMBERS PUBLIC SCHOOLS	$ (2,314)
32-0046-000	MAYWOOD PUBLIC SCHOOLS	$ (2,361)
21-0084-000	SARGENT PUBLIC SCHOOLS	$ (2,485)
00-0013-000	EDUCATIONAL SERVICE UNIT 13	$ (2,547)
38-0011-000	HYANNIS AREA SCHOOLS	$ (2,560)
90-0595-000	WINSIDE PUBLIC SCHOOLS	$ (2,715)
67-0069-000	LEWISTON CONSOLIDATED SCHOOLS	$ (2,803)
45-0044-000	STUART PUBLIC SCHOOLS	$ (2,851)
17-0003-000	LEYTON PUBLIC SCHOOLS	$ (2,860)
56-0565-000	WALLACE PUBLIC SCH DIST 65 R	$ (2,871)
64-0023-000	JOHNSON-BROCK PUBLIC SCHOOLS	$ (2,952)
43-0079-000	HAYES CENTER PUBLIC SCHOOLS	$ (2,998)
29-0117-000	DUNDY CO STRATTON PUBLIC SCHS	$ (3,004)
57-0501-000	STAPLETON PUBLIC SCHOOLS	$ (3,011)
16-0030-000	CODY-KILGORE PUBLIC SCHS	$ (3,050)
88-0021-000	ARCADIA PUBLIC SCHOOLS	$ (3,130)
19-0039-000	LEIGH COMMUNITY SCHOOLS	$ (3,132)
27-0062-000	SCRIBNER-SNYDER COMMUNITY SCHS	$ (3,222)
21-0089-000	ARNOLD PUBLIC SCHOOLS	$ (3,293)
48-0303-000	MERIDIAN PUBLIC SCHOOLS	$ (3,315)
32-0095-000	EUSTIS-FARNAM PUBLIC SCHOOLS	$ (3,323)
54-0583-000	VERDIGRE PUBLIC SCHOOLS	$ (3,333)
24-0004-000	OVERTON PUBLIC SCHOOLS	$ (3,337)
69-0055-000	LOOMIS PUBLIC SCHOOLS	$ (3,396)
59-0013-000	NEWMAN GROVE PUBLIC SCHOOLS	$ (3,437)
14-0101-000	WYNOT PUBLIC SCHOOLS	$ (3,448)
49-0033-000	STERLING PUBLIC SCHOOLS	$ (3,483)
21-0044-000	ANSLEY PUBLIC SCHOOLS	$ (3,515)

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
41-0091-000	HAMPTON PUBLIC SCHOOL	$ (3,581)
04-0001-000	BANNER COUNTY PUBLIC SCHOOLS	$ (3,740)
78-0072-000	MEAD PUBLIC SCHOOLS	$ (3,803)
26-0070-000	ALLEN CONSOLIDATED SCHOOLS	$ (3,811)
37-0030-000	ELWOOD PUBLIC SCHOOLS	$ (3,830)
36-0100-000	BURWELL PUBLIC SCHOOLS	$ (3,933)
21-0015-000	ANSELMO-MERNA PUBLIC SCHOOLS	$ (3,935)
32-0125-000	MEDICINE VALLEY PUBLIC SCHOOLS	$ (3,939)
51-0006-000	PAXTON CONSOLIDATED SCHOOLS	$ (3,991)
85-2001-000	BRUNING-DAVENPORT UNIFIED SYS	$ (4,013)
23-0071-000	CRAWFORD PUBLIC SCHOOLS	$ (4,044)
13-0022-000	WEEPING WATER PUBLIC SCHOOLS	$ (4,091)
24-0101-000	SUMNER-EDDYVILLE-MILLER SCHS	$ (4,144)
19-0070-000	HOWELLS-DODGE CONSOLIDATED SCHOOLS	$ (4,299)
41-0002-000	GILTNER PUBLIC SCHOOLS	$ (4,338)
54-0013-000	CREIGHTON COMMUNITY PUBLIC SCHOOLS	$ (4,372)
56-0006-000	BRADY PUBLIC SCHOOLS	$ (4,464)
72-0075-000	HIGH PLAINS COMMUNITY SCHOOLS	$ (4,486)
75-0100-000	ROCK COUNTY PUBLIC SCHOOLS	$ (4,512)
26-0561-000	EMERSON-HUBBARD PUBLIC SCHOOLS	$ (4,516)
79-0002-000	MINATARE PUBLIC SCHOOLS	$ (4,655)
02-0018-000	ELGIN PUBLIC SCHOOLS	$ (4,662)
44-0070-000	HITCHCOCK CO SCH SYSTEM	$ (4,664)
14-0045-000	RANDOLPH PUBLIC SCHOOLS	$ (4,680)
34-0034-000	FREEMAN PUBLIC SCHOOLS	$ (4,790)
50-0001-000	WILCOX-HILDRETH PUBLIC SCHOOLS	$ (4,803)
34-0100-000	DILLER-ODELL PUBLIC SCHOOLS	$ (4,854)
61-0049-000	PALMER PUBLIC SCHOOLS	$ (4,875)
54-0576-000	WAUSA PUBLIC SCHOOLS	$ (4,895)
76-0044-000	DORCHESTER PUBLIC SCHOOL	$ (4,901)
21-0180-000	CALLAWAY PUBLIC SCHOOLS	$ (4,910)
10-0009-000	ELM CREEK PUBLIC SCHOOLS	$ (4,942)
25-0095-000	SOUTH PLATTE PUBLIC SCHOOLS	$ (5,000)
73-0179-000	SOUTHWEST PUBLIC SCHOOLS	$ (5,113)
56-0007-000	MAXWELL PUBLIC SCHOOLS	$ (5,131)
01-0003-000	KENESAW PUBLIC SCHOOLS	$ (5,171)
30-0001-000	EXETER-MILLIGAN PUBLIC SCHOOLS	$ (5,201)
17-0009-000	POTTER-DIX PUBLIC SCHOOLS	$ (5,213)
53-0001-000	KIMBALL PUBLIC SCHOOLS	$ (5,297)
56-0055-000	SUTHERLAND PUBLIC SCHOOLS	$ (5,327)
54-0586-000	BLOOMFIELD COMMUNITY SCHOOLS	$ (5,523)
33-0018-000	ARAPAHOE PUBLIC SCHOOLS	$ (5,525)
10-0119-000	AMHERST PUBLIC SCHOOLS	$ (5,573)
20-0020-000	BANCROFT-ROSALIE COMM SCHOOLS	$ (5,643)
69-0054-000	BERTRAND PUBLIC SCHOOLS	$ (5,872)
19-0058-000	CLARKSON PUBLIC SCHOOLS	$ (5,891)
00-0005-000	EDUCATIONAL SERVICE UNIT 05	$ (5,912)

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
06-0017-000	ST EDWARD PUBLIC SCHOOLS	$ (5,937)
48-0300-000	TRI COUNTY PUBLIC SCHOOLS	$ (5,944)
76-0068-000	FRIEND PUBLIC SCHOOLS	$ (5,970)
30-0054-000	SHICKLEY PUBLIC SCHOOLS	$ (6,015)
25-0025-000	CREEK VALLEY SCHOOLS	$ (6,050)
35-0001-000	GARDEN COUNTY SCHOOLS	$ (6,097)
33-0021-000	CAMBRIDGE PUBLIC SCHOOLS	$ (6,098)
68-0020-000	PERKINS COUNTY SCHOOLS	$ (6,154)
06-0075-000	RIVERSIDE PUBLIC SCHOOLS	$ (6,155)
10-0019-000	SHELTON PUBLIC SCHOOLS	$ (6,226)
72-0019-000	OSCEOLA PUBLIC SCHOOLS	$ (6,271)
10-0105-000	PLEASANTON PUBLIC SCHOOLS	$ (6,282)
62-0021-000	BAYARD PUBLIC SCHOOLS	$ (6,363)
70-0005-000	PLAINVIEW PUBLIC SCHOOLS	$ (6,383)
70-0542-000	OSMOND COMMUNITY SCHOOLS	$ (6,411)
72-0015-000	CROSS COUNTY COMMUNITY SCHOOLS	$ (6,749)
56-0037-000	HERSHEY PUBLIC SCHOOLS	$ (6,754)
26-0001-000	PONCA PUBLIC SCHOOLS	$ (6,774)
54-0096-000	CROFTON COMMUNITY SCHOOLS	$ (6,903)
01-0123-000	SILVER LAKE PUBLIC SCHOOLS	$ (6,920)
31-0506-000	FRANKLIN PUBLIC SCHOOLS	$ (7,078)
90-0560-000	WAKEFIELD PUBLIC SCHOOLS	$ (7,196)
78-0009-000	YUTAN PUBLIC SCHOOLS	$ (7,440)
72-0032-000	SHELBY - RISING CITY PUBLIC SCHOOLS	$ (7,455)
15-0010-000	CHASE COUNTY SCHOOLS	$ (7,461)
22-0031-000	HOMER COMMUNITY SCHOOLS	$ (7,469)
63-0001-000	FULLERTON PUBLIC SCHOOLS	$ (7,562)
08-0051-000	BOYD COUNTY SCHOOLS	$ (7,645)
85-0070-000	THAYER CENTRAL COMMUNITY SCHS	$ (7,647)
59-0005-000	BATTLE CREEK PUBLIC SCHOOLS	$ (7,715)
33-0540-000	SOUTHERN VALLEY SCHOOLS	$ (7,732)
11-0020-000	LYONS-DECATUR NORTHEAST SCHS	$ (7,741)
91-0002-000	RED CLOUD COMMUNITY SCHOOLS	$ (7,874)
79-0031-000	MITCHELL PUBLIC SCHOOLS	$ (7,879)
55-0148-000	MALCOLM PUBLIC SCHOOLS	$ (7,891)
78-0107-000	CEDAR BLUFFS PUBLIC SCHOOLS	$ (7,963)
47-0100-000	CENTURA PUBLIC SCHOOLS	$ (7,975)
54-0501-000	NIOBRARA PUBLIC SCHOOLS	$ (7,985)
50-0501-000	AXTELL COMMUNITY SCHOOLS	$ (8,116)
59-0080-000	ELKHORN VALLEY SCHOOLS	$ (8,180)
18-0002-000	SUTTON PUBLIC SCHOOLS	$ (8,192)
71-0067-000	HUMPHREY PUBLIC SCHOOLS	$ (8,280)
85-0060-000	DESHLER PUBLIC SCHOOLS	$ (8,309)
93-0083-000	MC COOL JUNCTION PUBLIC SCHS	$ (8,337)
84-0003-000	STANTON COMMUNITY SCHOOLS	$ (8,448)
63-0030-000	TWIN RIVER PUBLIC SCHOOLS	$ (8,458)
40-0126-000	DONIPHAN-TRUMBULL PUBLIC SCHS	$ (8,485)

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
91-0074-000	BLUE HILL COMMUNITY SCHOOLS	$ (8,487)
06-0001-000	BOONE CENTRAL SCHOOLS	$ (8,678)
13-0097-000	ELMWOOD-MURDOCK PUBLIC SCHOOLS	$ (8,729)
62-0063-000	BRIDGEPORT PUBLIC SCHOOLS	$ (9,017)
20-0030-000	WISNER-PILGER PUBLIC SCHOOLS	$ (9,148)
74-0070-000	HUMBOLDT TABLE ROCK STEINAUER	$ (9,150)
47-0001-000	ST PAUL PUBLIC SCHOOLS	$ (9,170)
45-0239-000	WEST HOLT PUBLIC SCHOOLS	$ (9,175)
02-0009-000	NELIGH-OAKDALE SCHOOLS	$ (9,204)
14-0054-000	LAUREL-CONCORD-COLERIDGE SCHOOL	$ (9,475)
66-0501-000	PALMYRA DISTRICT O R 1	$ (9,604)
81-0010-000	GORDON-RUSHVILLE PUBLIC SCHS	$ (9,715)
09-0010-000	AINSWORTH COMMUNITY SCHOOLS	$ (9,787)
11-0014-000	OAKLAND CRAIG PUBLIC SCHOOLS	$ (9,870)
02-0115-000	SUMMERLAND PUBLIC SCHOOLS	$ (9,905)
07-0010-000	HEMINGFORD PUBLIC SCHOOLS	$ (9,928)
59-0001-000	MADISON PUBLIC SCHOOLS	$ (9,929)
70-0002-000	PIERCE PUBLIC SCHOOLS	$ (9,942)
88-0005-000	ORD PUBLIC SCHOOLS	$ (9,988)
80-0567-000	CENTENNIAL PUBLIC SCHOOLS	$ (10,186)
87-0013-000	WALTHILL PUBLIC SCHOOLS	$ (10,773)
14-0008-000	HARTINGTON NEWCASTLE PUBLIC SCHS	$ (10,974)
79-0011-000	MORRILL PUBLIC SCHOOLS	$ (11,028)
76-0082-000	WILBER-CLATONIA PUBLIC SCHOOLS	$ (11,220)
20-0001-000	WEST POINT PUBLIC SCHOOLS	$ (11,231)
82-0001-000	LOUP CITY PUBLIC SCHOOLS	$ (11,332)
87-0001-000	PENDER PUBLIC SCHOOLS	$ (11,373)
40-0083-000	WOOD RIVER RURAL SCHOOLS	$ (11,571)
67-0001-000	PAWNEE CITY PUBLIC SCHOOLS	$ (11,629)
65-0011-000	SUPERIOR PUBLIC SCHOOLS	$ (11,930)
11-0001-000	TEKAMAH-HERMAN COMMUNITY SCHS	$ (12,264)
27-0595-000	NORTH BEND CENTRAL PUBLIC SCHS	$ (12,374)
89-0003-000	FORT CALHOUN COMMUNITY SCHS	$ (12,517)
49-0050-000	JOHNSON CO CENTRAL PUBLIC SCHS	$ (12,912)
54-0505-000	ISANTI COMMUNITY SCHOOL	$ (12,924)
18-0011-000	HARVARD PUBLIC SCHOOLS	$ (12,992)
66-0027-000	SYRACUSE-DUNBAR-AVOCA SCHOOLS	$ (13,090)
39-0060-000	CENTRAL VALLEY PUBLIC SCHOOLS	$ (13,733)
93-0096-000	HEARTLAND COMMUNITY SCHOOLS	$ (13,866)
27-0594-000	LOGAN VIEW PUBLIC SCHOOLS	$ (14,380)
45-0007-000	O'NEILL PUBLIC SCHOOLS	$ (14,387)
23-0002-000	CHADRON PUBLIC SCHOOLS	$ (14,631)
80-0005-000	MILFORD PUBLIC SCHOOLS	$ (14,642)
24-0011-000	COZAD COMMUNITY SCHOOLS	$ (15,137)
17-0001-000	SIDNEY PUBLIC SCHOOLS	$ (15,317)
50-0503-000	MINDEN PUBLIC SCHOOLS	$ (15,382)
89-0024-000	ARLINGTON PUBLIC SCHOOLS	$ (16,318)

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
30-0025-000	FILLMORE CENTRAL PUBLIC SCHS	$ (16,384)
74-0056-000	FALLS CITY PUBLIC SCHOOLS	$ (16,411)
24-0020-000	GOTHENBURG PUBLIC SCHOOLS	$ (16,525)
10-0069-000	RAVENNA PUBLIC SCHOOLS	$ (16,703)
90-0017-000	WAYNE COMMUNITY SCHOOLS	$ (17,145)
21-0025-000	BROKEN BOW PUBLIC SCHOOLS	$ (17,554)
78-0001-000	ASHLAND-GREENWOOD PUBLIC SCHS	$ (18,490)
71-0005-000	LAKEVIEW COMMUNITY SCHOOLS	$ (18,505)
65-2005-000	SOUTH CENTRAL NEBRASKA UNIFIED 5	$ (18,959)
12-0056-000	DAVID CITY PUBLIC SCHOOLS	$ (20,678)
42-0002-000	ALMA PUBLIC SCHOOLS	$ (20,863)
77-0046-000	SPRINGFIELD PLATTEVIEW COMMUNITY SCHOOLS	$ (21,020)
64-0029-000	AUBURN PUBLIC SCHOOLS	$ (21,295)
01-0090-000	ADAMS CENTRAL PUBLIC SCHOOLS	$ (22,127)
69-0044-000	HOLDREGE PUBLIC SCHOOLS	$ (22,385)
78-0039-000	WAHOO PUBLIC SCHOOLS	$ (22,415)
87-0016-000	UMO N HO N NATION PUBLIC SCHS	$ (22,548)
48-0008-000	FAIRBURY PUBLIC SCHOOLS	$ (22,555)
12-0502-000	EAST BUTLER PUBLIC SCHOOLS	$ (22,563)
28-0015-000	DOUGLAS CO WEST COMMUNITY SCHS	$ (22,743)
19-0123-000	SCHUYLER COMMUNITY SCHOOLS	$ (23,106)
55-0160-000	NORRIS SCHOOL DIST 160	$ (24,518)
61-0004-000	CENTRAL CITY PUBLIC SCHOOLS	$ (24,662)
51-0001-000	OGALLALA PUBLIC SCHOOLS	$ (24,840)
10-0002-000	GIBBON PUBLIC SCHOOLS	$ (24,931)
66-0111-000	NEBRASKA CITY PUBLIC SCHOOLS	$ (25,185)
41-0504-000	AURORA PUBLIC SCHOOLS	$ (26,590)
55-0161-000	RAYMOND CENTRAL PUBLIC SCHOOLS	$ (27,975)
16-0006-000	VALENTINE COMMUNITY SCHOOLS	$ (28,828)
80-0009-000	SEWARD PUBLIC SCHOOLS	$ (29,817)
07-0006-000	ALLIANCE PUBLIC SCHOOLS	$ (30,572)
76-0002-000	CRETE PUBLIC SCHOOLS	$ (32,764)
13-0001-000	PLATTSMOUTH COMMUNITY SCHOOLS	$ (33,256)
89-0001-000	BLAIR COMMUNITY SCHOOLS	$ (33,768)
40-0082-000	NORTHWEST PUBLIC SCHOOLS	$ (33,810)
87-0017-000	WINNEBAGO PUBLIC SCHOOLS DISTRICT 17	$ (34,300)
93-0012-000	YORK PUBLIC SCHOOLS	$ (35,382)
73-0017-000	MC COOK PUBLIC SCHOOLS	$ (35,852)
34-0015-000	BEATRICE PUBLIC SCHOOLS	$ (40,655)
55-0145-000	WAVERLY SCHOOL DISTRICT 145	$ (43,515)
56-0001-000	NORTH PLATTE PUBLIC SCHOOLS	$ (50,913)
28-0054-000	RALSTON PUBLIC SCHOOLS	$ (54,725)
24-0001-000	LEXINGTON PUBLIC SCHOOLS	$ (57,884)
71-0001-000	COLUMBUS PUBLIC SCHOOLS	$ (72,948)
59-0002-000	NORFOLK PUBLIC SCHOOLS	$ (80,731)
79-0032-000	SCOTTSBLUFF PUBLIC SCHOOLS	$ (82,078)

Special Education Expense Reimbursements
By School District

Exhibit B

District #	School District Name	Over/(Under) Payment
22-0011-000	SO SIOUX CITY COMMUNITY SCHS	$ (85,689)
27-0001-000	FREMONT PUBLIC SCHOOLS	$ (86,326)
28-0059-000	BENNINGTON PUBLIC SCHOOLS	$ (87,383)
01-0018-000	HASTINGS PUBLIC SCHOOLS	$ (87,768)
10-0007-000	KEARNEY PUBLIC SCHOOLS	$ (103,528)
77-0037-000	GRETNA PUBLIC SCHOOLS	$ (109,433)
28-0010-000	ELKHORN PUBLIC SCHOOLS	$ (167,621)
28-0066-000	WESTSIDE COMMUNITY SCHOOLS	$ (175,852)
40-0002-000	GRAND ISLAND PUBLIC SCHOOLS	$ (193,859)
77-0001-000	BELLEVUE PUBLIC SCHOOLS	$ (197,509)
77-0027-000	PAPILLION LA VISTA COMMUNITY SCHOOLS	$ (226,356)
28-0017-000	MILLARD PUBLIC SCHOOLS	$ (310,847)
55-0001-000	LINCOLN PUBLIC SCHOOLS	$ (994,863)

Source: Prepared by APA

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

STATE BOARD OF EDUCATION
PLANNING AND EVALUATION COMMITTEE REPORT

Date: May 7, 2026

The Planning and Evaluation Committee reports on two committee meetings since March 5, 2026. The first committee meeting occurred on April 29, 2026. The members present were Lisa Schonhoff, Sherry Jones, Deborah Neary, and Kristin Christensen. The committee discussed the Priority School Designation.

The second committee meeting occurred on May 7, 2026. The members present were Lisa Schonhoff, Sherry Jones, Deborah Neary, and Kristin Christensen.

The committee reviewed six action items related to the Rule 11 teacher waiver request from Ord Public Schools, approval of Hyannis Public Schools waiver request, approval of plans of corrections for Rule 10, 14, and 18 school systems, approval of nonpublic schools for the 2026-2027 school year, approval of interim-program schools for 2026-2027 school year, and the Priority School Designation. The committee recommends board approval on these items.

The committee reviewed discussion items with NDE staff providing summaries and answering questions related to the accreditation of public and non-public rule 10 school systems for 2026-2027, and the accreditation of Nebraska Educational Services Units for 2026-2027.

The committee reviewed informational items related to the social studies content standards review, the approval of educator preparation programs for 2026-2027, the approval of new interim-program schools for 2026-2027, and the conditional approval of new nonpublic school systems. NDE staff will bring informational items to a future meeting for discussion and subsequent approval, where appropriate.

This concludes the Planning and Evaluation report.

Lisa Schonhoff, Chair

*Submit a printed copy to the Committee Chair and email to the Recording Secretary.
Updated 02.02.2023

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 21, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson

PROPOSED AGENDA ITEM: Rule 11 teacher waiver request from Ord Public Schools (PE.022026.001)

AGENDA ITEM TYPE: Action

RATIONALE/BACKGROUND INFORMATION:

- Operation of school district and educational service unit (ESU) early childhood programs are governed by the Nebraska Department of Education Rule 11: Regulations for the Approval of Prekindergarten Programs Established by School Boards and Educational Service Units and for the Issuance of Early Childhood Education Grants (Title 92, Nebraska Administrative Code, Chapter 11).
- The Nebraska State Board of Education is charged with approving prekindergarten (early childhood education and care programs for children birth to compulsory attendance age) programs operated by school districts and educational service units annually.
- Teachers in school district and ESU prekindergarten classrooms are required to hold a valid Nebraska Teaching Certificate with an early childhood endorsement.
- School districts that hire individuals with a valid teaching certificate, but no early childhood endorsement must ensure that the teacher works toward earning an early childhood endorsement.
- School districts that cannot hire one or more teacher(s) who hold a valid teaching certificate of any kind must apply for a Rule 11 waiver for the teacher(s).
- Nebraska State Board has the authority/responsibility to either approve or deny the Rule 11 waiver.
- Due to staff turnover in a partnership program a waiver is necessary. The teacher that was hired has a Child Development Associate Credential and college transfer hours from Colby Community College and Central Nebraska Community College and has submitted plans to attend the University of Nebraska at Kearney.
- Ord Public Schools has provided the information necessary for the waiver.

STATUTORY/POLICY REFERENCE:

- N.R.S.§ 79-1104 (2)… All teachers and administrators in prekindergarten programs established pursuant to this section shall hold a valid certificate or permit issued pursuant to sections 79-806 to 79-815, except

that the State Board of Education may adopt and promulgate rules and regulations that exempt a prekindergarten program from the requirement for teachers and administrators in prekindergarten programs to hold a valid certificate or permit if such program is in compliance with such rules and regulations.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 2: Grow the Educator Pipeline
    - Strategic Outcome 2.1: Increased Supply of Teachers
        - Pursuing a Rule 11 teacher waiver allows the school district to invest in a teacher candidate and assist the person on their path to full certification increasing the number of certified teachers in the state.

PROPOSED BOARD MEETING: Information: February 2026, Discussion: March 2026: Action: May 2026

ESTIMATED COST: NA

FOR CONTRACTS AND GRANTS: NA

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: NA

FOR GRANT SUBAWARDS: NA

**Updated 01.12.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Approval of Hyannis Public Schools Waiver Request (PE.022026.003)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
Hyannis Public Schools is requesting a Waiver for their 6th graders to participate in athletic contests. 6th grades may participate when a combined enrollment for seventh and eight grade becomes fewer than 12 boys or girls and if the governing body has a policy regulating participation for sixth graders. Hyannis is requesting the waiver for three years starting in the current school year of 2025-2026 through 2027-2028.

004.02C Pupils in kindergarten through sixth grade do not participate in any kinds of athletic contests between schools within a school system or between school systems except that elementary school systems having seventh and eighth grade athletics may include sixth grade boys or girls when combined enrollment for seventh and eighth grade becomes fewer than 12 boys or 12 girls and if the governing body has a policy regulating participation for sixth graders. Annual field or play days are excluded from this regulation.

New Information:

- Approval of Hyannis Public Schools Waiver Request was submitted as a discussion item in March.
- Approval of Hyannis Public Schools Waiver Request was submitted as an information item in February.*program.)*

STATUTORY/POLICY REFERENCE:

- Title 92, NAC Chapter 10 - 013.01 School systems, in order to better meet local goals, may submit a request for a waiver of one or more regulations found in Sections 004 through 012.01C of this Chapter.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
  - Strategic Outcome 1.1: Improved Student Achievement

Students who participate in extracurricular activities are more likely to attend school and show improved student achievement.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 01.12.2026*

HYANNIS AREA SCHOOLS

East Highway 2
P.O. Box 286
Hyannis, NE 69350

Tel: (308) 458-2202
Fax: (308) 458-2227

"Home of the Longhorns"

To: Dr. Brian L. Maher, Commissioner of Education
Dr. Decua Jean-Baptiste

Date: 12/3/2025

From: Travis Hawk, Ed.S
Superintendent
Hyannis Area Schools

re: Request of Waiver
Section 004.02C

I am writing to request a waiver to allow 6th graders to participate in middle school sports for the next 3 years (through the 2027-2028). Currently our enrollment has 12; 7th & 8th grade boys & 13; 7th & 8th grade girls. We had 1 girl move in after the volleyball season and we have 1 boy and 1 girl that do not participate in team sports. This appears to be a 1-2 year issue for us as next year our boys will have 10 7th & 8th graders and girls will have 12.

I do understand that this waiver should have been submitted prior to the start of the school year, but I errored in believing if we had students that did not participate because of family health concerns and we were below the 12 limit at the start of school then, that we were meeting the requirements of Rule 10. I ask that our 6th grade students not experience the consequences for my administrative error.

The Nebraska School Activities Association states that "activities the other half of education," I believe the value of allowing our 6th graders to participate on a regular basis far outweighs any perceived negatives. Our school district is very small and typically we will have 11 or under in 2 grades of either gender, but occasionally we may approach the 12 limit. When that occurs in the future we will be proactive in the submission of this waiver.

Thank you for your consideration of granting this waiver to allow our 6th graders to compete and take advantage of the life lessons that team sports and competition brings. I have included with this letter a copy of our Local Board Policy allowing 6th graders to participate.

Travis Hawk

6035
Athletic Contest Participation by Sixth Graders

If there are fewer than 12 boys or 12 girls in the combined enrollment of the seventh and eighth grades when those grades are part of the elementary school system, sixth grade students may participate in athletic contests between schools, within a school system, or between school systems if the school administration judges that it is appropriate after taking into consideration the competition's nature and value to the students, its physical requirements and dangers, and the sixth grade students' ages, physical and mental abilities, maturity, skills, and preparation for the competition. Otherwise, pupils in kindergarten through the sixth grade may not participate in any kinds of athletic contests between schools, within a school system, or between school systems except as provided in this policy or as otherwise allowed by law. This prohibition does not apply to annual field or play days.

Adopted on: July 9, 2018
Revised on: _____
Reviewed on: _____

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director Accreditation

PROPOSED AGENDA ITEM: Approval of Plan(s) of Corrections for Rule 10, 14, and 18 school systems and interim program schools (PE.022026.004)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
Rule 10, 14, and 18 school systems and interim program schools have similar requirements regarding compliance. School systems or interim programs that fall under Rule 10, 14, or 18 are required to complete an annual Assurance Statement by November 1st of each year acknowledging any areas of non-compliance.

Areas of non-compliance within each Rule (10, 14, &1 8) are considered a violation and is reported on the Assurance Statement. Areas of non-compliance require evidence that show the violation has been resolved. If the violation is unable to be resolved before February 1st, then a plan of correction may be submitted to the NDE to demonstrate how the violation will be corrected by September 1st of the following school year. Evidence of the corrected violation or a plan of correction are due to the NDE by February 1st.

Plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year.

New Information:

- Five additional Plans of Corrections have been included from three public schools and 2 nonpublic accredited schools.
- Approval of Plan(s) of Corrections for Rule 10 & 14 school systems and Rule 18 interim program schools were submitted in March as a discussion item.
- Approval of Plan(s) of Corrections for Rule 10 & 14 school systems and 18 interim program schools were submitted as an information item in February.
- Plans of corrections based upon violations discovered during compliance visits and through monitoring have been included.
- Current Plans of Corrections are from public, non-public accredited and approved school systems.

STATUTORY/POLICY REFERENCE:

- Title 92, NAC Chapter 10 - 014.05A School systems having an uncorrected violation may submit a written plan to the Department by February 1 for correcting the violation before the following school year. Such plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year. Written evidence of the correction must be submitted to the Department by the following September 1.
- Title 92, NAC Chapter 14 - 008.03A Schools having an uncorrected violation may submit a written plan to the Department by February 1 for correcting the violation before the following school year. Such plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year. Written evidence of the correction must be submitted to the Department by the following September 1.
- Title 92, NAC Chapter 18 - 007.04A Interim-program schools having an uncorrected violation may submit a written plan to the Department by February 1 for correcting the violation before the following school year. Such plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year. Written evidence of the correction must be submitted to the Department by the following September 1.

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
    - Strategic Outcome 1.1: Improved Student Achievement

Plans of corrections submitted by school systems provide evidence that school systems are showing and making effort toward correcting violations for deficiencies limiting student experiences.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 03.30.2026*

Additional Plans of Corrections

As of April 21, 2026

Harvard Public School
harvardcardinals.org

506 East North Street, PO Box 100 • Harvard, NE 68944
Phone (402) 772-2171 • FAX (402) 772-2204

April 9, 2026

Sandra M. Suiter, EdD
Accreditation Specialist
Office of Accreditation, Certification, & Approval
500 S. 84th St., 2nd Floor
Lincoln, NE, 68510-2611

Dear Sandra Suiter,

Please accept this letter as documentation of our Plan of Correction for the Area of Non-Compliance specified in your letter on April 7, 2026. As shared, the Area of Non-Compliance was specifically:

010.01A Annual Written Report

To this end, Harvard Public School will post on our website the following:

A written report that contains student academic performance, school system demographics, school improvement goals including progress and financial information covering the fiscal year September 1 through August 31 of each successive year.

The plan will be completed and shared with the Board of Education at one of their regularly scheduled meetings before September 1, 2026.

Please do not hesitate to reach out to me if this plan needs to be modified.

My best,

Michael Derr

Michael Derr, Superintendent

LOOMIS PUBLIC SCHOOL

101 Bryan Street
PO Box 250
Loomis, NE 68958

www.loomiswolves.org

Telephone 308-270-7444
Fax 308-376-6464

Nate Weaver, Superintendent
nate.weaver@loomiswolves.org

Jeff Ellsworth, Principal
Jeff.ellsworth@loomiswolves.org

This letter is to address the Rule 10 visit made by Todd Wolverton on February 6th. Mr. Wolverton found that Loomis Public Schools did not have a Curriculum Map for the Librarian position, or the Counselor position. Since then, we have addressed the concern and created curriculum maps for both areas for the librarian and the counselor to follow in order to pace their instruction throughout the year. This plan was turned in before the two-week requirement. If there are concerns, or questions, please contact me at me above phone number or e-mail.

Thank you for your time, and helping LPS to improve.

Nate Weaver
Loomis Public Schools Superintendent

SUTTON PUBLIC SCHOOLS

Embracing diversity to educate and empower all students for success.
Together, we strive to create the leaders of tomorrow, today.

Jason Cline	***Jason Cafferty***	***Michael Shively***	***Josh Rapp***	***Monica Noel***
Superintendent	Secondary Principal	Elementary Principal	Activities Director	School Counselor

Sutton Public Schools
Rule 10 - Plan of Correction

April 14, 2026

Sutton Public Schools Corrective Action Plan Summary (004.01A, 004.01B, 004.01C)

The district will address the identified violations by conducting a comprehensive review of its current instructional programs and their alignment with Nebraska state standards. While components of the required systems are already in place, the district acknowledges the need to ensure full alignment, formalization, and documentation across all subject areas.

A primary focus of this work will be collaboration with certificated staff to develop and refine a clearly articulated scope and sequence for each subject area taught within the district. This process will ensure that all curriculum areas—including core content areas and additional program areas—are supported by detailed, written guides, frameworks, and standards that meet or exceed state requirements.

In addition, the district will:

- Verify alignment of all academic content standards with Nebraska state standards in reading, mathematics, and science
- Complete and formalize curriculum documentation for all other subject areas, including fine arts and other non-core programs
- Ensure all materials are formally approved by the Board of Education and accessible to staff in each building

The district recognizes that much of this work is partially in place and will prioritize completing each subject area with detailed and consistent documentation.

1107 N. Saunders Avenue • P.O. Box 590 • Sutton, NE 68979 • (402) 773-5569 • Fax (402) 773-5578

SUTTON PUBLIC SCHOOLS

Embracing diversity to educate and empower all students for success.
Together, we strive to create the leaders of tomorrow, today.

Jason Cline	***Jason Cafferty***	***Michael Shively***	***Josh Rapp***	***Monica Noel***
Superintendent	Secondary Principal	Elementary Principal	Activities Director	School Counselor

Timeline: This process will begin immediately and continue through the 2026–2027 school year, allowing for a thoughtful, collaborative approach to development, alignment, and implementation.

Outcome: Upon completion, the district will have a fully aligned, board-approved, and systematically documented instructional program that meets all requirements of Nebraska Rule 10 Sections 004.01A, 004.01B, and 004.01C, with structures in place to ensure ongoing compliance.

If you have any questions regarding this corrective action plan or its implementation, please feel free to contact Superintendent Jason Cline at jcline@spsn.org or by phone at 402-773-5569. Sutton Public Schools is committed to transparency and ongoing communication throughout this process and welcomes any clarification needed to support successful implementation.

Sincerely,

Jason Cline
Superintendent
Sutton Public Schools

1107 N. Saunders Avenue • P.O. Box 590 • Sutton, NE 68979 • (402) 773-5569 • Fax (402) 773-5578

SUTTON PUBLIC SCHOOLS

Embracing diversity to educate and empower all students for success.
Together, we strive to create the leaders of tomorrow, today.

Jason Cline	*Jason Cafferty*	*Michael Shively*	*Josh Rapp*	*Monica Noel*
Superintendent	Secondary Principal	Elementary Principal	Activities Director	School Counselor

004	CURRICULUM AND STANDARDS		
004.01A-B Instructional Program and Standards	**004.01A** The instructional program of the school system is based on written purposes or standards and is approved by the governing body. These documents are on file in each school building and each certificated staff member is provided a copy. **004.01B** Public school districts adopt academic content standards in the subject areas of reading and writing (language arts), mathematics, and science determined by each such district to be measurable quality standards that are the same as, equal to, or more rigorous than the state academic content standards adopted by the Board pursuant to Neb. Rev. Stat. § 79-760.01. The deadline for public school districts to adopt replacement academic content standards will not extend past one year following the Board's adoption of new content standards. Nonpublic schools have local academic content standards for reading, writing, mathematics, science, and social studies/history approved by the governing body. **Nonpublic schools have local academic content standards for reading, writing, mathematics, science, and social studies/history approved by the local governing body.**	Violation	ELA Math Math Scope and Sequence Science 7- 12 Curriculum Guide Will walk through this during the visit. Downloaded standards from the NDE Use the textbooks to drive the teachers of what to teach. Have some parts of this done. Need to connect the standards to the resources….and show that each is approved by the board.
004.01C Curriculum and Standards	**004.01C** The school system has written guides, frameworks, or standards for all other areas of the curriculum. In connection with this requirement, school systems are encouraged to adopt the Fine Arts Standards adopted by the Board on March 4, 2014. The school system also has a written description of the library media and guidance programs.	Violation	Arts PE/Health Social Studies World Language CTE Computer Science EL Library

1107 N. Saunders Avenue • P.O. Box 590 • Sutton, NE 68979 • (402) 773-5569 • Fax (402) 773-5578

ST. BERNARD CATHOLIC SCHOOL

Making Christ present in all we say and do

Mar. 23, 2026

To Mr. Todd Wolverton at the Nebraska Department of Education,

During a recent visit to St. Bernard Catholic School, we found that we were out of compliance with the yearly requirement of holding a Safety Threat Assessment with our local LEA. As Principal, I have been in communication with our Superintendent, Mrs. Vickie Kauffold and Asst. Superintendent, Dr. Anita Harkins- Mehsling to host a Threat Assessment from Squad III Security Strategies and Sundown Global Solutions, former FBI. The Threat Assessment date is to be determined, however, will occur prior to May 22, 2026.

For future information and planning, a note within our Emergency Operating Procedures will be posted for a yearly check for completion.

Thank you,

Dr. Valasek

3604 N. 65th St. Omaha, NE. 68134 □ Phone: 402-553-4993 □ Fax: 402-551-4939 □ stbernardomaha.org

ST. PIUS X/ST. LEO SCHOOL

6905 Blondo Street • Omaha, Nebraska 68104-4600 • (402) 551-6667 • Fax (402) 551-8123

Date: March 25, 2026
Principal: Katy Chattin
St. Pius X/St. Leo School
Accreditation Specialist: Todd Wolverton
Date of visit: 03/04/2026
Compliance Visit Areas of Non-Compliance: Corrective action

010.01A

Annual Report is sent out to stakeholders each fall. In this report it will now state under the section of Academic Excellence the following improvement goal: 90% of students in grades 2-8 will score at or above the 50th percentile in the areas of reading and math as measured by the STAR test by Renaissance by May of 2030.

The annual report will also show the growth in the areas of reading and math, along with the school's targeted strategies driving progress toward our goals.

The next publication of this annual report will Sept. 2026.

010.01B
Policy Performance Report:
This has been updated in our Family handbook on page 42.

TESTING

Students take the STAR assessment in the fall, winter, and spring as directed by the Archdiocesan Office of Education. This is a tool we find very valuable in assessing student progress and planning instruction to meet their needs. Parents will receive printed reports at parent-teacher conferences in October and with the end-of-year report card in May. Scores will be shared with the school board and stakeholders after each time the test is given. Reports will maintain student confidentiality.

School board is informed of these decisions and changes at the March 24, 2026 school board meeting.

Recommendations made by the compliance visit are ongoing and will take place throughout the summer and school year 2026-27.

Thank you,
Katy Chattin
Principal St. Pius X/St. Leo School.

Original Plans of Corrections

ANSELMO – MERNA PUBLIC SCHOOL

750 N Conway Street Merna, NE 68856
PHONE (308) 643-2224 FAX (308) 643-2243
Superintnendent - Mr. Lloyd McIntyre
Principal - Mr. Chanc McIntosh

Date 11/28/2025

Accreditation Specialist: Todd Wolverton

We appreciate Mr. Wolverton and the Nebraska Department of Education for spending time with us during the compliance visit early last month. The dialogue and feedback received provided valuable direction as we work continuously to strengthen instructional programming and improve student outcomes.

Anselmo-Merna Public Schools is committed to meeting expectations outlined in Title 92, Nebraska Administrative Code, Chapter 10. The following Plan of Correction outlines the actions taken and steps scheduled to address areas identified as non-compliant.

Plan of Correction - Rule 10 Compliance Anselmo-Merna Public School

004.01A-B & 004.01C – Instructional Program & Standards (core / non core curriculum)

Following the Rule 10 Compliance Visit, the findings related to 004.01A-B- C were shared with the Anselmo-Merna School Board and reviewed with the district leadership team and the certified staff as a whole. Leadership team discussion focused on understanding how written curriculum has historically been documented, while identifying improvements to ensure full alignment with 004.01 A-B-C including Nebraska State Standards, pacing, assessment identification / integration, vertical alignment, and clarity of intended learning outcomes.

Anselmo-Merna Public Schools has adopted High-Quality Instructional Materials (HQIM) to support state-aligned teaching and learning in Core Content Areas:

- Science: Amplify - 2021
- Mathematics: Reveal Math - 2022
- ELA: Into Reading / Into Literature - 2023

While these programs provide standards-aligned instructional materials, the district administration recognizes the need to develop on a single document a fully written K-12 curriculum that includes pacing

guides, unit-level assessments, evidence-of-learning expectations, connected to Nebraska Standards. To ensure complete compliance, the district has initiated the following steps.

Action Steps Completed to Date

- Shared Rule 10 findings with the above mentioned
- Contacted curriculum publishers requesting Nebraska Standard alignment correlations for all HQIM.
- Reached out to peer districts and ESU 10 to review completed curriculum examples.
- Began building pacing guides and unit-based assessment indicators.
- Met with A-M leadership team to look at templates and identify next steps

Scheduled Development Work

Action	**Date**
Leadership meeting with ESU 10 to finalize district curriculum map template	December 10, 2025
Curriculum Mapping Work Session / Support – Dallas Lewendowski, ESU 10	December 23, 2025 (8:00–12:00)
Curriculum Mapping Session #2, support from ESU 10	February 6, 2026
Curriculum Mapping Session #3, support from ESU 10	April 20, 2026
Final Curriculum Map Completion Day (SIP work day – post student release)	May 2026

Additional summer workdays will be scheduled if needed.

Completion, Publication, & Ongoing Cycle

- Standards-aligned written curriculum maps for all core areas completed by May 2026.

- Administrative review and Board acknowledgement in June/July 2026.
- Full implementation begins 2026-2027 school year.
- Curriculum maps will be posted publicly on the district website for transparency.
- A formal revision cycle aligned to the Nebraska State Board standards rotation will be established and connected to map (review every 5–7 years or earlier as content shifts).

Evidence to be Submitted

- Written K-12 curriculum documents for all subjects that includes NE standards correlation, pacing maps, and assessments.
- Documentation of Board acknowledgement.

Plan of correction / evidence statement – Rule 10 (005.01A–B Assessment Plan)

Anselmo-Merna Public Schools administers required assessments annually and now maintains a written assessment schedule that outlines all annual districtwide assessments, including grade-level participation, content area measured, and the aligned testing windows.

The schedule includes

MAP Growth (1st–11th grade, fall/winter/spring),

Pre-ACT for sophomores, ACT for juniors,

NSCAS summative assessments (ELA/Math 3rd–8th; Science 5th/8th),

ASVAB for juniors,

AIMSweb screening for grades K–6 (this will change when the screening tool is recommended - projected Spring of 2026).

This schedule has been published for staff use and is posted publicly on the district website under menu → staff use, meeting visibility and access expectations. The assessment plan aligns with existing Board Policy 6211 – Curriculum/Assessments and outlines procedures for test administration, security, integrity of assessment instruments, assessment conditions, accommodations, and expectations for standardized and coursework-based evaluation It is also linked here.

Plan of Correction Evidence Statement – Rule 10 (010.01A – Annual Written Report)

Anselmo-Merna Public Schools complies with Rule 10, 010.01A through the development and annual publication of a comprehensive Annual Report. The 2023–2024 Annual Report was completed, distributed, and made publicly available to our community, including academic highlights, program

features, financial expenditures, enrollment trends, and district data. Copies were distributed and presented to the Board of Education consistent with Policy 1040 – *Annual Report and School Improvement*

1040--Annual Report

The 23-24 report reflects required components including student performance data, district demographics, financial figures, and system programming. The previous report was sent to every property tax payer in the district and well received. During our visit with Mr. Wolverton, we were informed that the report was missing inclusion of *district goals and progress toward those goals*. We have since addressed this by incorporating The Continuous Improvement Goal that is the same as our board improvement goal developed in the spring of 2025 along with goal-measurement components into the updated 2024–2025 Annual Report, which is currently being finalized for presentation to the Board and release to the community on December 15, 2025.The 2024–2025 Annual Report—already in progress—will also include goal alignment and progress monitoring indicators, ensuring full compliance with Rule 10 expectations and Board Policy.

004.02A – Elementary Instructional Program (Schedule Formatting & Requirements)

All elementary schedules were updated to reflect a uniform official start time at the top of the schedule, as required. All schedules were audited to ensure no student names appear in any teacher schedule, meeting privacy expectations and compliance requirements. Those schedules are linked here

Please let me know if you have any questions or recommendations.

Thank you,



Lloyd McIntyre
Superintendent
Anselmo-Merna School
402-469-3471
lloyd.mcintyre@amcoyotes.org

Axtell Community School

Rob Gregory, Superintendent
Craig Lorenz, 6-12 Principal
Jennifer DeBord, PreK-5 Principal

November 14, 2025

To: Sandra Suiter, NDE

From: Robert Gregory, Superintendent of Axtell Community School

Re: Rule 10 Violation, Section 010.01A Annual Report

Plan Of Correction

Violation: Annual Report posted on the school website included a link to the NEP website to report the latest MAP and NSCAS Assessment scores. The link did not work correctly and thus the assessment scores were not made available to the public.

Plan of Correction: Moving forward, the Axtell Community School Annual Report will include all the district financial, demographic, MAP, and NSCAS assessment scores in the report.

No digital link will be used. The 2025-26 Annual Report will be complete and posted on our website once the current assessment scores become public later in November.

Respectfully submitted,

Robert C. Gregory

Superintendent

500 Main • P.O. Box 97 • Axtell, NE 68924-0097 • 308-743-2415 • Fax: 743-2417

CHAMBERS
PUBLIC SCHOOL

201 South A Street
Chambers, NE 68725

402-482-5233 *Phone*
Frank Jesse
Superintendent
Katie Waldo
Business Manager

402-482-5234 *Fax*
Brady Firley
Principal/Activities Director
Gina Pospichal
Counselor

www.chamberspublic.org

Todd Wolverton – Accreditation Specialist
Office of Accreditation, Certification, & Approval
500 S. 84th St., 2nd Floor
Lincoln, NE 68510-2611

Dear Mr. Wolverton,

Please consider this letter as Chamber's Plan of Correction for Section 010.01A – Annual Written Report. Previous annual reports provided by the district only included a brief summary of academic performance as it related to the Nebraska Department of Education's grading under the AQUEEST system. This information was provided in the distribution of the district newsletter and on the school website. A link to the Nebraska Education Profile (NEP) was also provided on the school website. The NEP provides information on our specific academic performance, student demographics, and financial aspects, but does not provide information on our school improvement goals.

To provide more transparency and to meet Rule 010.01A, the district will develop a detailed report that provides specific information on the districts school improvement goals, academic performance, student demographics and the district finances. This information will be included in the Coyote Connection Newsletter during the January publication. It will also be published in the January edition of the Sandhills Ties. Finally, this information will be available on our school website (www.chamberspublic.org) with an additional link to the NEP.

Copies of the Coyote Connection and Sandhills Ties will be provided to you after they are published in January.

If there is any additional information or actions that are required to ensure that Chambers is in full compliance with Rule 010.01A, please do not hesitate to contact to me.

Thank you.
Sincerely,



Frank Jesse, Superintendent

Cody Kilgore

Cody-Kilgore Unified Schools
360 W. 4th Street
P.O. Box 216
Cody, NE 69211
402-823-4117

December 2, 2025

Dear Accreditation Section,

In response to the areas of non-compliance identified in your letter, please find below Cody-Kilgore Public Schools' Plan of Correction outlining the actions we have taken or are in the process of taking to address each item.

004.01C – Curriculum and Standards (Library Science Program)

Our district has been actively collaborating with our newly certified librarian to develop a comprehensive K–12 library science program. This program will include clearly defined content and skills at each grade level, integrated support for reading standards, and scheduled weekly library access for students. Elementary students will additionally receive structured library instruction. Our librarian brings strong enthusiasm and recent training that will help us establish a fully aligned and effective program.

004.02C – K–6 Athletic Limitations

At the November Board of Education meeting, the district revised its K–6 athletic participation policy to ensure full compliance with Rule 10, 004.02C. The amended policy now restricts 6th-grade participation to instances in which there are 12 or fewer boys or girls combined in grades 7 and 8.

004.03C – Middle Grade Athletic Competitions

We have corrected the junior high boys' basketball schedule, which was one game over the maximum limit. The schedule has been reduced accordingly. Additionally, we have implemented monitoring procedures to ensure that volleyball, girls' basketball, and track remain within the allowable number of competitions going forward.

006.01B – New Library Resources

The district will be implementing a systematic rotation and budgeting process for acquiring new library materials, similar to our technology replacement cycle. This plan will ensure the annual purchase of at least 150 books at both the elementary and secondary levels, with the appropriate balance of print and electronic resources. We anticipate a larger initial investment this year to bring both libraries up to standard.

010.01A – Annual Written Report

Cody-Kilgore Public Schools will prepare and distribute an annual written report that includes all required components. Our intent is to release this report each year in late fall or early winter, aligning it with the availability of state assessment and performance data. A copy of the completed report will be shared with the community and submitted to the Accreditation Section as required.

Cody Kilgore

011.01B – Safety Plan (Recommendation)

We recognize the importance of maintaining an up-to-date and regularly reviewed safety plan. Going forward, the safety plan will include clearly documented review dates, and the administrative team will meet at least quarterly to ensure ongoing revision and implementation.

We have informed the Cody-Kilgore Board of Education of the identified violations and the corrective actions underway. The district is firmly committed to addressing each requirement promptly and to maintaining full compliance with Rule 10 standards. We appreciate your guidance and will continue to work closely with the Accreditation Section to ensure accountability and support for our students and community.

Sincerely,

Ryan Orrock

Superintendent of Schools

Cody-Kilgore Unified Schools

Crawford Public Schools

908 5th Street
Crawford, NE 69339

November 10, 2025

Decua Jean-Baptiste Ed.D.
Director of Accreditation
Nebraska Department of Education

Dear Decua Jean-Bapteist Ed.D.,

Thank you for sending the letter outlining the area of non-compliance for Crawford Public Schools. I have shared this information with my school board.

Area of Non-Compliance:

- **010.01A:** The school system must annually prepare a written report that includes, at a minimum, student academic performance (as outlined in Section 005.02), school system demographics, school improvement goals and progress, and—if applicable—financial information for public schools. This report must be submitted in accordance with the policy outlined in Section 010.01B.

I am currently working on creating an Annual Report for Crawford Public Schools. Once I have this complete, I will send it to your office for review. I will send it out to the public as soon as the AQuESTT Classifications are released on November 26, 2025, as I feel this is important information to share with my public. The Annual Report will be shared on our districts website, cpsrams.org, with the local newspaper, and on our district's social media pages.

I appreciate your help and understanding.

Keri Homan, Superintendent
Crawford Public Schools.

Keri Homan, Superintendent
keri.homan@cpsrams.org
308-665-1537
Fax: 308-665-1909

Matt Stetson, PK-12 Principal
matt.stetson@cpsrams.org
308-665-1531 or 308-665-1529
Fax: 308-665-1483

ELBA PUBLIC SCHOOLS
711 CAROLINE ST.
ELBA, NE 68835
(308) 863-2228
Fax: 308.863.2329
www.elbaps.org

"Small classes, big futures"

Bobby Kelley - Superintendent

Tim Potter - Principal

Logan Simmerman - AD1

Jason Folkers - Guidance Counselor

Elba Public Schools

Plan of Correction – Title 92, NAC, Chapter 10
Instructional Program and Curriculum Standards (004.01A–C)
Date: January 2026
Superintendent: Bobby Kelley

Purpose

This Plan of Correction addresses the identified violations of **004.01A–B (Instructional Program and Standards)** and **004.01C (Curriculum and Standards)** as cited by the Nebraska Department of Education (NDE) Accreditation Section. The plan includes **immediate corrective actions** to restore compliance and a **comprehensive curriculum and instructional overhaul** designed to ensure sustained compliance throughout the **2026–2027 school year and beyond**.

I. Immediate / Initial Fixes (Compliance Restoration – Spring & Summer 2026)

1. Board Notification and Transparency	**Action:** ● Inform the Elba Public Schools Board of Education of the accreditation violations and required corrective actions. ● Record the notification and discussion in official board minutes.	**Responsible Party:** Superintendent	**Timeline:** Next regularly scheduled board meeting (February 2026)
2. Interim Curriculum Alignment Documentation	**Action:** ● Conduct a rapid audit of existing curriculum materials for all required content areas. ● Create interim curriculum alignment documents that: ○ Identify Nebraska College- and Career-Ready Standards by content area and grade level.	**Responsible Party:** Superintendent, Building Principal(s), Teacher Leaders	**Timeline:** Completed within 90 days of notice

	○ Map existing instructional materials to the required standards. ○ Identify gaps requiring further revision.		
3. Instructional Program Assurance	**Action:** ● Document and communicate district-wide instructional expectations, including: ○ Use of standards-based instruction ○ Assessment practices ○ Intervention and support structures ● Ensure all instructional staff receive written guidance confirming expectations for standards-aligned instruction.	**Responsible Party:** Superintendent	**Timeline:** Within 90 days
4. Submission to NDE	**Action:** ● Submit this Plan of Correction to the NDE Accreditation Section.	**Responsible Party:** Superintendent	**Timeline:** Within two weeks of notification, with updates as actions are completed

II. Comprehensive Curriculum & Instructional Overhaul (Sustained Compliance – 2026–2027 School Year)			
5. Curriculum Development and Revision Cycle	**Action:** ● Establish a structured curriculum development process aligned with Title 92 requirements. ● Fully revise curriculum guides for all required content areas to include: ○ Nebraska standards alignment ○ Scope and sequence	**Responsible Party:** Superintendent, Curriculum Committee, Teaching Staff	**Timeline:** ● Development: Spring–Summer 2026 ● Final drafts completed by May 2027

	○ Instructional strategies ○ Assessment methods ○ Differentiation and intervention supports		
6. Board Approval of Curriculum	**Action:** ● Present revised curriculum documents to the Board of Education for formal approval. ● Maintain board-approved curriculum documentation on file and accessible to staff.	**Responsible Party:** Superintendent	**Timeline:** June 2027
8. Professional Development	**Action:** ● Provide ongoing professional development focused on: ○ Standards-based instruction ○ Curriculum implementation ○ Assessment alignment and instructional consistency	**Responsible Party:** Superintendent, Instructional Leaders	**Timeline:** Throughout the 2026–2027 school year
9. Monitoring and Continuous Improvement	**Action:** ● Implement an annual curriculum review cycle. ● Monitor instructional implementation through walkthroughs, staff collaboration, and data review. ● Adjust curriculum and instructional practices as needed to maintain compliance.	**Responsible Party:** Superintendent, Building Principal(s)	**Timeline:** Ongoing, with annual review each spring

Assurance of Compliance

Elba Public Schools is committed to providing a fully standards-aligned instructional program and curriculum in compliance with Title 92, Nebraska Administrative Code, Chapter 10. The district will implement both immediate corrective actions and a sustained system of curriculum review and instructional improvement to ensure continued accreditation and high-quality educational opportunities for all students.

ELMWOOD-MURDOCK PUBLIC SCHOOLS

Elementary School
400 West "F" Street
Elmwood, NE 68349
(402)-994-2125
FAX (402)994-2078

Trisha Nichelson
Elementary Principal/Special Education Director
tnichelson@emknights.org

Ryan Knippelmeyer
Superintendent
Athletic Director
rknippelmeyer@emknights.org

www.emknights.org

Jr./Sr. High School
300 Wyoming Street
Murdock, NE 68407
(402)867-2341
FAX (402)867-2009

Zach Barrett
Junior High/Senior High Principal
zbarrett@emknights.org

November 18, 2025

Dear Dr. Suiter,

Elmwood-Murdock Public Schools recognizes the following violations of Rule 10 and present the following corrective action plan.

004.01A-B: Instructional Program and Standards - Corrective Action Plan:

By August 2026, the district will work with teams of certified teachers, led by building principals and our ESU 3 instructional coach to align local curriculum with the Nebraska College and Career Readiness Standards. By May 2027, completed curriculum maps will include the topics and content covered, alignment to state standards, and a yearly instructional timeline. Finalized curriculum maps will be presented to the Elmwood-Murdock board of education by May 2027 and then will be submitted to NDE. Continuous review and updates to these curriculum maps will be built into the school district's annual professional development / school improvement plan.

004.01C: Curriculum and Standards - Corrective Action Plan:

Curriculum documents are incomplete for non-core content areas. Non-core content teachers will complete course outlines and curriculum maps aligned with appropriate state and national content standards by May 2027. Finalized curriculum maps will be presented to the Elmwood-Murdock board of education by May 2027 and then will be submitted to NDE. Continuous review and updates to these curriculum maps will be built into the school district's annual professional development / school improvement plan.

004.03A: Middle Grade Instruction - Missing Art for Grade 7 - Corrective Action Plan:

Our current Middle Grades instructional program does not include 7th grade Art. Beginning with the 2026-2027 school year, 7th grade Art will be built into the master schedule. A copy of that master schedule will be provided to NDE.

ELMWOOD-MURDOCK PUBLIC SCHOOLS

Elementary School
400 West "F" Street
Elmwood, NE 68349
(402)-994-2125
FAX (402)994-2078

Trisha Nichelson
Elementary Principal/Special Education Director
tnichelson@emknights.org

Ryan Knippelmeyer
Superintendent
Athletic Director
rknippelmeyer@emknights.org

www.emknights.org

Jr./Sr. High School
300 Wyoming Street
Murdock, NE 68407
(402)867-2341
FAX (402)867-2009

Zach Barrett
Junior High/Senior High Principal
zbarrett@emknights.org

010.01A: Annual Written Report - Missing School Improvement Goals and Progress:

Elmwood-Murdock Public Schools annually prepares a written report which includes student academic performance, school demographics, financial information, and school improvement goals and progress. In our past written report, our school improvement goals and progress were not up-to-date. In January 2026 and again in August 2026, our annual written report and Rule 10 Newsletter will be updated correctly to include a narrative on our school improvement goals and progress made towards those goals. Upon completion of the August 2026 Rule 10 Newsletter, a copy of both the January 2026 written report and August 2026 Rule 10 Newsletter will be provided to NDE.

Sincerely,

Ryan Knippelmeyer
Superintendent

FRANKLIN PUBLIC SCHOOLS
HOME OF THE FLYERS

Shelley Kahrs
Superintendent

Christie Stratman
Secondary Principal

Kelly Simmons
Elementary Principal

Date: December 18, 2025

To: Office of Accreditation, Certification, & Approval

Subject: Plan of Correction, Regulatory (Sections 004-012)

Dear Office of Accreditation, Certification, and Approval,

The regulatory violation (Sections 004-012) has been corrected and is submitted for your approval.

010.01A Annual Report

Sincerely,

Shelley Kahrs,

Superintendent

1001 M St, Franklin, NE 68939
308-425-6283(phone) 308-425-6553 (fax)
www.fpsflyers.org

Fullerton Public Schools
606 4th Street | P.O. Box 520 | Fullerton, NE 68638
Office (308) 536-2431 | Fax (308) 536-2432

Mrs. Lynn Johnson
Superintendent

Mr. Eric Burenheide
7-12 Principal/Activities Director

Mrs. Tammy Carlson
K-6 Principal

RULE 10 PLAN OF CORRECTION:

The following is our plan to address the deficiencies that were identified during our Rule 10 Compliance Visit dated 11/12/2025. The board of education was made aware of these deficiencies and the plan of correction via an email.

003.05 Graduation Requirements - We will amend our Student Handbook so that it reflects our current practice which is that it reads 'Personal Finance/Financial Literacy' and that it clearly articulates it as a Graduation Requirement. We will also introduce a new board policy 6005 - Academic Credits and Graduation. The board of education will take action on both of these changes in their December 8, 2025 meeting.

010.01A Annual Written Report - We will prepare an annual report with the requisite information that will be presented to the board of education for their approval in their January 2026 regular meeting. The annual report will be mailed out to our public via our newsletter and will be available on our website.

HAY SPRINGS PUBLIC SCHOOL
407 N. Baker Street
P.O. Box 280
Hay Springs, Nebraska 69347
Mr. George Clear, District Superintendent
Mrs. Tera Digmann, PK-12 Principal
Mrs. Nichole Marcy, Activities Director
Mrs. Emilee Wells, Counselor

Date: 25 November 2025

Dr. Jean-Baptiste,

After review of the letter you sent Hay Springs Public School on November 10, 2025, Hay Springs Public Schools is implementing the following steps to address the areas where the district is out of compliance.

004.01A The Hay Springs School Board will be presented and approve the Nebraska state content standards for use in all content areas during the January 12, 2026 regularly scheduled school board meeting. Furthermore, a copy of the approved content standards will be kept on file in the administrative office. Following the approval of the Nebraska content standards by the Hay Springs School Board, each teacher will be given a copy of the standards.

004.01B The Hay Springs School Board will be presented and approve the Nebraska academic content standards in reading and writing (language arts), mathematics, and science during the January 12, 2025 school board meeting. Once the content standards are approved, copies of the adopted standards will be given to the appropriate teachers.

004.01C The Hay Springs School Board will be presented and approve standards for all other areas of the curriculum including the Nebraska Fine Arts Standards during the January 12, 2026 regularly scheduled school board meeting. Hay Springs Public School will develop written descriptions for the library media and guidance programs by May 1, 2026

004.01F Hay Springs Public Schools standards and curriculum guides and frameworks will include multicultural education. These resources will be finalized by June 15, 2026.

010.01A Hay Springs Public Schools will have its Annual Written Report completed and presented the Hay Springs School Board at the regularly scheduled school board meeting on 9 March, 2026. Once the Annual Written Report is accepted by the Hay Springs School Board, the report will be released to the public.

Hay Springs Public Schools appreciates the opportunity to correct these deficiencies and looks forward to working with the accreditation office to make sure this doesn't occur again in the future.



George Clear

Superintendent

Hay Springs Public Schools

President Shane Van Pelt
Vice President Nate Spurling
Secretary Chad Hoffman
Treasurer Megan Pike
Member Dorinda Brown
Member Isaac Samuelson

HIGH PLAINS COMMUNITY
SCHOOLS
P.O. BOX 29
POLK, NE 68654

Jason Brown
Superintendent
402-765-2271
Fax: 402-765-7120

Micah Fisher
Jr/Sr High School Principal
402-765-3331
Fax: 402-765-7104

Bre Helgoth
PK-6 Elementary Principal
308-548-2216
Fax: 308-536-6985

Every Student, Every Day, Every Way!

http://www.hpcstorm.org
Follow HPC on Twitter @HPCStorm
High Plains Official Hashtag #hpcstorm

January 14, 2026

Dear Dr. Sandra Suiter,

After our discussion on the phone about what needs to be done to correct the compliance requirements and regulations for High Plains Community Schools, I wanted to follow up in writing. Having worked here for a year and a half, I am aware of the tasks that need to be addressed. We have a willing staff and administrative team that are dedicated to our students and the education they receive.

Coming into this school year, I knew that getting curriculum guides and written programs in place for our teachers was important. I knew that some curricular areas had them or were working on them, and others did not. When I put our professional development schedule together with ESU 7 and their staff development team, we made a plan to work on developing and fine-tuning our curriculum guides and program guides. At the professional development and in-service meetings, the staff developers from ESU 7 and the HPC administrators work with the teachers to align curriculum to state standards and identify priority standards.

Since we have spoken on the phone, our school board has been notified of the violation. They are in total support of getting this corrected. They support the administrative team in doing all things necessary to correct 004.01A-B Instructional Programs and Standards and 004.01C Curriculum and Standards.

The following is our plan to remedy the issue and get into compliance with Rule 10:

1. Continue to meet with all core teachers to develop and identify teaching programs and standards that align with the NDE State Standards.
2. Have all core teachers identify priority standards that must be taught within the academic calendar year.

3. Work with elective and non-core teachers to develop curriculum and standards to be followed in all non-core areas.
4. The building principals and the superintendent will review all program guides with the teachers to ensure standards are met.
5. This school year at the 7-12 building, Planbook was required for all teachers to be used weekly for lesson plans and to identify state standards within daily lesson plans. The elementary school teachers have been using Planbook for several years.
6. Over the summer, a new 7-12 principal will be starting at High Plains. She will be brought up to speed on this process. Staff who are needed to get the program and curriculum guides completed will be paid a stipend to get them done.
7. At the August 2026 board of education meeting, all program and curriculum guides will be board-approved.
8. At the August in-service meetings, teachers will review and have the opportunity to work with ESU 7 and HPC administrators to ensure they are ready for the upcoming school year.

If you have any questions or recommendations as we complete this process, please advise our school district and administration on how to improve. We always want what is best for our students and staff. We look forward to getting this completed to the expectations of the NDE.

Sincerely,

Jason Brown
Superintendent
High Plains Community Schools

Howells-Dodge Consolidated Schools

Howells Attendance Center:
418 May Street
P.O. Box 15
Howells, NE 68641-0159

Phone: (402) 986-1621
Fax: (402) 986-1261

Dodge Attendance Center:
209 Ash Street
P.O. Box 308
Dodge, NE 68633-0308

Phone: (402) 693-2207
Fax: (402) 693-2209

Mark Ernst, Superintendent
Zach Rosenboom, 7-12 Principal/A.D.
Christine Radcliff, Elementary Principal

October 6, 2025

Todd Wolverton – Accreditation Specialist
Office of Accreditation, Certification, & Approval
500 S. 84th St., 2nd Floor
Lincoln, NE, 68510-2611

Dear Mr. Wolverton,

This letter is in response to the Rule 10 compliance visit and the identified area of non-compliance requiring corrective action. During the visit, it was noted that our district did not have *Personal Finance* listed as a graduation requirement within the school board policy or student handbook, as required by Rule 10. While Howells-Dodge Consolidated Schools has long included Personal Finance as a graduation requirement, it was not formally documented in policy.

The district is taking immediate steps to correct this oversight. The inclusion of *Personal Finance* as a graduation requirement will be presented for approval at the upcoming school board meeting on **Wednesday, October 8th**. Following board approval, the updated policy and corresponding handbook language, along with the meeting minutes, will be submitted to the Nebraska Department of Education as evidence that the corrective action has been completed. This documentation will be provided no later than **Friday, October 10th**, by the end of the school day.

If you have any questions regarding this corrective action, please feel free to contact me at your convenience.

Sincerely,

Mark Ernst
HDC Superintendent
417 Center St.
Howells, NE 68641
P: (402) 986-1621
E: mernst@hdcjags.org

HYANNIS AREA SCHOOLS

East Highway 2
P.O. Box 286
Hyannis, NE 69350

Tel: (308) 458-2202
Fax: (308) 458-2227

"Home of the Longhorns"

To: Dr. Brian L. Maher, Commissioner of Education
Dr. Decua Jean-Baptiste

Date: 12/3/2025

From: Travis Hawk, Ed.S
Superintendent
Hyannis Area Schools

re: Plan of Correction
Rule 10 Violation

I am writing in response to the Rule 10 Violation identified by Dr. Decua Jean-Baptiste on Monday, November 24th. Our plan of correction is to more closely monitor our enrollment and if it approaches a total of 12 of one gender in grades 7 and 8 we will proactively apply for a waiver for 6th graders to continue to participate. We are a very small school district currently with 25 girls and boys in the 7th and 8th grades; typically we are below this number.

I appreciate your efforts to help work through this situation.

Travis Hawk

Home of the Vikings

Board of Education
Jerry Jaixen
Chad Anderson
Keith Runge

Lakeview Community Schools
3744 83rd Street
Columbus, NE 68601
Phone- 402-564-8518
Rick Meyer- Superintendent

Board of Education
Joy Escen
Eric Stuthman
Jeremy Sprunk

Date: 11/18/25
Superintendent: Rick Meyer
District: Lakeview Community Schools
Visit Date: November 12, 2025

Lakeview Community Schools respectfully submits the following Plan of Correction addressing the three areas identified as non-compliant during the Rule 10 accreditation review.

---

1. 004.02B – Kindergarten Admissions

Finding:
The district's existing Kindergarten Admissions policy does not include required Rule 10 language stating that any pre-entrance testing may only be conducted for (a) identification of a disability under 92 NAC 51, or (b) early entrance evaluations conducted pursuant to Neb. Rev. Stat. § 79-214(1)(b).

Corrective Action:
The district will revise its Kindergarten Admissions policy to include the following required language:

> "Testing prior to school entrance, if any, shall be conducted only to identify children with disabilities under 92 NAC 51 or to meet the requirements of subdivision (1)(b) of Neb. Rev. Stat. § 79-214 for early kindergarten admission."

Timeline:
The revised policy will be presented, reviewed, and adopted at the December 2025 regular meeting of the Lakeview Board of Education.

---

2. 010.01A – Annual Written Report

Finding:
The district's Annual Report did not include school improvement goals and progress toward those goals as required under Rule 10, Section 010.01A.

Corrective Action:
The district is currently developing the 2025 Annual Report and will add the required components, including:

- District and building-level school improvement goals, and
- Progress toward those goals.

The Annual Report will be completed prior to board adoption, shared publicly, and used consistently in future years to comply

O'NEILL PUBLIC SCHOOLS

Michael Rotherham, Superintendent
635 N 4th Street
O'Neill, NE 68763
Phone: (402) 336-3775 FAX: (402) 336-4890

Junior-Senior High School
402-336-1544
402-336-2812

Elementary School
402-336-1400

High School Guidance Counselor
402-336-2667

Activities Director Phone
402-336-1415
402-336-1105 fax

O'Neill Public School District
Corrective Action Plan
Nebraska Department of Education – Rule 10
(Monitoring Visit Response)

District: O'Neill Public School District
Monitoring Visit Date: 11/03/2025
Date Submitted: 01/06/2026
District Contact: Michael Rotherham

Areas of Noncompliance
Rule 10 Citation: 004.03A – Middle Grade Instruction
During the monitoring visit, the district was identified as not fully compliant with middle grade instructional offerings in the area of 8th grade art.
Rule 10 Citation: 005.01A–B – Assessment Plan
The district was identified as not fully compliant with assessment plan communication requirements.

Corrective Actions
004.03A – Middle Grade Instruction
Beginning with the 2026–2027 school year, O'Neill Public School District will revise the 8th grade quarter class rotation to ensure compliance with Rule 10. The district will eliminate Careers Education as a stand-alone quarter class and integrate the careers curriculum into an existing 8th grade quarter course, ensuring continued delivery of careers instruction.

This revision will allow for the implementation of Middle School Art as a quarter-long course within the regular school day. The art course will be taught by appropriately endorsed staff and will meet Rule 10 requirements for instructional time and curriculum alignment.

005.01A–B – Assessment Plan
O'Neill Public School District will update its Assessment Plan by adding a district Testing Schedule to the district website. The Testing Schedule will clearly communicate required state and local assessments and will be accessible to staff, students, and families.

Evidence of Correction

- Updated 8th grade master schedule and quarter rotation for the 2026–2027 school year
- Course descriptions and curriculum documentation for Middle School Art
- Documentation showing integration of the career's curriculum into an existing course
- Staff assignment and endorsement verification
- Screenshot or link demonstrating posting of the Testing Schedule on the district website

---

Assurance of Compliance
O'Neill Public School District assures the Nebraska Department of Education that all corrective actions outlined in this plan will be implemented prior to the start of the 2026–2027 school year and that the district will maintain compliance with Rule 10 §§004.03A and 005.01A–B.

Superintendent Signature: Michael O Rotherham

Date: Jan 6 - 2026

O'NEILL PUBLIC SCHOOLS

TESTING SCHEDULE

FALL

MAP
K - 11TH GRADE

DIBELS
K - 6TH GRADE

NOVEMBER

ASVAB
10TH GRADE

WINTER

MAP
3RD - 11TH GRADE

DIBELS
K - 6TH GRADE

SEMESTER TEST
9TH - 12TH GRADE

SPRING

MAP
K - 2ND GRADE

DIBELS
K - 6TH GRADE

PRE-ACT
9TH - 10TH GRADE

ACT
11TH GRADE

NSCAS
3RD - 8TH GRADE

SEMESTER TEST
9TH - 12TH GRADE

Pleasanton Public Schools

PO BOX 190 • 303 W Church Street

Pleasanton, NE 68866

Phone 308-388-2041 - Fax 308-388-5502

Nathan Lightle- Superintendent *Ricci Westland - Elementary Principal* *Jason Boyd - Jr./Sr. High School Principal*

Date: 8/25/25

RE: Response to Notice of Non-Compliance with Title 92 NAC Rule 10, Section 003 – Fabian Lopez

Dear Mr. Wolverton,

This letter serves as Pleasanton Public Schools' formal written response to the Notice of Non-Compliance dated August 25, 2025, regarding Fabian Lopez (State ID: 1163560771).

Actions Taken Upon Receipt of Notice

Upon receiving notification, Pleasanton Public Schools immediately removed Mr. Lopez from all duties involving instruction and supervision of students. Effective immediately, he is no longer serving as the teacher of record in any classroom until he receives an active Nebraska teaching permit.

To maintain continuity of instruction, Pleasanton Public Schools has implemented the following measures:

- Assigning a qualified substitute teacher in his classroom when needed, **or**
- Ensuring that another certified teacher is present to oversee instruction and student supervision.

Plan to Resolve Non-Compliance

Mr. Lopez has been instructed that he may not return to instructional or supervisory duties until his Nebraska teaching permit has been granted by the Department of Education. The district along with Jobs for Americas Graduates (JAG) will continue to monitor his status closely to ensure full compliance with Rule 10 requirements.

Timeline for Compliance

The district anticipates resolution of this matter once Mr. Lopez's application for a teaching

POTTER-DIX SCHOOLS

Growing Minds, Building Futures, Serving Communities

Elementary
304 Horrum St.
P. O. Box 149
Dix, NE 69133
308-682-5226
FAX 308-682-5227

Jr./Sr. High School
303 Walnut St.
P. O. Box 189
Potter, NE 69156
308-879-4434
FAX 308-879-4566

Web Page: www.pdcoyotes.org

Chris Arent
Superintendent/7-12 Principal
chris.arent@pdcoyotes.org

Lance Howitt
K-6 Principal/Activities Director
lance.howitt@pdcoyotes.org

Sarah Deeds
Guidance Counselor
sarah.deeds@pdcoyotes.org

Mr. Todd Wolverton
Nebraska Department of Education

RE: Rule 10 Plan of Correction - Potter-Dix Schools

November 13, 2025

Mr. Wolverton,

Please see below our response and plan for correcting the Rule 10 violations for Potter-Dix Schools. We appreciate your visit and have the opportunity to make our school district better through this process.

- **004.01A-B – Instructional Program and Standards** – A plan for curriculum development in all core content areas, K-12, needs to be developed. Work on that development should begin this school year.
- **004.01C – Curriculum and Standards** – Along with the core content, a written curriculum needs to be developed for all other content areas. For library media and guidance, a minimum of a detailed description of what is taught and provided to students needs to be developed. This will be completed no later than May 31, 2027.
    - We met as a school improvement/MTSS team on November 5. We have created a template (attached to the email) that staff will use to create mapping and pacing guides for all content areas taught in Potter-Dix Schools
    - We will provide professional time on Monday, February 16, 2026 and Tuesday, May 19, 2026 for staff to work on the mapping and pacing guides.
    - As work is completed we will add the mapping and pacing guides to our website
    - The new superintendent and school improvement team will decide future dates and timelines for completion of this important work.
- **006.01B – New Library Resources** – Evidence of the acquisition of new texts for the library needs to be provided in light of the requirements of the regulation.
    - The libraries at both sites are currently being updated with books being catalogued and moved as needed or removed as needed. Once this process is completed we will begin to order new books

permit has been processed and approved by NDE. Until that time, Pleasanton Public Schools will continue with the corrective measures outlined above to remain in compliance with all state regulations.

School Board Notification

This matter has already been informally presented to the board of education in the Superintendent's Weekly Update on Friday, August 22. 2025 and will be formally presented to the Pleasanton Public Schools Board of Education at our Regular Board Meeting on September 8, 2025.

Pleasanton Public Schools takes compliance with Title 92 NAC Rule 10 very seriously and remains committed to ensuring that all instructional staff meet Nebraska certification requirements. Please let me know if additional information or documentation is required.

Sincerely,



Nathan Lightle
Superintendent
Pleasanton Public Schools

MUSTANGS

Raymond Central Public Schools
1800 W Agnew Road | Raymond, NE 68428
402-785-2615 | www.rcentral.org

12/29/2025

Todd Wolverton,

To ensure compliance with policy 004.03A, when developing the schedule for the 2026–2027 school year, we will make certain that all courses are accessible to students across all middle school grade levels. Specifically, an art class option will be offered for 7th-grade students, providing them with opportunities to explore and develop their creative skills.

Thank You,

Bryon Hanson
Superintendent
Raymond Central Public Schools

Southern Valley School

JR. - SR. HIGH - 43739 Hwy 89 - Oxford, Ne 68967 - Phone (308) 868-2222
ELEMENTARY - 43737 Hwy 89 - Oxford, Ne 68967 - Phone (308) 868-9966
Bryce Jorgenson - Superintendent **Josh Lanik** - 7-12 Principal
Natalie Thiessen - Elementary Principal

December 23, 2025

Mr. Todd Wolverton,

The purpose of this letter is to inform the commissioner and yourself of the plan of correction for Southern Valley School following their Rule 10 visit. The district will ensure that the following corrections will be made:

1. 004.01C Curriculum and Standards - Guidance curriculum have been created and are on file. They have also been forwarded on to you for viewing. Library curriculum will be developed by February 1st to outline how our district instructs our students on our library and how to use it.

2. 004.03A Middle Grade Instruction - Art and Health will be offered to both 7th and 8th graders for the 2026-2027 school year. Once the schedule has been created for 2026-2027, we will forward that on to you.

3. The board will be informed of these violations and corrections at their January board meeting.

It is our district's intent to fully comply with Rule 10. We will have put in place other procedures to ensure that we stay in compliance with its rules and regulations. We will fully implement the above changes and ensure that they continue moving forward.

Sincerely,

Bryce Jorgenson
Superintendent
Southern Valley Public Schools

Thedford High School
304 Maple Street, PO Box 248
Thedford, NE 69166
Phone: 308-645-2614
Fax: 308-645-2618

Thedford Elementary School
407 Court Street, PO Box 248
Thedford, NE 69166
Phone: 308-645-2214
Fax: 308-645-2714

Blake Dahlberg, Superintendent *Adam Kuntz, Principal*

November 9, 2025

Todd Wolverton
Accreditation Specialist
Office of Accreditation, Certification, and Approval
500 South 84th Street, 2nd Floor
Lincoln, NE 68510-2611
(402) 219-2542
todd.wolverton@nebraska.gov

Mr. Wolverton,

Thank you for your time and the discussion we had during your Rule 10 Compliance visit last week. This letter is in response to the report from that visit with the detailed response the district to had to found non-compliance areas. Please accept this as evidence of our immediate action taken for 003.05 – Graduation Requirements and our Plan of Correction for 010.01A – Annual Written Report.

1. **003.05 – Graduation Requirements:** The Board will adopt board policy 6005 (included in this communication) during our next regular board meeting on November 17, 2025. They will also approve the update to the handbook (also included) at the same meeting and updated handbooks will be available on the school's website soon after.

2. **010.01A – Annual Written Report**: My understanding is that our Annual Report has included everything we need to include, except for demographic information of our students and progress on our Continuous Improvement Goals. In January of 2026, an updated Annual Written Report will be completed to share with the community that will include all required information. A copy of this report will be sent to you as soon as it is completed.

I also greatly appreciate your recommendation for 007.06A – Certificated Staff Evaluations. Mr. Kuntz and I have had a few conversations about this and will work towards updating our evaluation instrument.

If further information is needed, please do not hesitate to let me know. If I am supposed to send a separate response for each item, please let me know and I will update my letter.

Sincerely,

Blake Dahlberg
Superintendent/Principal
Thedford Public Schools

Wauneta-Palisade Public School

214 West Wichita, Box 368
Wauneta, NE 69045

Phone: 308-394-5427
Fax: 308-394-5962

11/18/2025
Todd Wolverton
Nebraska Department of Education
Rule 10 Compliance "Plan of Correction"

Wauneta-Palisade School District submits the following "Plan of Correction" in response to our Rule 10 Compliance visit on October 20, 2025:

- **004.01C - Curriculum and Standards** - Media Specialist Breanna Poe is in the process of finalizing and completing a District Document showing what is taught through our Library Curriculum to our students in terms of required library skills.
    - This district document will be completed prior to June 1, 2026

- **004.02C - K-6 Athletic Limitations** - This has been addressed by adopting the appropriate board policy, Policy 6285, at our November School Board Meeting (see attached policy and board minutes item VII.1).

- **010.01A - Annual Written Report** - Our Annual report is completed and attached. This report will be posted on our school website and available in the Superintendent's office for review upon request by the public as soon as the AQUESTT Data is released to the public later this year.

Please accept this "Plan of Correction" for Wauneta-Palisade School District.

Respectfully,

Randy Geier

Randy Geier, Superintendent

Instruction

Student Participation in Athletic Contests Between Schools

Students in kindergarten through sixth grade may not participate in school-sponsored athletic contests. Annual field or play days are excluded from this restriction.

Middle school extra-curricular activities are subject to the extra-curricular rules established by the Board of Education and administration.

Students in seventh and eighth grades may participate in interscholastic competitions subject to and in a manner consistent with the bylaws of the Nebraska School Activities Association. The scholastic eligibility rules for seventh and eighth grades shall be the same as established by the School Board for high school interscholastic competitions and, in the absence of such rules, shall be the minimum established by the Nebraska School Activities Association.

Legal Reference: NDE Rule 10.004.02C
Nebraska School Activities Association Middle Level Activities Bylaws, Article 9

Date of Adoption: 11/10/2025

WEEPING WATER PUBLIC SCHOOLS
204 WEST O STREET, PO BOX 206
WEEPING WATER NE 68463
PHONE: 402-267-2445 FAX: 402-267-5217

October 9, 2025

To whom it concerns,

This letter is in response to our formal notification of Weeping Water Public Schools Rule 10 violations of the following sections:

- **004.01A-B Instructional Program and Standards** - A structured and aligned curriculum needs to be developed for language arts, mathematics, and science that is aligned with Nebraska State Standards.
- **004.01C Curriculum and Standards** - A structured and aligned curriculum needs to be developed for all other content areas. A written description of library media skills need to be written.

Addressing item 004.01A-B Instructional Program and Standards
As of September 8, 2025, we have begun working with ESU 3 to begin the process of developing a written, structured, and aligned curriculum for language arts, mathematics, and science with the goal of completion in the fall of 2026. Our staff will be engaging in professional development with ESU 3 support to develop these written materials. Our staff is aware of these deficiencies and understand their roles to ensure a quality learning program for students and be in compliance.

Addressing item 004.01C Curriculum Standards
As of September 8, 2025, we have begun working to develop a structured and aligned curriculum for all subject areas, including a written description of the library media and guidance programs. We will utilize ESU 3 and our professional development to replicate the same process that we used for language arts, mathematics, and science. We have a goal of completion by the fall of 2026.

Please let me know if you have any questions or concerns with our corrective action plan. Our goal is to regain compliance in all content areas to best support our students.

Adrian Allen
Superintendent
(402) 267-2445
aallen@weepingwaterps.org

BOYS TOWN
Saving Children Healing Families

To: Dr. Sandra Suiter
From: Troy Wharton
Re: Rule 10 Action Plan 010.01B
Date: 9/23/25

Dear Dr. Suiter,

Thank you for working with Boys Town's administrative team through the Nebraska Department of Education Compliance Visit. As an administrative team, we have addressed 010.01B by updating Boys Town's Youth Services Charter to read as follows: At least annually, the Committee shall require the Superintendent of Schools to provide a written report on school performance in accordance with Nebraska Department of Education Rule 10. The report will be provided to the Committee and Youth Care Administration.

The Committee was informed of this violation on September 4, 2025. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Troy Wharton
Superintendent of Boys Town Schools
Troy.Wharton@Boystown.org
531-355-8308

Sandra M. Suiter, EdD
Office of Accreditation, Certification, & Approval
500 S 84th Street, 2nd Floor
Lincoln, NE 68510-2611

Dr. Suiter,

Pursuant to your letter dated October 29, 2025, OneSchool Global - Gothenburg Campus hereby offers this letter with our Plan of Correction to address **Title 92, Nebraska Administrative Code, Chapter 14.**

As recommended, we have contacted the local school district, Gothenburg Public Schools, to ask for support to maintain our approval status by the state of Nebraska. Dr. Allison Jonas has agreed to supervise and support our campus until a viable candidate is secured to replace our outgoing administrator.

In the meantime, OneSchool Global has assigned Dawn Merrill to oversee our campus until a replacement is found. She holds an Indiana Administrative License and met with the Nebraska Department of Education on 10/31/2025 to start the procedure of securing a Nebraska license to keep us in compliance until a replacement is found. The application was sent in today and it should be a quick process to get her approved.

We have actively launched a search for immediate replacement of the campus principal at our location. We will ensure that any successful candidate is fully credentialed by the state of Nebraska and meets all requirements for building administrators set out in the guidelines.

Please let us know if any further information or action is required. We will notify your office immediately upon the successful search for a new campus principal.

Kind Regards,



Bailey Kobs
Lead Teacher & Campus Office Administrator
OneSchool Global – Gothenburg Campus

SAINT COLUMBKILLE
CATHOLIC SCHOOL
224 E 5th St, Papillion, NE 68046 | 402-339-8706 | SAINTCOLUMBKILLESCHOOL.ORG

January 16, 2026

Dear Accreditation Team,

St. Columbkille Catholic School appreciates the guidance provided and submits the following Plan of Correction addressing the identified regulatory areas of non-compliance.

004.01C – Curriculum and Standards

Plan of Correction: St. Columbkille Catholic School is in the process of developing complete, written curriculum documents for Technology, Physical Education/Health. Teachers assigned to each content area are actively working on this curriculum piece. These documents will outline grade-level content across grade bands, learning objectives, and instructional topics.

For Guidance, a written description of the program will be developed outlining the scope of topics addressed across grade levels, including social-emotional learning, and student well-being.

The principal will oversee the completion and collection of all curriculum documents to ensure consistency and compliance.

Timeline: These documents will be completed during the 2025–2026 school year. Completed materials will be submitted to the Nebraska Department of Education in early February 2026.

006.01B – New Library Resources

Plan of Correction: St. Columbkille Catholic School will meet the requirement of acquiring a minimum of 150 new library titles through a purchasing and selection process. The school will partner with educational vendors including Bound to Stay Bound, Follett, and Gumdrop Books to purchase new library materials throughout the remainder of the school year. Proceeds from the annual Scholastic Book Fair will also be allocated toward the purchase of new titles.

To ensure library resources align with curricular needs, the school librarian will conduct a survey of teachers to identify curriculum areas and grade-level needs to guide the selection of new materials.

Additionally, Nebraska Access has been implemented for St. Columbkille Catholic School following the Rule 10 visit, expanding access to high-quality digital academic resources.

Timeline: The librarian will maintain an updated inventory of all new library acquisitions. As the school approaches the start of the 2026–2027 school year, an inventory of new titles will be submitted to the Nebraska Department of Education as evidence of compliance.Evidence to be Submitted: Vendor purchase records, Scholastic Book Fair purchase documentation, Nebraska Access confirmation, recent library inventory.

010.01A – Annual Written Report

Plan of Correction: St. Columbkille Catholic School produces an annual written report titled *State of the School*, which is shared with parents and school stakeholders.

Beginning with the current reporting cycle, the *State of the School* report will be updated to include a clearly defined student performance goal aligned with and drawn from the School Improvement Plan. The report will reference student performance goals and describe instructional practices and initiatives implemented to support student proficiency during the 2025–2026 school year. The focus will be on actions taken to support growth rather than reporting individual or disaggregated student data.

The principal will oversee the development and distribution of the annual report to ensure compliance with Nebraska Department of Education requirements.

Timeline: The updated *State of the School* report will be completed and shared with parents and stakeholders by the end of the 2025–2026 school year and submitted to the Nebraska Department of Education upon completion by the end of May 2026. Evidence to be Submitted: Copy of the *State of the School* report

010.01B – Policy for Performance Reports

Plan of Correction: St. Columbkille Catholic School has updated the Parent/Student Handbook to include a policy addressing the communication of student performance. The policy outlines the methods used to report student progress, including report cards, progress reports, and conferences. The policy also states that when assessment data are shared, student information will be kept confidential and individual student data will not be publicly disclosed.

Timeline: The updated handbook language was implemented and updated January 16, 2026.

Evidence to be Submitted: Excerpt from the Parent/Student Handbook

St. Columbkille Catholic School is committed to maintaining compliance with all accreditation requirements and appreciates the continued support of the Nebraska Department of Education.

Sincerely,



Tiffany Howard
Principal
St. Columbkille Catholic School

Plans of Corrections

Rule 10 School Systems

ADDITIONAL SCHOOLS SUBMITTING PLANS OF CORRECTIONS

(As of April 21st)

Public School Systems

- Harvard
- Loomis Public Schools
- Sutton Public Schools

Non-Public Accredited School Systems

- St. Bernard
- St. Pius X/Leo Elementary

ORIGINAL LIST OF SCHOOLS SUBMITTING POCS

Public School Systems

- Anselmo-Merna Public Schools
- Axtell Community Schools
- Chambers Public Schools
- Cody-Kilgore Public Schools
- Crawford Public Schools
- Elba Public Schools
- Elmwood-Murdock Public Schools
- Franklin Public Schools
- Fullerton Public Schools
- Hay Springs Public Schools
- Howells-Dodge Consolidated Schools
- Lakeview Community Schools
- O'Neill Public Schools
- Pleasanton Public Schools
- Potter-Dix Public Schools

- Raymond Central School
- Southern Valley Public Schools
- Thedford Public Schools
- Wauneta-Palisade Public Schools
- Weeping Water Public Schools

Non-Public Accredited School Systems

- N/A

Plans of Corrections

Rule 14 School Systems

- Boys Town
- One School Global

Rule 18

- N/A

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Approval of nonpublic schools for the 2026-2027 school year (PE.022026.005)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
On an annual basis the State Board of Education approves the operation of nonpublic schools in accordance with Rule 14 (92 NAC 14). Continued approval is granted for one school year from each July 1 through the following June 30. Renewal is granted based upon the school's compliance with this Chapter during the prior school year.

- The accreditation section monitors compliance with Rule 14 regulations by reviewing annual assurance statements, conducting on-site visits, and evaluating data submitted on required reports. Annual assurance statements are due November 1st and staff responds to any self-reported non-compliance by providing guidance and issuing a request for a corrective plan of action to meet the regulation(s) the following school year.
- Other reports that inform the accreditation section of compliance with Rule 14 are the Fall Personnel Report, which indicates proper certification of staff whose primary role is the instruction of students, and a curriculum report, which ascertains subject area requirements for the elementary, middle, and secondary grades.
- On-site compliance visits are also conducted on a regular basis. Accreditation staff collaborate closely with the Rule 14 school staff to affirm regulatory compliance and to provide recommendations as needed to strengthen school operations.

The State Board of Education approves nonpublic schools for continued operation in May for the following school year.

New Information:
- Approval of nonpublic schools for the 2026-2027 school year was submitted as a discussion item in March.

STATUTORY/POLICY REFERENCE:

- "N.R.S. § 79-318 State Board of Education; powers; duties (5), (c) establish rules and regulations which govern standards and procedures for the approval and legal operation of all schools in the state and for the accreditation of all schools requesting state accreditation. All public, private, denominational, or parochial schools shall either comply with the accreditation or approval requirements prescribed in this section and section 79-703."

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.1: Increased Postsecondary Access and Attainment*

Nonpublic schools contribute to the academic success of students throughout the state of Nebraska by equipping them to become learners for the workplace, learners for life and positive contributors to society.

PROPOSED BOARD MEETING (MONTH/YEAR): May, 2026

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 03.30.2026*

Nebraska Approved Nonpublic School Systems

In Accordance with Rule 14

"*Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*"

School Year 2026-2027

Secondary Grades and K-12 (Total 10)

City	School	Grades
Bellevue	Cornerstone Christian School	(K-12)
Bellevue	Quest Forward Academy	(9-12)
Gothenburg	OneSchool Global	(3-12)
Grand Island	Heartland Lutheran High School	(9-12)
Lincoln	College View Academy	(K-12)
Lindsay	Lindsay Academy	(7-12)
Omaha	Concordia Lutheran Schools	(K-12)
Omaha	Omaha Street School	(9-12)
Spalding	Spalding Academy	(K-12)
Waco	Nebraska Evangelical Lutheran	(K-12)

Elementary Grades (Total 82)

City	School	Grades	City	School	Grades
Alliance	Immanuel Evangelical Lutheran	(K-8)	Hoskins	Trinity Lutheran Schools	(K-8)
Alliance	St Agnes Academy	(K-8)	Juniata	Christ Lutheran Elementary School	(K-8)
Arlington	St Paul's Lutheran School	(K-8)	Kearney	Faith Christian School	(K-8)
Battle Creek	St John Lutheran School	(K-8)	Kearney	Zion Lutheran Elementary School	(K-8)
Beatrice	St Joseph Elementary School	(K-5)	Lincoln	Blessed Sacrament Catholic School	(K-8)
Beatrice	St Paul's Lutheran Elementary School	(K-5)	Lincoln	Cathedral of Risen Christ Elementary	(K-8)
Broken Bow	Custer Christian School	(K-6)	Lincoln	Children's Circle Montessori	(K)
Cairo	New Hope Christian Elementary	(K-8)	Lincoln	Child's View Montessori	(K)
Columbus	Christ Lutheran School	(K-8)	Lincoln	Christ Lincoln Schools	(K-6)
Columbus	Columbus Christian School	(K-8)	Lincoln	Faith Lutheran School	(K-5)
Columbus	Immanuel Lutheran School	(K-8)	Lincoln	George Stone School	(K-8)
Columbus	St John's Lutheran School	(K-8)	Lincoln	Messiah Lutheran Elementary School	(K-5)
Crete	St James Elementary School	(K-6)	Lincoln	North American Martyrs	(K-8)
Deshler	Deshler Lutheran Elementary School	(K-8)	Lincoln	St John's Elementary School	(K-8)
Fremont	Trinity Lutheran School	(K-8)	Lincoln	St Joseph Catholic School	(K-8)
Grand Island	Trinity Lutheran Elementary School	(K-8)	Lincoln	St Mark Lutheran School	(K-8)
Hastings	Zion Classical Academy	(K-8)	Lincoln	St Michael School	(K-8)
Holdrege	All Saints Catholic	(K-4)	Lincoln	St Patrick Catholic School	(K-8)
Holdrege	Legacy Christian School	(K-6)	Lincoln	St Peter Catholic School	(K-8)

March 2025

City	School	Grades	City	School	Grades
Lincoln	St Teresa Elementary School	(K-8)	Ord	St Mary's Elementary School	(K-6)
Lincoln	Trinity Kindergarten Program	(K)	Pierce	Zion Lutheran School	(K-8)
Lincoln	Trinity Lutheran Elementary School	(K-5)	Plainview	Zion Lutheran School	(K-6)
Madison	Trinity Lutheran School	(K-8)	Plattsmouth	St John the Baptist Elementary	(K-8)
McCook	St Patrick School	(K-8)	Plymouth	St Paul's Lutheran School	(K-8)
Norfolk	Christ Lutheran School	(K-8)	Polk	Immanuel Lutheran Elementary	(K-8)
Norfolk	St Paul's Lutheran School	(K-8)	Roca	Prairie Hill Learning Center	(K-8)
North Platte	Our Redeemer Lutheran Elementary	(K-8)	Scottsbluff	Community Christian School	(K-5)
Ogallala	St Luke Elementary School	(K-5)	Scottsbluff	St Agnes Elementary School	(K-5)
Ogallala	St Paul's Lutheran Elementary School	(K-5)	Scottsbluff	Valley View SDA School	(K-8)
Omaha	Dual Language Academy	(K-6)	Seward	St John Lutheran School	(K-8)
Omaha	Friedel Jewish Academy	(K-8)	Seward	St Vincent de Paul Catholic School	(K-8)
Omaha	Gethsemane Lutheran Elementary	(K-8)	Staplehurst	Our Redeemer Lutheran School	(K-8)
Omaha	Good Shepherd Elementary School	(K-8)	Sutton	Sutton Christian School	(K-8)
Omaha	Legacy School	(K-8)	Tecumseh	St Andrew Elementary School	(K-6)
Omaha	Lifegate Christian School	(K-8)	Utica	St Paul Lutheran School	(K-8)
Omaha	Montessori Children's Room	(K-6)	Wahoo	St Wenceslaus Elementary School	(K-6)
Omaha	Montessori Parents' Co-op	(K-6)	Waverly	Villa Marie School	(K-8)
Omaha	Noor Academy	(K-8)	West Point	St Paul Lutheran Elementary School	(K-8)
Omaha	Omaha Memorial School of SDA	(K-8)	Weston	St John Nepomucene Elementary	(K-6)
Omaha	Phoenix Academy Day School	(K-8)	York	Emmanuel-Faith Lutheran School	(K-8)
Omaha	St Mark Lutheran School	(K-5)	York	St Joseph Catholic School	(K-8)

(Total Approved Nonpublic School Systems 92)

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Approval of Interim-Program Schools for 2026-2027 school year (PE.022026.006)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
On an annual basis the State Board of Education approves the operation of interim-program schools in accordance with Rule 18 (92 NAC 18). Continued approval is granted for one school year from each July 1 through the following June 30. Renewal is granted based upon the school's compliance with this Chapter during the prior school year.

- The accreditation section monitors compliance with Rule 18 regulations by reviewing annual assurance statements, conducting on-site visits, and evaluating data submitted on required reports. Annual assurance statements are due November 1st and staff responds to any self-reported non-compliance by providing guidance and issuing a request for a corrective plan of action to meet the regulation(s) the following school year.
- Other reports that inform the accreditation section of compliance with Rule 18 are the Fall Personnel Report, which indicates proper certification of staff whose primary role is the instruction of students, and a curriculum report, which ascertains subject area requirements for the elementary, middle, and secondary grades.
- On-site compliance visits are also conducted on a regular basis. Accreditation staff collaborate closely with the Rule 18 school staff to affirm regulatory compliance and to provide recommendations as needed to strengthen school operations.

New Information:
- Approval of Interim-Program Schools for 2026-2027 school year was submitted as a discussion item in March.
- Approval of Interim-Program Schools for 2026-2027 school year was submitted as a discussion item in February.

STATUTORY/POLICY REFERENCE:

- "N.R.S. § 79-318 State Board of Education; powers; duties (5), (c) establish rules and regulations which govern standards and procedures for the approval and legal operation of all schools in the state and for the accreditation of all schools requesting state accreditation. All public, private, denominational, or parochial schools shall either comply with the accreditation or approval requirements prescribed in this section and section 79-703."

- *"N.R.S. §*79-1119.01. Interim-program school, defined. Interim-program school means a school approved by the State Board of Education and located in or operated by (1) a county detention home established under section 43-2,110, (2) a juvenile emergency shelter, or (3) any institution which is a public or private facility, not owned or operated by a school district, which provides a residential program and regular educational or special education services approved by the State Department of Education."

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.1: Increased Postsecondary Access and Attainment*

Rule 18 Interim Programs work in conjunction with public schools to contribute to the academic success of students throughout the state of Nebraska by equipping them to become learners for the workplace, learners for life and positive contributors to society.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST:

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 03.30.2026*

Interim-Program Schools

Operating Under Rule 18: *Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters*

School Year 2026-2027

Boys Town Interim Program Schools:

Boys Town Intervention & Assessment Home – Omaha
Boys Town Residential Treatment Center – Omaha
Boys Town Child and Adolescent Psychiatric Inpatient Center – Omaha

Geneva:

BEST Heartland

La Vista:

Patrick J. Thomas Juvenile Justice Center

Lincoln:

Child Guidance School
Morton School
Nebraska Youth Academy
Pathfinder Education Program

Madison:

Northeast Nebraska Juvenile Services, Inc.

Omaha:

CHI Immanuel PRTF
Douglas County Youth Center
NOVA Alternative School
Omaha Home for Boys School
Radius Omaha
Uta Halee Academy

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Shirley Vargas, Ed. L.D.
School Transformation Officer

PROPOSED AGENDA ITEM: Priority School Designation (PE.122025.002)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Priority School Designation

RATIONALE/BACKGROUND INFORMATION:
N.R.S. §79.760.06 requires the NDE to use multiple measures to create an accountability system that annually classifies schools into performance levels. Additionally, the State Board of Education is charged to "designate priority schools based on such classifications." Schools designated as Priority Schools must be in the lowest performance level at the time of initial designation and remain in priority status until the designation is removed by the State Board. As such, "no less than three schools may have a priority school designation at one time."

In June 2025, the Commissioner was directed to review the designation process and provide an update when ready. The revised Priority School Designation Process outlines clear communication with the superintendent and local school board president of the possible Priority Schools, a methodology for identification focused on academic performance indicators, a regular operating calendar, and the necessary exit criteria.

To resume with the identification of a Priority School, the State Board of Education will review school profiles of recommended schools and will take action in May.

STATUTORY/POLICY REFERENCE:
N.R.S. § 79-760.06 (3), "The state board shall designate priority schools based on such classification. Schools designated as priority schools shall be at the lowest performance level at the time of the initial priority school designation. Schools designated as priority schools shall remain priority schools until such designation is removed by the state board. No less than three schools may have a priority school designation at one time. Schools designated as priority schools shall be subject to the requirements of section 79-760.07."

STRATEGIC PLAN ALIGNMENT:

- Strategic Priority 1: Accelerate Student Achievement
  - Strategic Outcome 1.1: Improved Student Achievement
  - Strategic Outcome 1.2: Reduced Chronic Absenteeism

- Strategic Priority 3: Equip Learners for the Workforce
    - Strategic Outcome 3.1: Increased Postsecondary Access and Attainment

The Priority School Designation directly connects to the strategic plan by supporting school teams with increasing student achievement and equipping learners for the workforce.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: NA

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: (*--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

(--Following the funding source, include a statement that indicates if/how the activity is part of an annual budget or allocation, or, approved as an activity for a grant. For example, "The funds for this contract are budgeted in the Office's annual allocation of state funds." Another example, "The funds for this activity are included in the grant award for this program.")

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- Describe the grantee selection process:

**Updated 03.30.2026*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Accreditation of public and non-public Rule 10 school systems for 2026-2027 (PE.032026.002)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
On an annual basis the State Board of Education accredits all public-school districts in Nebraska that provide elementary and/or secondary instruction to children of compulsory attendance age. Accredited school systems are also considered to be approved for legal operation for purposes of state law. Approved private or parochial schools are eligible to apply for and maintain accreditation under the provisions of 92 NAC 10.

The accreditation section annually monitors compliance with Rule 10 regulations by reviewing Annual Accreditation Compliance Reports, a review of staff qualifications, and other relevant documents. If no violations are found, the Commissioner will make a recommendation to the State Board of Education that accreditation status is renewed. Upon favorable action by the Board, accreditation is granted for one school year from each July 1 through June 30. Renewal is granted based upon compliance with Rule 10 during the prior school year.

New Information:

- Accreditation of Public and Nonpublic Accredited school systems for the 2026-2027 school year was submitted as an information item in March.

STATUTORY/POLICY REFERENCE:

- "N.R.S. § 79-318 State Board of Education; powers; duties. (5), (c) establish rules and regulations which govern standards and procedures for the approval and legal operation of all schools in the state and for the accreditation of all schools requesting state accreditation. All public, private, denominational, or parochial schools shall either comply with the accreditation or approval requirements prescribed in this section and section 79-703."

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.1: Increased Postsecondary Access and Attainment*

Good life, Great Schools and Excellent Education is embodied in the accrediting of Nebraska public and non-public accredited schools. Accelerating student achievement and equipping learners for the workforce is greatly impacted by a school being able to meet the requirements and regulations within Rule 10.

PROPOSED BOARD MEETING (MONTH/YEAR): **May 2026**

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 03.30.2026*

Nebraska Accredited School Systems

In Accordance with Rule 10

"Regulations and Procedures for the Accreditation of Schools"

2026-2027 School Year

Class II through V School Districts (Total 244)

Adams Central Public Schools
Ainsworth Community Schools
Allen Consolidated Schools
Alliance Public Schools
Alma Public Schools
Amherst Public Schools
Anselmo-Merna Public Schools
Ansley Public Schools
Arapahoe Public Schools
Arcadia Public Schools
Arlington Public Schools
Arnold Public Schools
Arthur County Schools
Ashland Greenwood Schools
Auburn Public Schools
Aurora Public Schools
Axtell Community Schools
Bancroft-Rosalie Community Schools
Banner County Public Schools
Battle Creek Public Schools
Bayard Public Schools
Beatrice Public Schools
Bellevue Public Schools
Bennington Public Schools
Bertrand Public Schools
Blair Community Schools
Bloomfield Community Schools
Blue Hill Community Schools
Boone Central Schools
Boyd County Schools
Brady Public Schools
Bridgeport Public Schools
Broken Bow Public Schools
Bruning-Davenport Unified
Burwell Public Schools
Callaway Public Schools
Cambridge Public Schools
Cedar Bluffs Public Schools
Centennial Public Schools
Central City Public Schools
Central Valley Public Schools
Centura Public School
Chadron Public Schools
Chambers Public Schools
Chase County Schools
Clarkson Public Schools
Cody-Kilgore Public School
Columbus Public Schools
Conestoga Public Schools
Cozad Community Schools
Crawford Public Schools
Creek Valley Schools
Creighton Community Public Schools
Crete Public Schools
Crofton Community Schools
Cross County Community Schools
David City Public Schools
Deshler Public Schools
Diller-Odell Public Schools
Doniphan-Trumbull Public Schools
Dorchester Public Schools
Douglas County West
Dundy County-Stratton Public Schools
East Butler Public Schools
Elba Public Schools
Elgin Public Schools
Elkhorn Public Schools
Elkhorn Valley Schools
Elm Creek Public Schools
Elmwood-Murdock Public Schools
Elwood Public Schools
Emerson-Hubbard Public School
Eustis-Farnam Public Schools
Exeter-Milligan-Friend Public Schools
Fairbury Public Schools
Falls City Public Schools
Fillmore Central Public Schools
Fort Calhoun Community Schools
Franklin Public Schools
Freeman Public Schools
Fremont Public Schools
Fullerton Public Schools
Garden County Schools
Gering Public Schools
Gibbon Public Schools
Giltner Public Schools
Gordon-Rushville Schools
Gothenburg Public Schools
Grand Island Public Schools
Gretna Public Schools
Hampton Public School
Hartington-Newcastle Public Schools
Harvard Public Schools
Hastings Public Schools
Hay Springs Public Schools
Hayes Center Public Schools
Heartland Community Schools
Hemingford Public Schools
Hershey Public Schools
High Plains Community Schools
Hitchcock County School System
Holdrege Public Schools
Homer Community Schools
Howells-Dodge Consolidated Schools
Humboldt Table Rock Steinauer
Humphrey Public Schools
Hyannis Area Schools
Isanti Community School
Johnson County Central Public Schools
Johnson-Brock Public Schools
Kearney Public Schools
Kenesaw Public Schools
Keya Paha County Schools
Kimball Public Schools
Lakeview Community Schools
Laurel-Concord-Coleridge Public Schools
Lawrence Nelson Public Schools
Leigh Community Schools
Lewiston Consolidated Schools
Lexington Public Schools
Leyton Public Schools
Lincoln Public Schools
Litchfield Public Schools
Logan View Public Schools
Loomis Public Schools
Louisville Public Schools
Loup City Public Schools
Loup County Public Schools
Lyons-Decatur Northeast
Madison Public Schools
Malcolm Public Schools
Maxwell Public Schools

Maywood Public Schools
McCook Public Schools
McCool Junction Public Schools
McPherson County Schools
Mead Public Schools
Medicine Valley Public Schools
Meridian Public Schools
Milford Public Schools
Millard Public Schools
Minatare Public Schools
Minden Public Schools
Mitchell Public Schools
Morrill Public Schools
Mullen Public Schools
Nebraska City Public Schools
Neligh-Oakdale Public Schools
Newman Grove Public Schools
Niobrara Public Schools
Norfolk Public Schools
Norris School District 160
North Bend Central School District
North Platte Public Schools
Northwest Public Schools
Oakland Craig Public Schools
Ogallala Public Schools
Omaha Public Schools
O'Neill Public Schools
Ord Public Schools
Osceola Public Schools
Osmond Community Schools
Overton Public Schools
Palmer Public Schools
Palmyra District OR-1
Papillion-LaVista Public Schools
Pawnee City Public Schools
Paxton Consolidated Schools
Pender Public Schools
Perkins County Schools
Pierce Public Schools
Plainview Public Schools
Plattsmouth Community Schools
Pleasanton Public Schools
Ponca Public Schools
Potter-Dix Public Schools
Ralston Public Schools
Randolph Public Schools
Ravenna Public Schools
Raymond Central School
Red Cloud Community Schools
Riverside Public Schools
Rock County Schools
Sandhills Public Schools
Sandy Creek Public Schools
Sargent Public Schools
Schuyler Community Schools
Scottsbluff Public Schools
Scribner-Snyder Community Schools
Seward Public Schools
Shelby-Rising City Public Schools
Shelton Public Schools
Shickley Public Schools
Sidney Public Schools
Silver Lake Public Schools
Sioux County Public Schools
South Platte Public School
South Sioux City Community Schools
Southern School District 1
Southern Valley Schools
Southwest Public Schools
Springfield Platteview Community Schools
St Edward Public Schools
St Paul Public School
Stanton Community Schools
Stapleton Public Schools
Sterling Public Schools
Stuart Public Schools
Summerland Public Schools
Sumner-Eddyville-Miller Schools
Superior Public Schools
Sutherland Public Schools
Sutton Public Schools
Syracuse-Dunbar-Avoca Public Schools
Tekamah-Herman Schools
Thayer Central Community Schools
Thedford Public Schools
Tri County Public Schools
Twin Rivers Public Schools
Umo Ho Nation Public School
Valentine Community Schools
Verdigre Public School
Wahoo Public Schools
Wakefield Public Schools
Wallace Public School District 65R
Walthill Public Schools
Wauneta-Palisade Public Schools
Wausa Public Schools
Waverly School District 145
Wayne Community Schools
Weeping Water Public Schools
West Holt Public Schools
West Point Public School
Westside Community Schools
Wheeler Central Schools
Wilber-Clatonia Public Schools
Wilcox-Hildreth Public Schools
Winnebago Public Schools
Winside Public Schools
Wisner-Pilger Public Schools
Wood River Rural Schools
Wynot Public Schools
York Public Schools
Yutan Public Schools

Accredited Nonpublic Schools (Total 78)

City	School	Grades
Albion	St Michael's Elementary School	(K-8)
Atkinson	St Joseph's School	(K-8)
Bellevue	Daniel J Gross High School	(9-12)
Bellevue	St Mary Elementary School	(K-8)
Boys Town	Boys Town Schools	(K-12)
Central City	Nebraska Christian Schools	(K-12)
Clarkson	St John Neumann Elementary	(1-6)
Columbus	Scotus Central Catholic	(7-12)
Columbus	St Anthony/Bonaventure	(K-8)
Columbus	St Isidore Elementary School	(K-6)
Creighton	St Ludger Elementary School	(K-6)
Crofton	St Rose of Lima Elementary School	(1-8)
David City	Aquinas Catholic Schools	(K-12)
Elgin	Pope John XXIII Central Catholic	(K-12)
Elkhorn	Mt Michael Benedictine HS	(9-12)
Elkhorn	St Patrick's Catholic School	(K-8)
Falls City	Sacred Heart Schools	(K-12)
Fremont	Archbishop Bergan School	(K-12)
Grand Island	Grand Island Central Catholic	(K-12)
Hartington	Cedar Catholic High School	(7-12)
Hartington	East and West Catholic School	(K-8)
Hartington	Holy Trinity Elementary School	(K-6)
Hastings	Hastings Catholic Schools	(K-12)
Howells	Howells Community Catholic	(K-6)
Humphrey	Archangel Catholic High School	(7-12)
Humphrey	St Francis Elementary School	(K-6)
Kearney	Kearney Catholic Schools	(6-12)
Lincoln	Lincoln Christian Schools	(K-12)
Lincoln	Lincoln Lutheran MS/HS	(6-12)
Lincoln	Parkview Christian	(K-12)
Lincoln	Pius X High School	(9-12)
Lindsay	Holy Family School	(1-6)
Madison	St Leonard's Elementary School	(K-6)
Nebraska City	Neb. City Lourdes Central Catholic	(K-12)
Norfolk	Lutheran High Northeast	(9-12)
Norfolk	Norfolk Catholic Schools	(K-12)
North Platte	North Platte Catholic Schools	(K-12)
Omaha	All Saints Catholic Schools	(K-8)
Omaha	Brownell Talbot College Prep School	(K-12)
Omaha	Christ the King Catholic School	(K-8)
Omaha	Creighton Preparatory School	(9-12)
Omaha	Dual Language Academy	(K-8)
Omaha	Duchesne Academy	(9-12)
Omaha	Holy Cross Catholic School	(K-8)
Omaha	Holy Name School	(K-8)
Omaha	Jesuit Academy	(4-8)
Omaha	Marian High School	(9-12)
Omaha	Mary Our Queen Elementary	(K-8)
Omaha	Mercy High School	(9-12)
Omaha	Nelson Mandela School	(K-6)
Omaha	Omaha Christian Academy	(K-8)
Omaha	Omaha Christian High School	(9-12)
Omaha	Our Lady of Lourdes Elementary	(K-8)
Omaha	Roncalli Catholic High School	(9-12)
Omaha	Sacred Heart Elementary School	(K-8)
Omaha	Skutt Catholic High School	(9-12)
Omaha	St Bernadette Catholic School	(K-8)
Omaha	St Bernard Elementary School	(K-8)
Omaha	St Cecilia Cathedral School	(K-8)
Omaha	St James-Seton Elementary School	(K-8)
Omaha	St Margaret Mary Elementary	(K-8)
Omaha	St Philip Neri Elementary School	(K-8)
Omaha	St Pius X/St Leo Elementary	(K-8)
Omaha	St Robert Bellarmine Elementary	(K-8)
Omaha	St Stephen the Martyr	(K-8)
Omaha	St Thomas More Elementary	(K-8)
Omaha	St Vincent dePaul Elementary	(K-8)
Omaha	St Wenceslaus School	(K-8)
Omaha	Sts Peter & Paul Elementary	(K-8)
O'Neill	St Mary's Schools	(K-12)
Osmond	St Mary Elementary School	(K-8)
Papillion	St Columbkille Catholic School	(K-8)
Ralston	St Gerald Elementary School	(K-8)
Wahoo	Bishop Neumann High School	(7-12)
Wayne	St Mary Elementary School	(K-6)
West Point	Guardian Angels Central Catholic	(K-12)
Winnebago	St Augustine Elementary School	(K-8)

Special Purpose Schools (Total 5)

City	School
Chadron	Pine Ridge Job Corps
Hastings	West Hastings Schools
Kearney	West Kearney High School
Lincoln	University of Nebraska High School
Omaha	Nebraska Correctional Youth Facility

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Dr. Decua Jean-Baptiste, Director of Accreditation

PROPOSED AGENDA ITEM: Accreditation of Nebraska Educational Service Units for 2026-2027 (PE.032026.003)

AGENDA ITEM TYPE (contract/grant/rule/program/other): other

RATIONALE/BACKGROUND INFORMATION:
On an annual basis the State Board of Education accredits Educational Service Units (ESU) in accordance with Rule 84 (92 NAC 84). Accreditation is granted based on the ESU's performance during the immediate preceding period of accreditation.

- The accreditation section annually monitors compliance with Rule 84 regulations by reviewing Annual Accreditation Compliance Reports, a review of staff qualifications, and other relevant documents. Nebraska Department of Education staff responds to any areas of non-compliance by providing guidance and/or issuing a request for a corrective plan of action to meet the regulation(s) the following school year.
- ESUs are required to develop and implement a continuous improvement process which includes an on-site visitation by an external team to review the process at least once every five years. Accreditation staff collaborate closely with ESU staff to affirm regulatory compliance and to provide recommendations as needed to strengthen operations.

The State Board of Education approves accreditation of Educational Service Units for continued operation in June for the following school year.

New Information:
- Accreditation of Educational Service Units for 2026-2027 school year was submitted as an information item in March.

STATUTORY/POLICY REFERENCE:

- "N.R.S. § 79-318 State Board of Education; powers; duties. (6) Adopt and promulgate rules and regulations for the guidance, supervision, accreditation, and coordination of educational service units."
- Title 92 NAC 002.07 ESU shall mean an educational service unit of the State of Nebraska.

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 3: Equip Learners for the Workforce*
  - *Strategic Outcome 3.1: Increased Postsecondary Access and Attainment*

Educational Service Units contribute to the academic success of students throughout the state of Nebraska by supporting school systems with additional or necessary resources school systems may not be able to provide to students, staff or communities directly.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: N/A

FOR CONTRACTS AND GRANTS: N/A

- Indicate the Funding Source: *(--e.g., Federal, State)*
- New or Renewal:
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT: N/A

- Indicate the method of procurement:
- Rationale for method of procurement:
- Rationale for contractor selection:

FOR GRANT SUBAWARDS: N/A

- Describe the grantee selection process:

**Updated 03.30.2026*

EDUCATIONAL SERVICE UNITS

In accordance with Rule 84
"Regulations for Educational Service Units"

School Year 2026-2027

Educational Service Unit 1
Wakefield

Educational Service Unit 2
Fremont

Educational Service Unit 3
LaVista

Educational Service Unit 4
Auburn

Educational Service Unit 5
Beatrice

Educational Service Unit 6
Milford

Educational Service Unit 7
Columbus

Educational Service Unit 8
Neligh

Educational Service Unit 9
Hastings

Educational Service Unit 10
Kearney

Educational Service Unit 11
Holdrege

Educational Service Unit 13
Scottsbluff

Educational Service Unit 15
Trenton

Educational Service Unit 16
Ogallala

Educational Service Unit 17
Ainsworth

Educational Service Unit 18
Lincoln

Educational Service Unit 19
Omaha

(Seventeen Nebraska Educational Service Units)

June 2026

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

STATE BOARD OF EDUCATION
RULES AND REGULATIONS COMMITTEE REPORT

Date: May 7, 2026

The Rules and Regulations Committee reports on the May 7, 2026, meeting of the committee. Members present were vice chair Kirk Penner, Liz Renner, and Elizabeth Tegtmeier.

Committee members reviewed the Report on Rules.

Committee members reviewed revisions to Rule 11, Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants. The public hearing was held on April 27, 2026. The committee recommends approval of this item.

NDE staff provided information on potential revisions to Rule 6, Regulations and Standards for Uniform Sharing of Student Data, Records and Information.

NDE staff provided information on potential revisions to Rule 19, Regulations Regarding School Enrollment.

NDE staff provided information on potential revisions to Rule 55, Rules of Practice and Procedure for Due Process Hearings in Special Education Contested Cases.

NDE staff provided information on potential revisions to Rule 59, Regulations for School Health and Safety.

This concludes the Rules and Regulations Committee report.

Kirk Penner, Vice Chair
*Submit a printed copy to the Committee Chair and email to the Recording Secretary.

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

To: Dr. Brian L. Maher, Commissioner of Education

From: Ami M. Huff, General Counsel

Date: April 28, 2026

Subject: Report on Rules

Awaiting Approval by the Governor

Revision - Title 92, Nebraska Administrative Code, Chapter 20, *Regulations for the Approval of Educator Preparation Programs*

Posted for Public Input:	July 8-22, 2025
Public Hearing held:	October 24, 2025
Approved by the State Board of Education:	December 5, 2025
Approved by the Attorney General:	February 2, 2026
Approved by the Governor:	
Effective Date:	

Revision - Title 92, Nebraska Administrative Code, Chapter 47, *Regulations for Career Academy Programs Established by School Districts*

Public Hearing held:	November 24, 2025
Approved by the State Board of Education:	December 5, 2025
Approved by the Attorney General:	February 3, 2026
Approved by the Governor:	
Effective Date:	

Revision - Title 92, Nebraska Administrative Code, Chapter 51, *Regulations and Standards for Special Education Programs*

Posted for Public Input:	October 22-28, 2025
Public Hearing held:	December 17, 2025
Approved by the State Board of Education:	January 9, 2026
Approved by the Attorney General:	April 22, 2026
Approved by the Governor:	
Effective Date:	

Revision - Title 92, Nebraska Administrative Code, Chapter 89, *Regulations and Procedures to Incentivize ~~for the Education Innovation Fund Program~~ –Distance Education ~~Equipment Reimbursement and Incentives~~*

Public Hearing held:	November 6, 2025
Approved by the State Board of Education:	December 5, 2025

Approved by the Attorney General: March 6, 2026
Approved by the Governor:
Effective Date:

Awaiting Approval by the Attorney General

Revision - Title 92, Nebraska Administrative Code, Chapter 13, *Regulations and Procedures for Exempting Schools for which Parents Elect Not to Meet Legal Requirements for School Approval and Accreditation*
Public Hearing held: December 19, 2025
Approved by the State Board of Education: January 9, 2026
Approved by the Attorney General:
Approved by the Governor:
Effective Date:

Revision – Title 92, Nebraska Administrative Code, Chapter 24, *Regulations for Certificate Endorsements*
Posted for Public Input: December 3-17, 2025
Public Hearing held: February 20, 2026
Approved by the State Board of Education: March 6, 2026
Approved by the Attorney General:
Approved by the Governor:
Effective Date:

Hearings held – Awaiting Approval by the Board

Revision - Title 92, Nebraska Administrative Code, Chapter 11, *Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*
Public Hearing held: April 27, 2026
Approved by the State Board of Education:
Approved by the Attorney General:
Approved by the Governor:
Effective Date:

Information Items for May Rules and Regulations Committee Meeting

Revision - Title 92, Nebraska Administrative Code, Chapter 6, *Regulations and Standards for Uniform Sharing of Student Data, Records and Information*

Revision - Title 92, Nebraska Administrative Code, Chapter 19, *Regulations Regarding School Enrollment*

Revision - Title 92, Nebraska Administrative Code, Chapter 55, *Rules of Practice and Procedure for Due Process Hearings in Special Education Contested Cases*

Revision - Title 92, Nebraska Administrative Code, Chapter 59, *Regulations for School Health and Safety*

Other Rules in the Revision Process

Revision - Title 92, Nebraska Administrative Code, Chapter 10, *Regulations and Procedures for the Accreditation of Schools*

Revision - Title 92, Nebraska Administrative Code, Chapter 14, *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*

Repeal - Title 92, Nebraska Administrative Code, Chapter 17, *Regulations Governing the Approval of Alternative Schools, Classes, or Programs for Expelled Students*

Revision - Title 92, Nebraska Administrative Code, Chapter 27, *Regulations and Standards for Professional Practices Criteria*

Revision - Title 92, Nebraska Administrative Code, Chapter 28, *Professional Practices Investigations, Hearings, and Determinations by the State Board*

Revision - Title 92, Nebraska Administrative Code, Chapter 52, *Regulations and Standards for the Provision of Early Intervention Services*

Revision - Title 92, Nebraska Administrative Code, Chapter 71, *Procedures for Formal Review of Vocational Rehabilitation Determinations*

Repeal - Title 92, Nebraska Administrative Code, Chapter 72, *Cost Sharing and Cost Containment Rules for Vocational Rehabilitation Services*

Revision - Title 92, Nebraska Administrative Code, Chapter 91, *Regulations Governing Driver Qualifications and Operational Procedures for Pupil Transportation Vehicles*

Revision - Title 92, Nebraska Administrative Code, Chapter 92, *Regulations Governing the Minimum Equipment Standards and Safety Inspection Criteria for Pupil Transportation Vehicles*

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

PROPOSED AGENDA ITEM RATIONALE

DATE: April 22, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Melody Hobson, Administrator, Office of Early Childhood Education

PROPOSED AGENDA ITEM: Action: Adopt proposed revisions to Rule 11: Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants (RR 022025.002)

AGENDA ITEM TYPE: Rule

RATIONALE/BACKGROUND INFORMATION:

- The State Board of Education approved revisions to Rule 11: Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and For the Issuance of Early Childhood Education Grants) which became effective in March 2020.
- In June of 2024, The Office of Early Childhood Education began working on revising the current rule.
- Input was sought from school district staff, educational service units (ESUs), and partnering entities including the Sixpence Board of Trustees.
- Summary of input on the revisions was brought to the Rules and Regulations committee in August 2025 and the committee recommended proceeding with a hearing draft.
- The following are the proposed changes to Rule 11 contained within the hearing draft:
    - The definition of a prekindergarten program has been revised to be inclusive of kindergarten eligible children pursuant to Neb. Rev. Stat. §§ 79-1101 to 79-1103
    - The definition of instructional time was changed to include home visits as instructional time, (Section 002.21)
    - The requirement that curriculum be consistent with the science of reading has been added. (Section 005.03)
    - Wording was added to clarify that children in prekindergarten programs may not be suspended pursuant to Neb. Rev. Stat.§ 79-265.01, and that each school district shall develop and implement a policy which shall include alternatives to suspension. (Section 005.02A13)
    - The Rule 11 teacher waiver process was simplified. (Section 003.02)
    - A category of classroom staffing entitled "teacher assistant" was added. Wording was added to indicate that a teacher assistant can the employed in the before and after school hours and in infant and toddler classrooms under some conditions. (Section 005.05B)
    - Early childhood para-educator requirements were changed to match federal requirements for para-educators. (Section 005.05C)

- The Rule 11 hearing was held on Wednesday, October 15. Technical Difficulties required a second opportunity to provide testimony about the draft. The additional hearing was held on Monday, October 20. Submission of the rule with attachments to the Attorney General's Office and changes in N.S.S § 79-265.01 (2)(b) required an additional hearing. That hearing was held on April 27, 2026.
-
- Attachments:
    - Hearing summary
    - Hearing draft of Rule 11
    - Fiscal impact statement

STATUTORY/POLICY REFERENCE:

- N.R.S.§ 79-1104.(2 2) Prekindergarten programs established by school boards or educational service units shall be approved by the State Department of Education subject to regulations adopted and promulgated by the State Board of Education and may include such components as (a) the utilization of appropriately qualified staff, (b) an appropriate child-to-staff ratio, (c) appropriate group size, (d) compliance with minimum health and safety standards, (e) appropriate facility size and equipment, (f) a strong family development and support component, (g) developmentally and culturally appropriate curriculum, practices, and assessment, (h) well-defined language development and early literacy emphasis, and (i) a plan for ongoing professional development of staff, all in accordance with sound early childhood educational practice, research, and evaluation. All teachers and administrators in prekindergarten programs established pursuant to this section shall hold a valid certificate or permit issued pursuant to sections 79-806 to 79-815, except that the State Board of Education may adopt and promulgate rules and regulations that exempt a prekindergarten program from the requirement for teachers and administrators in prekindergarten programs to hold a valid certificate or permit if such program is in compliance with such rules and regulations.)

STRATEGIC PLAN ALIGNMENT:

- *Strategic Priority 1: Accelerate Student Achievement*
    - *Strategic Outcome 1.1: Improved Student Achievement*
- High quality early childhood education programs provide opportunities to prepare children to be capable and confident when beginning formal schooling. Early childhood programs operated by school districts are required to support children's development in all domains of growth and learning including language and literacy, and receptive and expressive language development.

PROPOSED BOARD MEETING (MONTH/YEAR): May 2026

ESTIMATED COST: $650 This is the estimated cost to the NDE to hold the hearing and print copies for distribution upon approval of the revised rule. This will be paid through state general funds allocated to the NDE.

**Updated 01.12.2026*

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION

CHAPTER 11 - REGULATIONS FOR THE APPROVAL OF PREKINDERGARTEN PROGRAMS ESTABLISHED BY SCHOOL DISTRICTS OR EDUCATIONAL SERVICE UNITS AND FOR THE ISSUANCE OF EARLY CHILDHOOD EDUCATION GRANTS

001 General Provisions

001.01 Statutory Authority. This Chapter is adopted pursuant to Neb. Rev. Stat. §§ 79-318, 79-265.01, and 79-1101 to 79-1104 and 79-318 .

001.02 Scope and Application of this Rule. This Chapter governs the approval of prekindergarten programs established by school boards or educational service units for children ages birth to compulsory kindergarten-entrance age under the provisions of Neb. Rev. Stat. § 79-1104 . This Chapter also governs the issuance of the Early Childhood Education Grants to school districts for programs serving children ages three to compulsory kindergarten-entrance age under the provisions of Neb. Rev. Stat. §§ 79-1101 to 79-1103.

001.03 Related Regulations. In addition to the requirements of this Chapter, public school districts are also governed by regulations contained in Title 92 Nebraska Administrative Code (NAC), Chapter 10, dealing with the accreditation of schools; 92 NAC Chapters 21 and 24 dealing with teacher certification and endorsement; 92 NAC Chapters 51 and 52 dealing with special education programs; and 92 NAC Chapter 19 dealing with enrollment. Public school districts operating a child care program may also be governed by 391 NAC Chapter 3 dealing with licensure of child care centers. Nothing in this Chapter may be interpreted to supersede the Individuals with Disabilities in Education Act, 20 USC § § 1400 et al., including corresponding federal regulations, the Nebraska Special Education Act, and 92 NAC Chapters 51 and 52 where appropriate.

002 Definitions

002.01 At risk when used with reference to a child means the child is experiencing conditions or factors which could have a negative impact on his or her development or learning, including but not limited to such factors as low birth weight, poverty, being a child of teen parents or parents who did not graduate from high school, or living in a home whose occupants have limited ability to speak and understand English.

002.02 Board means the State Board of Education.

002.03 Center-based program means a prekindergarten program serving children in a class on a part-day or full-day program basis.

002.04 Class means a group of children who are receiving early childhood services in a classroom for a specific time period established by the school district or educational service unit. When there is more than one group of children (example: a morning group and an afternoon group), each group represents a distinct class for all purposes and must meet all requirements of this Chapter. Each class will meet instructional hour requirements for center-based programs indicated in Section 005 of this Chapter.

002.05 Commissioner means the State Commissioner of Education.

002.06 Comprehensive services means services other than the educational and family development and support components of the prekindergarten programs that are accessible to program participants including, but not limited to, nutritional, medical, dental, social, and mental health services.

002.07 Compulsory kindergarten-entrance age means a child will reach six years of age prior to January 1 of the then-current school year.

002.08 Contact Hours, when used in conjunction with home-based programs, means that program staff will have contact with each enrolled family at least three (3) times each month and a minimum total of 180 minutes per month.

002.09 Curriculum means an intentional design to enhance children's learning that is appropriate for the age and development of the children and is designed and implemented to promote positive outcomes in the areas of social, emotional, intellectual, language, physical, and aesthetic development, for all children served in the prekindergarten program.

002.10Department means the State Department of Education, which is comprised of the Board and the Commissioner.

002.11 Developmentally appropriate means that the learning environment and teaching strategies are based on widely accepted theories and

research about the typical and atypical growth, development, and learning of children.

002.12 Established, when used with reference to prekindergarten programs established by a school board or educational service unit, means a prekindergarten program that is operated by a school district or educational service unit directly; or by contract with another entity; or in coordination, cooperation, collaboration or partnership agreement with another entity.

002.13 Family development and support means those components of a prekindergarten program which recognize the central role of the family in their children's development. Family development and support includes, but is not limited to, home visitation, parent resources and information, conferences, and referrals for additional services for children and families.

002.14 Family literacy means education and related activities which involve children and their families in interactive literacy experiences.

002.15 Full-day program means a prekindergarten center-based program that provides instruction, programming, and services for 6 or more hours per day in a class setting.

002.16 Home-based program means a prekindergarten program that specifically provides home visiting services and does not include a center-based component. This definition includes Sixpence programs as described in subsection 005.13, but does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52).

002.17 Home visiting services means a method of service delivery for child and family development and support where guidance, information, and child development services are offered in partnership with the family. Services may be provided for either home- or center-based programs in the family home or at another location determined by the family and the home visiting specialist or teacher. This definition includes Sixpence home-visiting programs as described in subsection 005.13, but does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52) or the federal Elementary and Secondary Education Act (ESSA), Title I, Part C services.

002.18 Home visitor means a person who provides family development and support services under the supervision of a home visiting specialist or a teacher.

002.19 Home visiting specialist means a person who develops, supervises, and provides home visiting services.

002.20 Infant means a child age birth to 18 months.

002.21 Instructional hour when used in connection with center-based programs means a period of time, at least sixty (60) minutes long, which is used for teaching in the following areas of children's growth and learning: social-emotional development, cognitive learning in the areas of language and literacy, mathematics, science, and problem solving; creative arts, health and nutrition; and physical and motor development. Meal or snack time is part of the program curriculum and provides opportunities for learning and social development, as well as nutrition, and therefore, is included as part of the instruction time. Outdoor and gross motor time will be included as part of the instruction time. Sharing information with the family outside of the school during home visits will count as instructional time. Time spent transporting children from home to the school and back or conducting parent/teacher conferences in the school setting will not count as instructional time.

002.22 Instructional hour, when used in connection with home-based programs, means contact hours. Time spent conducting home visits or phone contact will count as contact hours. Parent/teacher conferences are not considered contact hours.

002.23 Paraeducator means an individual who serves in a non-teaching role under the supervision of a teacher certificated to teach pursuant to 92 NAC 21.

002.24 Parent means parent or legal guardian.

002.25 Part-day program means a prekindergarten center-based program that provides instruction, programming, and services for less than 6 hours each day in a class setting.

002.26 Partnership agreement means, for the purposes of this Chapter, a formal written agreement that describes the level and nature of commitment of each party to the prekindergarten program. The

partnership agreement should describe the following: resources contributed by each partner; rights and responsibilities of each partner; and any other relevant information agreed upon by all parties. The parties are not required by this Chapter to enter into partnership agreements or form a partnership under the Nebraska Uniform Limited Partnership Act.

002.27 Prekindergarten program means all early childhood part-day or full-day center-based programs (may be called preschool, Head Start, child care, Sixpence or some other name depicting a center-based program) and/or home-based programs provided for children who have not reached the age of six on or before December 31 of the current school year.

002.28 Preschooler means a child age 3 years to compulsory kindergarten-entrance age.

002.29 School year means the time period between July 1 and June 30 each year.

002.30 Suspension means the temporary removal of a child from the learning setting due to a child's behavior including requiring the child to cease attendance for a specified period of time, reducing the number of days or amount of time that a child may attend, removing the child from the regular group setting for an extended period of time, or requiring the parent or the parent's designee to pick up a child for reasons other than illness or injury.

002.31Teach includes, but is not limited to, the responsibilities found in subdivision (12) of Neb. Rev. Stat. § 79-101 plus the provision of a learning environment and opportunities for positive relationships with children and families.

002.32 Teacher means a person who is certificated pursuant to 92 NAC 21 to teach.

002.33 Teacher assistant means a person who provides care, support, and education under the direction of a teacher certificated to teach pursuant to 92 NAC 21.

002.34 Toddler means a child age 18 months to 3 years.

003 Prekindergarten Program Approval Process

003.01 Intent to Operate Statement: Any public school district or educational service unit intending to establish a prekindergarten program will provide the following information to the Department at least 60 days prior to providing any such program:

003.01A A written statement indicating the intent to establish a prekindergarten program meeting the requirements of this Chapter and a description of the prekindergarten program to be provided. The description will include the type of service to be provided, the planned number of instructional hours for a center-based program or contact hours for a home-based program, and the ages of children in the program. This statement will be signed by the school district superintendent or the educational service unit (ESU) administrator.

003.01B Written verification that the district or educational service unit staff member who coordinates the prekindergarten program holds a Nebraska Teaching Certificate and has at least 9 college credit hours in early childhood education.

003.01C When known, name of the certificated teacher or teachers who will assume teaching responsibilities.

003.02 Approval Requirements. Prekindergarten programs established by school boards or educational service units will be approved by the Board pursuant to this Chapter upon the recommendation of the Commissioner. Approval requires compliance with the requirements identified in this Chapter.

003.02A School systems may submit a request for a waiver for subsections 004.07 and 005.05A of this Chapter listing each staff member that does not meet those requirements. To be eligible for a waiver, the following minimum information is required and must be submitted within 90 days of the hire date of each staff:

003.02A1 Copy of each advertised job posting and starting salary, and

003.02A2 List of all other applicants for the position along with their resume and/or application, if any, and

003.02A3 Resume of person hired, and

003.02A4 A copy of an approved course of study from a cooperating college or university showing the staff member will be able to achieve a teaching certificate with an early childhood endorsement within four years. Such course of study should also include a copy of the staff member's current transcripts.

003.02A5 For teachers of a prekindergarten center-based program, provide the plan developed as required by subsection 005.0SA for the staff member to obtain the required endorsement.

003.02B The Commissioner will submit the waiver request to the Board with his or her recommendation for approval or denial. The Board may approve the requested waiver if the components of the plan will promote quality learning, equity, and/or accountability. The Board will reject the waiver if the plan and requested waiver would not provide quality learning, equity, and/or accountability.

003.02C The approved waiver may be renewed annually .

003.03 Duration and Continuation of Program Approval. Program approval is granted for one year from each July 1 through the following June 30. Renewal is based on the program's compliance with this Chapter during the prior school year.

003.03A Districts approved for a waiver of subsection 004.07 for specifically identified staff must provide the courses each staff member subject to a waiver completed towards that staff member's approved course of study as part of the Early Childhood Program Report as described in subsection 003 .06. Renewal of program approval is dependent upon the annual progress.

003.04 Approval For the Purpose of Early Childhood Education Continuation Grants or the Tax Equity and Educational Opportunities Support Act (TEEOSA). Prekindergarten programs established by school districts may be approved annually for purposes of TEEOSA or for Early Childhood Education continuation grants under this Chapter on the annual submission of the following by the establishing district:

003.04A An Early Childhood Program report demonstrating that the program will continue to meet the requirements of this Chapter, and, for programs receiving grants, a continuation plan demonstrating that the program will continue to meet grant requirements.

003.04B For programs receiving grants, a proposed operating budget demonstrating that the program will receive resources from other funding sources equal to or greater than the sum of any grant received pursuant to this Chapter for the prior school year plus any calculated state aid as calculated pursuant to subsection (1) of Neb. Rev. Stat. §79-1103 for the prior school year.

003.05 General Reports. The head administrator of each school district or educational service unit establishing a prekindergarten program will include information about such programs in the Department approved data system. All early childhood data is due as specified by the data system calendar.

003.06 Early Childhood Program Report. An Early Childhood Program Report will be electronically submitted on or before October 15 of each year through the Department portal. When the report reflects failure to comply with the requirements of this Chapter, it will be accompanied by a written plan for correcting the violation(s). The plan is subject to approval by the Commissioner or his or her designee. The Commissioner or his or her designee may approve the plan if in his or her judgment it is reasonably calculated to correct the violation prior to the end of the current school year.

004 Requirements For All Prekindergarten Programs (Center-based and Home-based) Established By School Boards or Educational Service Units

004.01 Stated Purpose. Each program will have a stated purpose of promoting social, emotional, intellectual, language, physical, and aesthetic development and learning for the children served and of promoting family development and support.

004.02 Planning. Each program will have a planning period. The planning period will include activities associated with:

004.02A Determining the community's unmet needs for early childhood education for prekindergarten children in terms of the number of such children in the community, an estimate of the number of children at risk, kinds of programs available, numbers of children birth to compulsory kindergarten-entrance age who are not currently receiving services, and barriers to the provision of services.

004.02B Developing cooperative relationships with public and nonpublic providers of early childhood programs, including the development of cooperative agreements and contracts, as needed to carry out the proposed program.

004.02C Recruiting and training staff.

004.02D Identifying and listing existing school-community resources available to provide comprehensive services to the program participants.

004.03 Advisory Committee. A local Early Childhood Advisory Committee will be established with membership representing families and community members.

004.03A An existing advisory committee such as that required for services to children below age five (5) with disabilities in Title 92 NAC Chapter 51, a Head Start Policy Council, or a Title I Advisory Committee, may serve this purpose if the representation conforms with this section and the mission is expanded to encompass the purpose of this Chapter.

004.03B Advisory Committee meetings are subject to the Open Meetings Act as described in Neb. Rev. Stat. §§84-1407 to 84-1414.

004.04 Coordination with Existing Programs and Funding Sources. Each program will develop, and keep on file, a written plan to show that the program will be coordinated or contracted with existing programs, including those listed in subsection 004.04A and nonpublic programs which meet the requirements of this Chapter. Each program will develop and keep on file a written plan to coordinate and use a combination of local, state, and federal funding sources including, but not limited to, those listed in subsection 004.04A in order to maximize the participation of economically and categorically diverse groups of children and to ensure that participating children and families have access to knowledge of comprehensive services that may be available.

004.04A For the purposes of subsection 004.04, existing programs and funding sources are as follows:

004.04A1 Grants provided through the Early Childhood Education Grant Program for children ages three to compulsory kindergarten-

entrance age under Neb. Rev. Stat. §79-1103 and the Early Childhood Grant Program for children ages birth to three (Sixpence Grants) under Neb. Rev Stat. §79-1104.02

004.04A2 Programs for children with disabilities below five years of age funded through the Special Education Act, the Early Intervention Act, and funds available through the flexible funding provisions under the Special Education Act.

004.04A3 The federal Head Start Preschool or Early Head Start program.

004.04A4 Title I of the federal funds provided through the Elementary and Secondary Education Act and subsequent reauthorizations or other appropriate federal legislation.

004.04A5 Child care assistance through the Department of Health and Human Services.

004.04A6 Local district funds.

004.04A7 Funds obtained through contracts with other school districts, such as contracts to provide services to children below age five with disabilities pursuant to 92 NAC 51.

004.04A8 Private grants and gifts.

004.04A9 Parent fees from the program's locally-developed sliding scale.

004.04A10 Nonpublic prekindergarten programs which meet the requirements of Neb. Rev. Stat. §79-1104(2) and this Chapter.

004.05 Fees. Fees if charged will not exceed the actual cost for providing prekindergarten programs. Programs charging fees will have a plan to use a sliding fee scale in order to maximize the participation of economically and categorically diverse groups. Programs may waive fees on the basis of need. This subsection does not allow any school district to fail to meet its responsibilities under the Special Education Act (Neb. Rev. Stat. §§79-1110 to 79-1167).

004.06 Program Coordinator. Prekindergarten programs will be coordinated by either a certificated district staff member or an employee of an agency with whom the district has a partnership agreement who holds a current Nebraska Teaching Certificate with at least 9 college credit hours in early childhood education and has the authority and responsibility to ensure compliance of this Chapter.

004.07 Program and Staff Requirements. All teachers and administrators in prekindergarten programs established by school district or educational service units will hold a valid certificate or permit to teach issued by the Department pursuant to 92 NAC 21 unless a waiver has been granted by the Board pursuant to subsection 003 .02A in which case the specific staff member or members listed as the subject of the waiver, will temporarily be exempt from the requirement in subsections 004.07 and 005.05A. Each center-based part-day or full-day program will also meet program and staff requirements in Section 005 of this Chapter. Each home-based program will also meet the program and staff requirements in Section 006 of this Chapter.

004.08 Participation and Inclusion. Participation of children and families in any program under this Chapter will be voluntary. Programs will not exclude children verified as having disabilities and will include to the extent possible children of diverse social and economic characteristics.

004.08A Birth Certificates. Within 30 days of enrollment, parents or guardians must submit to the district a certified copy of the child's birth certificate or other documentation in compliance with the Missing Children's Identification Act, Neb. Rev. Stat. §§43-2001 through 43-2012.

005 Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Compulsory Kindergarten-Entrance Age in a Center-Based Program

005.01 Instructional Hours. Each class in the program will operate a minimum of twelve (12) instructional hours per week during the school year. Programs receiving grant funds pursuant this Chapter or receiving Tax Equity and Educational Opportunities Support Act (TEEOSA) funds will operate a minimum of four-hundred and fifty (450) instructional hours per school year.

005.01A Pursuant to the provisions of Neb. Rev Stat. §79-213, school systems unable to meet the minimums for instructional hours due to epidemic sickness, severe storm conditions, or destruction of the school house may request permission from the Board to offer fewer than the minimum hours by submitting an affidavit sworn to by the secretary of the school board and explaining the circumstances resulting in the request.

005.02 Family Development and Support. Each center-based part-day or full-day prekindergarten program will provide a strong family development and support component which recognizes the central role of parents in their children's development and establishes a working partnership with each parent. The family development and support component will include, at a minimum:

005.02A Written information for families about the program's philosophy, policies, and procedures.

005.02B An orientation to the program for children and families.

005.02C At least two (2) home visits per year between the parent(s) and the teacher to discuss the child's development and learning. If the family decides to have the visit at a location other than the home, it must be conducted at a location determined jointly by the family and teacher.

005.02D Specified opportunities for program staff to dialogue with families through such activities as parent conferences, participation on advisory committees, needs assessments, participation as classroom volunteers, and flexible scheduling of meetings and events.

005.02E Services based on the family's needs and interests that include but are not limited to, components that will enhance parenting skills and the family's ability to access community resources.

005.03 Developmentally and Culturally Appropriate Curriculum Practices. and Assessment. The part-day or full-day center-based prekindergarten program will provide a play-oriented learning environment, which facilitates the optimal growth and development of children, with opportunities for age-appropriate learning experiences through active involvement with people and materials. Programs must implement developmentally appropriate research-based early childhood curricula,

including additional curricular enhancements, as appropriate that are based on scientifically valid research and have standardized training procedures consistent with the science of reading for children of this age and include curriculum materials to support implementation.

005.03A A written program plan will be developed to explain and implement the program. The written program plan will include a description of how the program curriculum, practices and assessment provide a variety of developmentally appropriate, experiential activities which:

005.03A1 Promote a positive self-concept in each child.

005.03A2 Foster attachments for all children by ensuring they have consistent teachers and paraeducators daily.

005.03A3 Develop social skills in each child.

005.03A4 Encourage each child to think, reason, question, and experiment.

005.03A5 Foster both receptive and expressive language development and provide early literacy/pre-reading experiences.

005.03A6 Incorporate family literacy experiences.

005.03A7 Develop an understanding of mathematical concepts including quantities of things, of time, and of space.

005.03A8 Enhance each child's physical development and skills.

005.03A9 Encourage sound safety, health, and nutritional practices, including avoidance of controlled substances.

005.03A10 Stimulate each child in creative expression and appreciation of the arts.

005.03A11 Include exploratory play in a language and literacy-rich environment during a majority of the daily schedule.

005.03A12 Reflect and respect the diversity of races, national origins, gender, and physical and mental abilities in the larger society and with particular emphasis on the cultural and ethnic

backgrounds of the children enrolled through planned activities, use of materials, and use of equipment.

005.03A13 Use positive, age-appropriate techniques of child guidance including redirection, anticipation, elimination of potential problems, and encouragement. Suspension of prekindergarten aged children is governed by Neb. Rev. Stat. § 79-265.01.

005.03A14 Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines.

Nebraska's Birth to Five Learning and Development Standards. The summary of these standards is found on the Department's website. . The assessment data will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age-expectations for literacy/pre-reading and mathematics.

005.03A15 Link the prekindergarten to the district's kindergarten/primary program through a written transition plan insuring continuity, identification, and implementation of processes necessary to facilitate the transition of children. The prekindergarten program will be included in the school district continuous improvement plan.

005.03A16 Include a well-defined language development and early literacy emphasis, including the involvement of parents in family literacy activities.

005.03A17 Provide at least one outdoor play period (weather permitting) daily.

005.04 Evaluation and Quality Assurance. The program will participate in periodic program evaluations to assure program quality and positive child

outcomes. The evaluation process will be designed by the Department and will include, but not be limited to the following:

005.04A An assessment of program quality.

005.04B A report of child outcomes including at least one objective measure of child performance and progress.

005.04C A written plan for dissemination of the results of the evaluation.

005.05 Program Staff. The prekindergarten program will use qualified staff as set forth below.

005.05A Teacher. Any teacher in a prekindergarten program will hold a valid Nebraska Teaching Certificate with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), Early Childhood Education (Age 3 through Grade 3), or Special Education: Early Intervention Specialist, Birth through Prekindergarten. A program may use a teacher without such an endorsement if the teacher files with the Department, as part of the annual Early Childhood Program Report, a plan developed by the teacher and the cooperating college or university to complete the endorsement. The plan will require the teacher to receive at least six (6) semester hours of credit annually toward completion of the endorsement. When fifty percent (50%) of the required courses have been completed, the teacher is eligible for a provisional endorsement pursuant to 92 NAC 24.

005.05B Teacher Assistant.

A teacher assistant in a prekindergarten classroom serving children younger than age 3 may carry out daily activities of the classroom if a certificated teacher with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), Early Childhood Education (Age 3 through Grade 3), or Special Education, Early Intervention Specialist (Birth through Prekindergarten) is assigned to a prekindergarten classroom in the program during normal school hours and plans appropriate teaching activities in collaboration with the teacher assistant.

A teacher assistant in a prekindergarten classroom in a before and/or after school program may carry out daily activities of the classroom if a certificated teacher with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), Early Childhood Education (Age 3 through Grade 3), or Special Education: Early Intervention Specialist (Birth through Prekindergarten) is assigned to a prekindergarten classroom in the program during normal school hours and plans appropriate teaching activities in collaboration with the teaching assistant.

A teacher assistant assigned to a classroom setting will have received at least twelve (12) semester hours of undergraduate or graduate credit in child development/early childhood education, or the equivalent in prior training or experience as determined by the Commissioner or his or her designee. Equivalencies include, but are not limited to the following:

005.05B1 Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

005.05B2 Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

005.05B3 Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement.

005.05B4 Early childhood training hours (including web-based training) provided by or sponsored by the Department's Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (l) semester hour.

005.05B5 The program may employ a teacher assistant who does not meet the twelve (12) semester hour requirement as long as the teacher assistant completes a minimum of six (6) semester

hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment.

005.05C Paraeducator. The prekindergarten program may employ a paraeducator to work as a member of a team in a center-based program. Paraeducators must meet federal requirements for instructional para professionals.

005.05D Home Visitor. The prekindergarten program may employ a home visitor in a center-based program who provides family development and support services under the direction of a teacher. The home visitor will have at least twelve (12) semester hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education; (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family centered practices or child and youth development.

005.05D1 The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following:

005.05D1A Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

005.05D1B Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

005.05D1C Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience

may count for a maximum of six (6) of the twelve (12) semester hour requirement.

005.05D1D Holding a Nebraska Home Visitor certificate will be equivalent to three (3) semester hours.

005.05D1E Early childhood training hours (including web-based training) provided by or sponsored by the Department's Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.

005.05E Orientation. All staff working in the prekindergarten program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties and responsibilities, building safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28- 711, child assessment information, and daily routines and schedules.

005.05F Language Resource. If the majority of children enrolled in the program use a common language other than spoken English, at least one staff member who uses such language will be available as an active participant to communicate with such children in classroom and group experiences. Where less than a majority of the children enrolled in the program speak a language different from the rest, one staff member or a community resource person or parent will be identified to serve as a resource to the program.

005.05G Staff Development Plan. There will be a written plan detailing staff development opportunities for all teachers, teacher assistants, paraeducators and home visitors working in the program who have regular contact with children and their families. The written plan will include a professional development goal, the strategies for meeting the goal and a timeline for completion. The written plan will be reviewed and updated annually.

005.05H Staff Development Hours. Teachers, teacher assistants, paraeducators and home visitors who have regular contact with children in early childhood programs will participate annually in at least fifteen (15) clock hours of Early Childhood Training Center

approved staff development. All staff development will relate to prekindergarten or child development.

005.05I Background checks. Program staff who are not required to hold a Nebraska Teaching Certificate and who have contact with children will be checked by program administration against the Nebraska Central Registry of Child Abuse and Neglect and the Nebraska Adult Protective Services Registry, before being hired. No person or persons may be hired or remain employed who has a felony conviction nor any misdemeanor conviction involving abuse, neglect, or sexual misconduct as further defined and identified in 92 NAC Chapter 21 subsections 003.14 and 003.15.

005.06 Child/Staff Ratio and Group Size. Child/staff ratios and group sizes will be maintained as indicated below with staff assigned who meet the qualifications described in subsection 005.06. When age groups are mixed, the lower ratio will prevail.

005.06A If the program serves infants, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified as a teacher assistant. A paraeducator, teacher assistant, or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each four (4) children with a maximum group size of eight (8).

005.06B If the program serves toddlers, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified as a teacher assistant. A paraeducator, a teacher assistant, or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each six (6) children with a maximum group size of twelve (12).

005.06C If the program serves preschoolers, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate for each group of twenty (20) children. A paraeducator or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each ten (10) children with a maximum group size of twenty (20).

005.06D If the programs serve children in the hours before or after the typical school day, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified

as a teacher assistant. A paraeducator, a teacher assistant and/or an additional certificated teacher will be assigned to assure the ratios are consistent with 005.06A-005.06C of this chapter.

005.06E In full-day programs where children nap, the certified teacher or teacher assistant may be out of the classroom during the nap period as long as the children are adequately supervised by other staff and the teacher or teacher assistant is readily available.

005.07 Facilities, Equipment, Health and Safety

005.07A Classroom settings will provide at least thirty-five (35) square feet per child of space usable by the children.

005.07B An outdoor play area that is protected by fences or physical barriers will be available which provides at least seventy-five (75) square feet per child of play space.

005.07B1 The fence or physical barrier will be of a type of structure that is a continuous barrier and is at least 36 inches in height, flush with the ground, and without any gaps that would allow a child to exit the protected area.

005.07C Each classroom setting and outdoor play area will be equipped with safe, durable, age-appropriate equipment and materials for indoor and outdoor activities.

005.07D If needed, modifications of the equipment, materials, and activities will be made to assure maximum participation in the ongoing activities of the program for children with disabilities attending the program.

005.07E Equipment and materials will be organized into clearly defined areas of interest that are arranged to encourage independent choice; cooperative activity; and alteration between quiet and active exploration and teacher-and child-initiated activities.

005.07F Each prekindergarten program will maintain safe, healthful, and sanitary conditions within the facilities used for the program and on the outdoor playground and meet applicable fire, safety, and health codes.

005.07G At least one (1) staff member per class who has received first aid and CPR training specifically designed for children will be on duty with the children at all times. Written verification of current training will be available.

005.08 Meals and/or Snacks. The program will provide all children in each class at least one meal and/or snack that meets USDA Child Nutrition Program guidelines each day. All tables used for meals and snack will be properly sanitized. Full day programs must provide at least one meal and one snack, or two meals each day that meet USDA Child Nutrition Program guidelines.

005.09 Immunizations. The school district will comply with all state statutes and regulations regarding the immunization status of all enrolled children.

005.10 Supervision. Adequate and appropriate supervision will be provided at all times children are in attendance, including during outdoor play and field trips. Adequate and appropriate supervision includes, but is not limited to, knowing the whereabouts and being within sight or sound of children at all times.

005.11 Toileting. The program will ensure the toileting needs of all children are met immediately. The program will ensure wet and/or soiled clothing is changed immediately.

005.12 Infants and Toddlers. Programs serving children birth to age 3 will meet the following requirements:

005.12A The physical, emotional and social needs of infants and toddlers will be met consistently and promptly;

005.12B Formula and feeding schedules will be obtained from parents;

005.12C Infants will not sleep with bottles;

005.12D Bottles will not be propped;

005.12E If formula is used, it will be a commercially made product;

005.12F All breast milk and prepared formula will be refrigerated and clearly labeled with the child's name and discard date; and unused prepared formula will be discarded as indicated by the label;

005.12G Unfrozen breast milk will be discarded 48 hours after being expressed; and frozen breastmilk will be discarded three months after being expressed;

005.12H Only highchairs with three point safety straps will be used;

005.12I Infants will be placed on their backs to sleep except in cases where there is a medical reason the child will not sleep on its back; and written verification of the medical reason from the child's physician will be available;

005.12J Wet or soiled diapers will be changed immediately and disposed of in a sanitary manner;

005.12K Individual cleaning cloths will be used for diapering;

005.12L Diaper changing surfaces will be cleaned and disinfected after each use and staff will use proper hand washing techniques after each diaper change;

005.12M Toileting will be done in a manner agreed upon with the parent;

005.12N Potty chairs will be cleaned, disinfected, and properly stored away from play areas;

005.12O All cribs and playpens will meet federal safety standards as indicated by the Consumer Product Safety Commission; and

005.12P All cribs and playpens will not contain any soft objects, bumper pads, toys or loose bedding.

005.13 Sixpence Programs. School districts that receive Early Childhood Endowment birth to three grants, also referred to as Sixpence programs, may be required to meet additional grant-related program requirements established by the Endowment Board of Trustees.

006 Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Compulsory Kindergarten-Entrance Age in a Home-Based Program (Does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52) or Elementary and Secondary Schools Act (ESSA) Title I, Part C services.

006.01 Contact Hours in Home-Based Programs. Program staff will have contact with each enrolled family at least three (3) times each month and a minimum total of 180 minutes per month. A minimum of 120 minutes will be face-to-face contact with the family. Contact maybe completed by the home visiting specialist or the home visitor. If a school district or educational service unit contracts with another organization to provide early childhood services, the district or ESU will ensure the adequate number of hours are provided as required in this subsection.

006.02 Family Development and Support. Each home-based prekindergarten program will include the following, at a minimum:

006.02A Written information for families about the program's philosophy, policies, and procedures;

006.02B An orientation to the program for families; and

006.02C Delivery of services that are based on family needs and interests and that focus on the child's development and positive family outcomes. Services will be provided year round following a curriculum that meets the requirements of subsection 006.03 of this Chapter.

006.03 Developmentally and Culturally Appropriate Curriculum, Practices, and Assessment in Home-Based Prekindergarten Programs. Each home-based prekindergarten program will provide curricula that are research-based and designed to work with families that facilitate the optimal growth and development of children, and that are culturally appropriate for all families served. The program will also include a well-defined language development and early literacy emphasis, including the involvement of families in literacy activities.

006.03A Each program will have a written program plan that will include a description of program curriculum, practices and assessments used. This plan must be provided to all parents and be available to the Department upon request.

006.03B Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines: Nebraska's Birth to Five Learning and Development Standards. The summary of these standards is found on the Department's website. The assessment data will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age expectations for literacy/pre-reading and mathematics.

006.04 Evaluation and Quality Assurance. Each home-based program will participate in periodic program evaluations to assure program quality and positive child outcomes. The evaluation process will be designed by the Department's Office of Early Childhood and will include, but not be limited to the following:

006.04A An assessment of program quality;

006.04B A report of child outcomes including at least one objective measure of child performance and progress; and

006.04C A written plan for dissemination of the results of the evaluation.

006.05 Program Staff. In order to provide home-based services, each home-based program will use one or more home visiting specialists and may in addition use one or more home visitors who meet the qualifications below:

006.05A Home Visiting Specialist. Any home visiting specialist in a home-based program will have a bachelor's degree or higher in one of the following areas:

006.05A1 Early Childhood Education,

006.05A2 Early Childhood Special Education,

006.05A3 Child Development, or

006.05A4 Human Services, Nursing, Social Work, Sociology or Psychology including at least twelve (12) graduate or undergraduate hours in any area of family-centered practices or child and youth development.

006.05B Home Visitor. Any home visitor will have at least twelve (12) semester hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family centered practices or child and youth development.

006.05B1 The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following:

006.05B1A Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

006.05B1B Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

006.05B1C Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement.

006.05B1D Holding a Nebraska Home Visitor certificate will be equivalent to three (3) semester hours.

006.05B1E Early childhood training hours (including web-based training) provided by or sponsored by the Department's Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.

006.05C Orientation. All staff working in the home-based program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties and responsibilities, home visiting safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28-711, child assessment information, and information about the importance of family routines and schedules.

006.05D Staff Development Plan. There will be a written plan detailing staff development opportunities for all home visiting specialists and home visitors working in the home-based program who have regular contact with children and their families. The written plan will include a professional development goal, the strategies for meeting the goal and a timeline for completion. The written plan will be reviewed and updated annually.

006.05E Staff Development Hours. Home visiting specialists and home visitors who have regular contact with children in early childhood programs will participate annually in at least fifteen (15) clock hours of Early Childhood Training Center approved staff development. All staff development will relate to prekindergarten or child development.

006.05F Background checks. Home visiting specialists and home visitors who do not hold a valid Nebraska Teaching Certificate and who have contact with children will be checked by program administration against the Nebraska Central Registry of Child Abuse and Neglect, and the Nebraska Adult Protective Services Registry and have a criminal background check before being hired. No person or persons may be hired or remain employed who has a felony conviction nor any misdemeanor conviction involving abuse, neglect, or sexual misconduct as further defined and identified in 92 NAC Chapter 21 subsections 003.14 and 003.15.

007 Early Childhood Education Grants for Prekindergarten Program for Children Ages Three to Compulsory Kindergarten-Entrance Age. Any school district, individually or in cooperation with other school districts or educational service units, working in cooperation with existing nonpublic programs meeting the requirements for approval in this Chapter may submit an application for an Early Childhood Education Grant for a prekindergarten program for children ages three (3) to compulsory kindergarten-entrance age that is established by the district and is approved by the Department pursuant to this Chapter. Administrative authority for Early Childhood Education Grants for prekindergarten programs for children from birth to age three (3) (Sixpence Grants) resides with the Early Childhood Education Endowment Board of Trustees.

007.01 Children Who May Be Served With Grant Funds.

007.01A All prekindergarten-age children, ages three (3) to compulsory kindergarten-entrance age, regardless of their abilities, disabilities, or the social, linguistic, or economic diversity of the children's families are eligible to be served with grant funds awarded as provided in this Chapter.

007.01B Up to thirty percent of the funds granted for each prekindergarten program under this Chapter may be used to offset program costs for children who are not identified in the priorities specified in subdivisions (1)(b)(c), and (d) of Neb. Rev. Stat. §79-1103 or who are not supported through any of the funding sources listed in subsection 004.04 of this Chapter, in order to maximize the participation of children from diverse groups.

007.01C Early Childhood Education Grant funds will not be used to support the participation of children who are below age three or who are of compulsory kindergarten-entrance age.

007.02 Grant Application Process.

007.02A Request For Proposals. For years in which grant funds are available, the Department will issue a Request for Proposals (RFP) for new or expansion grants for programs for children ages three to kindergarten entrance or compulsory attendance age.

007.02B Forms. Each school district applying for a continuation grant, or a new or expansion grant under this Chapter, individually or in

cooperation with other school districts or educational service units, will submit an application electronically through the Nebraska Department of Education Grants Management System.

007.02C Applications. Applications will be rated on the basis of conformance with the requirements of this Chapter.

007.02D Panel. The Commissioner or his or her designee will appoint a panel of persons knowledgeable in early childhood education to evaluate the applications and to recommend proposals for funding to the Commissioner.

007.02E Commissioner's Recommendation. Application funding recommendations by the Commissioner will be made at a meeting of the Board . Upon action by the Board, all applicants will be notified of the outcome.

007.02F Funding Distribution. Grant funds will be distributed by the Department using the priorities and limitations specified in subdivisions (1)(b), (1)(c), and (1)(d) of Neb. Rev. Stat. §79-1103. The Department will make an effort to fund programs across the state in both rural and urban areas.

007.03 Grant Funding.

007.03A Each prekindergarten program approved under the provisions of this Chapter will be eligible to apply for grant funding subject to the following:

007.03A1 Appropriation of the funds by the Legislature.

007.03A2 An annual review of compliance with the requirements of this Chapter and quality as measured over time by the program assessment tool pursuant to subsection 005.04A. Programs found with deficiencies as identified in the assessment tool must show measured progress annually.

008 Violations, Probation, or Loss of Program Approval and/or Loss of Grant Funds

008.01 Violations. When the Commissioner or his or her designee determines that the prekindergarten program is in violation of any

requirement specified in this Chapter, written notice will be given to the school district or educational service unit. Any prekindergarten program in violation of any requirements specified in this Chapter will submit a written plan to the Commissioner or his or her designee describing how violations will be corrected prior to the beginning of the next school year.

008.02 Continued violation of any requirements indicated in this Chapter may result in probation, loss of approval and/or loss of grant funding as described in this Chapter. The Commissioner may, at his or her discretion, make recommendations to the Board to end or deny program approval and/or grant funding or place a program on probation.

008.03 Recommendations from the Commissioner to the Board to either end or deny program approval pursuant to Sections 004, 005 and 006 or to end grant funding pursuant to Section 007 may be appealed by filing a petition and request for hearing with the Board pursuant to 92 NAC 61 no later than 15 calendar days after the date of receipt of written notice of the recommendation from the Commissioner or his or her designee. All hearings arising under this Chapter will be conducted in accordance with the hearing procedures of 92 NAC 61, including provisions of that Chapter relating to evidence.

008.04 When the Commissioner makes a recommendation to the Board to end or deny program approval or end grant funding, notice of the recommendation and of the right to request a hearing will be given by certified mail returned receipt requested sent at least thirty (30) calendar days prior to the date of the Board meeting at which the recommendation is to be considered. The notice will be sent to the superintendent of the school district or head administrator of the educational service unit responsible for the program. The notice will specify the basis for the recommendation.

008.05 Upon review of the Commissioner's recommendation and following any hearing, the Board will make a determination regarding the program's approval or grant funding and will inform the superintendent of the school district or the head administrator of the educational service unit of the Board's decision in writing by certified mail.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION

CHAPTER 11 - REGULATIONS FOR THE APPROVAL OF PREKINDERGARTEN PROGRAMS ESTABLISHED BY SCHOOL DISTRICTS OR EDUCATIONAL SERVICE UNITS AND FOR THE ISSUANCE OF EARLY CHILDHOOD EDUCATION GRANTS

001 General Provisions

001.01 Statutory Authority. This Chapter is adopted pursuant to Neb. Rev. Stat. §§ 79-318, 79-265.01, and ~~Sections~~ 79-1101 to 79-1104 and 79-318 ~~of the Revised Statutes of Nebraska~~ (~~R.R.S.~~).

001.02 Scope and Application of this Rule. This Chapter governs the approval of prekindergarten programs established by school boards or educational service units for children ages birth to compulsory kindergarten-entrance age under the provisions of Neb. Rev. Stat. §~~Section~~ 79-1104 ~~R.R.S~~. This Chapter also governs the issuance of the Early Childhood Education Grants to school districts for programs serving children ages three to compulsory kindergarten-entrance age under the provisions of Neb. Rev. Stat. §§~~Sections~~ 79-1101 to 79-1103 ~~R.R.S~~.

001.03 Related Regulations. In addition to the requirements of this Chapter, public school districts are also governed by regulations contained in Title 92 Nebraska Administrative Code (NAC), Chapter 10, dealing with the accreditation of schools; 92 NAC Chapters 21 and 24 dealing with teacher certification and endorsement; 92 NAC Chapters 51 and 52 dealing with special education programs; and 92 NAC Chapter 19 dealing with enrollment. Public school districts operating a child care program may also be governed by 391 NAC Chapter 3 dealing with licensure of child care centers. Nothing in this Chapter may be interpreted to supersede the Individuals with Disabilities in Education Act, 20 USC § § 1400 et al., including corresponding federal regulations, the Nebraska Special Education Act, and 92 NAC Chapters 51 and 52 where appropriate.

002 Definitions

002.01 At risk when used with reference to a child means the child is experiencing conditions or factors which could have a negative impact on his or her development or learning, including but not limited to such factors as low birth weight, poverty, being a child of teen parents or

parents who did not graduate from high school, or living in a home whose occupants have limited ability to speak and understand English.

002.02 Board means the State Board of Education.

002.03 Center-based program means a prekindergarten program serving children in a class on a part-day or full-day program basis.

002.04 Class means a group of children who are receiving early childhood services in a classroom for a specific time period established by the school district or educational service unit. When there is more than one group of children (example: a morning group and an afternoon group), each group represents a distinct class for all purposes and must meet all requirements of this Chapter. Each class will meet instructional hour requirements for center-based programs indicated in Section 005 of this Chapter.

002.05 Commissioner means the State Commissioner of Education.

002.06 Comprehensive services means services other than the educational and family development and support components of the prekindergarten programs that are accessible to program participants including, but not limited to, nutritional, medical, dental, social, and mental health services.

002.07 Compulsory kindergarten-entrance age means a child will reach six years of age prior to January 1 of the then-current school year.

002.08~~002.07~~ Contact Hours, when used in conjunction with home-based programs, means that program staff will have contact with each enrolled family at least three (3) times each month and a minimum total of 180 minutes per month.

002.09~~002.08~~ Curriculum means an intentional design to enhance children's learning that is appropriate for the age and development of the children and is designed and implemented to promote positive outcomes in the areas of social, emotional, intellectual, language, physical, and aesthetic development, for all children served in the prekindergarten program.

002.10~~002.09~~ Department means the State Department of Education, which is comprised of the Board and the Commissioner.

002.11~~002.10~~ Developmentally appropriate means that the learning

environment and teaching strategies are based on widely accepted theories and research about the typical and atypical growth, development, and learning of children.

002.12~~002.11~~ Established, when used with reference to prekindergarten programs established by a school board or educational service unit, means a prekindergarten program that is operated by a school district or educational service unit directly; or by contract with another entity; or in coordination, cooperation, collaboration or partnership agreement with another entity.

002.13~~002.12~~ Family development and support means those components of a prekindergarten program which recognize the central role of the family in their children's development. Family development and support includes, but is not limited to, home visitation, parent resources and information, conferences, and referrals for additional services for children and families.

002.14~~002.13~~ Family literacy means education and related activities which involve children and their families in interactive literacy experiences.

002.15~~002.14~~ Full-day program means a prekindergarten center-based program that provides instruction, programming, and services for 6 or more hours per day in a class setting.

002.16~~002.15~~ Home-based program means a prekindergarten program that specifically provides home visiting services and does not include a center-based component. This definition includes Sixpence programs as described in subsection 005.13, but does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52).

002.17~~002.16~~ Home visiting services means a method of service delivery for child and family development and support where guidance, information, and child development services are offered in partnership with the family. Services may be provided for either home- or center-based programs in the family home or at another location determined by the family and the home visiting specialist or teacher. This definition includes Sixpence home-visiting programs as described in subsection 005.13, but does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52) or the federal Elementary and Secondary Education Act (ESSA), Title I, Part C

services.

002.18~~002.17~~ Home visitor means a person who provides family development and support services under the supervision of a home visiting specialist or a teacher.

002.19~~002.18~~ Home visiting specialist means a person who develops, supervises, and provides home visiting services.

002.20~~002.19~~ Infant means a child age birth to 18 months.

002.21~~002.20~~ Instructional hour when used in connection with center-based programs means a period of time, at least sixty (60) minutes long, which is used for teaching in the following areas of children's growth and learning: social-emotional development, cognitive learning in the areas of language and literacy, mathematics, science, and problem solving; creative arts, health and nutrition; and physical and motor development. Meal or snack time is part of the program curriculum and provides opportunities for learning and social development, as well as nutrition, and therefore, is included as part of the instruction time. Outdoor and gross motor time will be included as part of the instruction time. Sharing information with the family outside of the school during home visits will count as instructional time. Time spent transporting~~;~~ children from home to the school and back or conducting parent/teacher conferences in the school setting ~~or home visits~~ will not count as instructional time.

002.22~~002.21~~ Instructional hour, when used in connection with home-based programs, means contact hours. Time spent conducting home visits or phone contact will count as contact hours. Parent/teacher conferences are not considered contact hours.

~~002.22 Kindergarten entrance age means five years of age on or before July 31 of the current school year.~~

002.23 Paraeducator means an individual who serves in a non-teaching role under the supervision of a teacher certificated to teach pursuant to 92 NAC 21.

002.24 Parent means parent or legal guardian.

002.25 Part-day program means a prekindergarten center-based program that provides instruction, programming, and services for less

than 6 hours each day in a class setting.

002.26 Partnership agreement means, for the purposes of this Chapter, a formal written agreement that describes the level and nature of commitment of each party to the prekindergarten program. The partnership agreement should describe the following: resources contributed by each partner; rights and responsibilities of each partner; and any other relevant information agreed upon by all parties. The parties are not required by this Chapter to enter into partnership agreements or form a partnership under the Nebraska Uniform Limited Partnership Act.

002.27 Prekindergarten program means all early childhood part-day or full-day center-based programs (may be called preschool, Head Start, child care, Sixpence or some other name depicting a center-based program) and/or home-based programs provided for children who have not reached the age of sixfive on or before DecemberJuly 31 of the current school year.

002.28 Preschooler means a child age 3 years to compulsory kindergarten-entrance age.

002.29 School year means the time period between July 1 and June 30 each year.

002.30 Suspension means the temporary removal of a child from the learning setting due to a child's behavior including requiring the child to cease attendance for a specified period of time, reducing the number of days or amount of time that a child may attend, removing the child from the regular group setting for an extended period of time, or requiring the parent or the parent's designee to pick up a child for reasons other than illness or injury.

002.31002.30Teach means and includes, but is not limited to, the following responsibilities as found in subdivision (12) of Neb. Rev. Stat. § 79-101 (12): (a) the organization and management of the classroom or the physical area in which the learning experience of prekindergarten age children takes place; (b) the assessment and diagnosis of the individual educational needs of the children; (c) the planning, selecting, organizing, prescribing, and directing of the learning experiences of the children; (d) the planning of teaching strategies and the selection of available materials and equipment to be used; (e) the evaluation and reporting of children's progress; and (t)plus the provision of a learning

environment and opportunities for positive relationships with children and families.

002.32~~002.31~~ Teacher means a person who is certificated pursuant to 92 NAC 21 to teach.

002.33 Teacher assistant means a person who provides care, support, and education under the direction of a teacher certificated to teach pursuant to 92 NAC 21.

002.34~~002.32~~ Toddler means a child age 18 months to 3 years.

003 Prekindergarten Program Approval Process

003.01 Intent to Operate Statement: Any public school district or educational service unit intending to establish a prekindergarten program will provide the following information to the Department at least 60 days prior to providing any such program:

003.01A A written statement indicating the intent to establish a prekindergarten program meeting the requirements of this Chapter and a description of the prekindergarten program to be provided. The description will include the type of service to be provided, the planned number of instructional hours for a center-based program or contact hours for a home-based program, and the ages of children in the program. This statement will be signed by the school district superintendent or the educational service unit (ESU) administrator.

003.01B Written verification that the district or educational service unit staff member who coordinates the prekindergarten program holds a Nebraska Teaching Certificate and has at least 9 college credit hours in early childhood education.

003.01C When known, name of the certificated teacher or teachers who will assume teaching responsibilities.

003.02 Approval Requirements. Prekindergarten programs established by school boards or educational service units will be approved by the Board pursuant to this Chapter upon the recommendation of the Commissioner. Approval requires compliance with the requirements identified in this Chapter.

003.02A School systems may submit a request for a waiver for

subsections 004.07 and 005.05A of this Chapter listing each staff member that does not meet those requirements. To be eligible for a waiver, the following minimum information is required and must be submitted within 90 ~~30~~ days of the hire date of each staff:

003.02A1 Copy of each advertised job posting and starting salary, and

003.02A2 List of all other applicants for the position along with their resume and/or application, if any, and

003.02A3 Resume of person hired, and

003.02A4 A copy of an approved course of study from a cooperating college or university showing the staff member will be able to achieve a teaching certificate with an early childhood endorsement within four years. Such course of study should also include a copy of the staff member's current transcripts. ~~that shows:~~

~~003.02A4a Twelve (12) graduate hours in early childhood education; or~~

~~003.02A4b Bachelor's degree or higher including 12 undergraduate hours in early childhood education; or~~

~~003.02A4c Associate's degree in early childhood education.~~

003.02A5 For teachers of a prekindergarten center-based program, provide the plan developed as required by subsection 005.0SA for the staff member to obtain the required endorsement.

003.02B The Commissioner will submit the waiver request to the Board with his or her recommendation for approval or denial. The Board may approve the requested waiver if the components of the plan will promote quality learning, equity, and/or accountability. The Board will reject the waiver if the plan and requested waiver would not provide quality learning, equity, and/or accountability.

003.02C The approved waiver may be renewed annually ~~request will not exceed four (4) years~~.

003.03 Duration and Continuation of Program Approval. Program approval is granted for one year from each July 1 through the following June 30. Renewal is based on the program's compliance with this Chapter during the prior school year.

003.03A Districts approved for a waiver of subsection 004.07 for specifically identified staff must provide the courses each staff member subject to a waiver completed towards that staff member's approved course of study as part of the Early Childhood Program Report as described in subsection 003 .06. Renewal of program approval is dependent upon the annual progress.

003.04 Approval For the Purpose of Early Childhood Education Continuation Grants or the Tax Equity and Educational Opportunities Support Act (TEEOSA). Prekindergarten programs established by school districts may be approved annually for purposes of TEEOSA or for Early Childhood Education continuation grants under this Chapter on the annual submission of the following by the establishing district:

003.04A An Early Childhood Program report demonstrating that the program will continue to meet the requirements of this Chapter, and, for programs receiving grants, a continuation plan demonstrating that the program will continue to meet grant requirements.

003.04B For programs receiving grants, a proposed operating budget demonstrating that the program will receive resources from other funding sources equal to or greater than the sum of any grant received pursuant to this Chapter for the prior school year plus any calculated state aid as calculated pursuant to subsection (1) of Neb. Rev. Stat. §79-1103 for the prior school year.

003.05 General Reports. The head administrator of each school district or educational service unit establishing a prekindergarten program will include information about such programs in the ~~Nebraska~~ Department ~~of Education~~ approved data system. All early childhood data is due as specified by the data system calendar.

003.06 Early Childhood Program Report. An Early Childhood Program Report ~~Form~~will be electronically submitted ~~annually~~on or before ~~by~~October 15 of each year through the Department portal.~~, and on the form provided by the Department The report form is contained in Appendix A of this Chapter~~. When the report reflects failure to comply

with the requirements of this Chapter, it will be accompanied by a written plan for correcting the violation(s). The plan is subject to approval by the Commissioner or his or her designee. The Commissioner or his or her designee may approve the plan if in his or her judgment it is reasonably calculated to correct the violation prior to the end of the current school year.

004 Requirements For All Prekindergarten Programs (Center-based and Home-based) Established By School Boards or Educational Service Units

004.01 Stated Purpose. Each program will have a stated purpose of promoting social, emotional, intellectual, language, physical, and aesthetic development and learning for the children served and of promoting family development and support.

004.02 Planning. Each program will have a planning period. The planning period will include activities associated with:

004.02A Determining the community's unmet needs for early childhood education for prekindergarten children in terms of the number of such children in the community, an estimate of the number of children at risk, kinds of programs available, numbers of children birth to compulsory kindergarten-entrance age who are not currently receiving services, and barriers to the provision of services.

004.02B Developing cooperative relationships with public and nonpublic providers of early childhood programs, including the development of cooperative agreements and contracts, as needed to carry out the proposed program.

004.02C Recruiting and training staff.

004.02D Identifying and listing existing school-community resources available to provide comprehensive services to the program participants.

004.03 Advisory Committee. A local Early Childhood Advisory Committee will be established with membership representing families and community members.

004.03A An existing advisory committee such as that required for

services to children below age five (5) with disabilities in Title 92 NAC Chapter 51, a Head Start Policy Council, or a Title I Advisory Committee, may serve this purpose if the representation conforms with this section and the mission is expanded to encompass the purpose of this Chapter.

004.03B Advisory Committee meetings are subject to the Open Meetings Act as described in Neb. Rev. Stat. §§84-1407 to 84-1414.

004.04 Coordination with Existing Programs and Funding Sources. Each program will develop, and keep on file, a written plan to show that the program will be coordinated or contracted with existing programs, including those listed in subsection 004.04A and nonpublic programs which meet the requirements of this Chapter. Each program will develop and keep on file a written plan to coordinate and use a combination of local, state, and federal funding sources including, but not limited to, those listed in subsection 004.04A in order to maximize the participation of economically and categorically diverse groups of children and to ensure that participating children and families have access to knowledge of comprehensive services that may be available.

004.04A For the purposes of subsection 004.04, existing programs and funding sources are as follows:

004.04A1 Grants provided through the Early Childhood Education Grant Program for children ages three to compulsory kindergarten-entrance age under Neb. Rev. Stat. §79-1103 and the Early Childhood Grant Program for children ages birth to three (Sixpence Grants) under Neb. Rev Stat. §79-1104.02

004.04A2 Programs for children with disabilities below five years of age funded through the Special Education Act, the Early Intervention Act, and funds available through the flexible funding provisions under the Special Education Act.

004.04A3 The federal Head Start Preschool or Early Head Start program.

004.04A4 Title I of the federal funds provided through the Elementary and Secondary Education Act and subsequent reauthorizations or other appropriate federal legislation.

004.04A5 Child care assistance through the Department of Health and Human Services.

004.04A6 Local district funds.

004.04A7 Funds obtained through contracts with other school districts, such as contracts to provide services to children below age five with disabilities pursuant to 92 NAC 51.

004.04A8 Private grants and gifts.

004.04A9 Parent fees from the program's locally-developed sliding scale.

004.04A10 Nonpublic prekindergarten programs which meet the requirements of Neb. Rev. Stat. §79-1104(2) and this Chapter.

004.05 Fees. Fees if charged will not exceed the actual cost for providing prekindergarten programs. Programs charging fees will have a plan to use a sliding fee scale in order to maximize the participation of economically and categorically diverse groups. Programs may waive fees on the basis of need. This subsection does not allow any school district to fail to meet its responsibilities under the Special Education Act (Neb. Rev. Stat. §§79-1110 to 79-1167).

004.06 Program Coordinator. Prekindergarten programs will be coordinated by either a certificated district staff member or an employee of an agency with whom the district has a partnership agreement who holds a current Nebraska Teaching Certificate with at least 9 college credit hours in early childhood education and has the authority and responsibility to ensure compliance of this Chapter.

004.07 Program and Staff Requirements. All teachers and administrators in prekindergarten programs established by school district or educational service units will hold a valid certificate or permit to teach issued by the Department pursuant to 92 NAC 21 unless a waiver has been granted by the Board pursuant to subsection 003 .02A in which case the specific staff member or members listed as the subject of the waiver, will temporarily be exempt from the requirement in subsections 004.07 and 005.05A. Each center-based part-day or full-day program will also meet program and staff requirements in Section 005 of this Chapter. Each home-based program will also meet the

program and staff requirements in Section 006 of this Chapter.

004.08 Participation and Inclusion. Participation of children and families in any program under this Chapter will be voluntary. Programs will not exclude children verified as having disabilities and will include to the extent possible children of diverse social and economic characteristics.

004.08A Birth Certificates. Within 30 days of enrollment, parents or guardians must submit to the district a certified copy of the child's birth certificate or other documentation in compliance with the Missing Children's Identification Act, Neb. Rev. Stat. §§43-2001 through 43-2012.

005 Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Compulsory Kindergarten-Entrance ~~Eligibility~~ Age in a Center-Based Program

005.01 Instructional Hours. Each class in the program will operate a minimum of twelve (12) instructional hours per week during the school year. Programs receiving grant funds pursuant this Chapter or receiving Tax Equity and Educational Opportunities Support Act (TEEOSA) funds will operate a minimum of four-hundred and fifty (450) instructional hours per school year.

005.01A Pursuant to the provisions of Neb. Rev Stat. §79-213, school systems unable to meet the minimums for instructional hours due to epidemic sickness, severe storm conditions, or destruction of the school house may request permission from the Board to offer fewer than the minimum hours by submitting an affidavit sworn to by the secretary of the school board and explaining the circumstances resulting in the request.

005.02 Family Development and Support. Each center-based part-day or full-day prekindergarten program will provide a strong family development and support component which recognizes the central role of parents in their children's development and establishes a working partnership with each parent. The family development and support component will include, at a minimum:

005.02A Written information for families about the program's philosophy, policies, and procedures.

005.02B An orientation to the program for children and families.

005.02C At least two (2) home visits per year between the parent(s) and the teacher to discuss the child's development and learning. If the family decides to have the visit at a location other than the home, it must be conducted at a location determined jointly by the family and teacher.

005.02D Specified opportunities for program staff to dialogue with families through such activities as parent conferences, participation on advisory committees, needs assessments, participation as classroom volunteers, and flexible scheduling of meetings and events.

005.02E Services based on the family's needs and interests that include but are not limited to, components that will enhance parenting skills and the family's ability to access community resources.

005.03 Developmentally and Culturally Appropriate Curriculum Practices. and Assessment. The part-day or full-day center-based prekindergarten program will provide a play-oriented learning environment, which facilitates the optimal growth and development of children, with opportunities for age-appropriate learning experiences through active involvement with people and materials. Programs must implement developmentally appropriate research-based early childhood curricula, including additional curricular enhancements, as appropriate that are based on scientifically valid research and have standardized training procedures consistent with the science of reading for children of this age and include curriculum materials to support implementation.

005.03A A written program plan will be developed to explain and implement the program. The written program plan will include a description of how the program curriculum, practices and assessment provide a variety of developmentally appropriate, experiential activities which:

005.03A1 Promote a positive self-concept in each child.

005.03A2 Foster attachments for all children by ensuring they have consistent teachers and paraeducators daily.

005.03A3 Develop social skills in each child.

005.03A4 Encourage each child to think, reason, question, and

experiment.

005.03A5 Foster both receptive and expressive language development and provide early literacy/pre-reading experiences.

005.03A6 Incorporate family literacy experiences.

005.03A7 Develop an understanding of mathematical concepts including quantities of things, of time, and of space.

005.03A8 Enhance each child's physical development and skills.

005.03A9 Encourage sound safety, health, and nutritional practices, including avoidance of controlled substances.

005.03A10 Stimulate each child in creative expression and appreciation of the arts.

005.03A11 Include exploratory play in a language and literacy-rich environment during a majority of the daily schedule.

005.03A12 Reflect and respect the diversity of races, national origins, gender, and physical and mental abilities in the larger society and with particular emphasis on the cultural and ethnic backgrounds of the children enrolled through planned activities, use of materials, and use of equipment.

005.03A13 Use positive, age-appropriate techniques of child guidance including redirection, anticipation, elimination of potential problems, and encouragement. Suspension of prekindergarten aged children is governed by Neb. Rev. Stat. § 79-265.01.

005.03A14 Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines:.

Nebraska's Birth to Five Learning and Development Standards. The summary of these standards is found on the Department's

website. ~~contained in Appendix D of this Chapter~~. The assessment data ~~is~~ will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age-expectations for literacy/pre-reading and mathematics.

005.03A15 Link the prekindergarten to the district's kindergarten/primary program through a written transition plan insuring continuity, identification, and implementation of processes necessary to facilitate the transition of children. The prekindergarten program will be included in the school district ~~school~~ continuous improvement plan.

005.03A16 Include a well-defined language development and early literacy emphasis, including the involvement of parents in family literacy activities.

005.03A17 Provide at least one outdoor play period (weather permitting) daily.

005.04 Evaluation and Quality Assurance. The program will participate in periodic program evaluations to assure program quality and positive child outcomes. The evaluation process will be designed by the Department and will include, but not be limited to the following:

005.04A An assessment of program quality.

005.04B A report of child outcomes including at least one objective measure of child performance and progress.

005.04C A written plan for dissemination of the results of the evaluation.

005.05 Program Staff. The prekindergarten program will use qualified staff as set forth below.

005.05A Teacher. Any teacher in a prekindergarten program will hold a valid Nebraska Teaching Certificate with one of the following endorsements: Early Childhood Special Education (Birth through

Kindergarten), Early Childhood Inclusive (Birth through Grade 3), ~~or~~ Early Childhood Education (Age 3 through Grade 3), or Special Education: Early Intervention Specialist, Birth through Prekindergarten. ~~The Early Childhood Education (age 3 through Grade 3) endorsement will not be valid for teaching children below age 3.~~ A program may use a teacher without such an endorsement if the teacher files with the Department, as part of the annual Early Childhood Program Report, a plan developed by the teacher and the cooperating college or university to complete the endorsement. The plan will require the teacher to receive at least six (6) semester hours of credit annually toward completion of the endorsement. When fifty percent (50%) of the required courses have been completed, the teacher is eligible for a provisional endorsement pursuant to 92 NAC 24.

005.05B Teacher Assistant~~Paraeducator~~.

A teacher assistant in a prekindergarten classroom serving children younger than age 3 may carry out daily activities of the classroom if a certificated teacher with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), Early Childhood Education (Age 3 through Grade 3), or Special Education, Early Intervention Specialist (Birth through Prekindergarten) is assigned to a prekindergarten classroom in the program during normal school hours and plans appropriate teaching activities in collaboration with the teacher assistant.

A teacher assistant in a prekindergarten classroom in a before and/or after school program may carry out daily activities of the classroom if a certificated teacher with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), Early Childhood Education (Age 3 through Grade 3), or Special Education: Early Intervention Specialist (Birth through Prekindergarten) is assigned to a prekindergarten classroom in the program during normal school hours and plans appropriate teaching activities in collaboration with the teaching assistant.

A teacher assistant ~~paraeducator~~ assigned to ~~work as a member of a team in~~ a classroom setting will have received at least twelve (12) semester hours of undergraduate or graduate credit in child development/early childhood education, or the equivalent in prior

training or experience as determined by the Commissioner or his or her designee. Equivalencies include, but are not limited to the following:

005.05B1 Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

005.05B2 Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

005.05B3 Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement.

005.05B4 Early childhood training hours (including web-based training) provided by or sponsored by the ~~Nebraska~~ Department's ~~of Education~~ Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (l) semester hour.

005.05B5 The program may employ a teacher assistant ~~paraeducator~~ who does not meet the twelve (12) semester hour requirement as long as the teacher assistant ~~paraeducator~~ completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment.

005.05C Paraeducator. The prekindergarten program may employ a paraeducator to work as a member of a team in a center-based program. Paraeducators must meet federal requirements for instructional para professionals.

005.05D~~005.05C~~ Home Visitor. The prekindergarten program may employ a home visitor in a center-based program who provides family development and support services under the direction of a teacher. The home visitor will have at least twelve (12) semester

hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education; (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family centered practices or child and youth development.

005.05D~~C~~1 The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following:

005.05D~~C~~1A Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

005.05D~~C~~1B Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

005.05D~~C~~1C Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement.

005.05D~~C~~1D Holding a Nebraska Home Visitor certificate will be equivalent to three (3) semester hours.

005.05D~~C~~1E Early childhood training hours (including web-based training) provided by or sponsored by the ~~Nebraska~~ Department's ~~of Education~~ Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.

005.05E~~005.05D~~ Orientation. All staff working in the prekindergarten program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties and responsibilities, building safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28- 711, child assessment information, and daily routines and schedules.

005.05F~~005.05E~~ Language Resource. If the majority of children enrolled in the program use a common language other than spoken English, at least one staff member who uses such language will be available as an active participant to communicate with such children in classroom and group experiences. Where less than a majority of the children enrolled in the program speak a language different from the rest, one staff member or a community resource person or parent will be identified to serve as a resource to the program.

005.05G~~005.05F~~ Staff Development Plan. There will be a written plan detailing staff development opportunities for all teachers, teacher assistants, paraeducators and home visitors working in the program who have regular contact with children and their families. The written plan will include a professional development goal, the strategies for meeting the goal and a timeline for completion. The written plan will be reviewed and updated annually.

005.05H~~005.05G~~ Staff Development Hours. Teachers, teacher assistants, paraeducators and home visitors who have regular contact with children in early childhood programs will participate annually in at least fifteen (15) clock hours of Early Childhood Training Center approved staff development. All staff development will relate to prekindergarten or child development.

005.05I~~005.05H~~ Background checks. Program staff who are not required to hold a Nebraska Teaching Certificate and who have contact with children will be checked by program administration against the Nebraska Central Registry of Child Abuse and Neglect and the Nebraska Adult Protective Services Registry, before being hired. No person or persons may be hired or remain employed who has a felony conviction nor any misdemeanor conviction involving abuse, neglect, or sexual misconduct as further defined and

identified in 92 NAC Chapter 21 subsections 003.12~~3~~4 and 003.13~~4~~5.

005.06 Child/Staff Ratio and Group Size. Child/staff ratios and group sizes will be maintained as indicated below with staff assigned who meet the qualifications described in subsection 005.06. When age groups are mixed, the lower ratio will prevail.

005.06A If the program serves infants, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified as a teacher assistant. A paraeducator, teacher assistant, or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each four (4) children with a maximum group size of eight (8).

005.06B If the program serves toddlers, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified as a teacher assistant. A paraeducator, a teacher assistant, or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each six (6) children with a maximum group size of twelve (12).

005.06C If the program serves preschoolers, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate for each group of twenty (20) children. A paraeducator or an additional certificated teacher will be assigned to assure a ratio of at least one (1) adult for each ten (10) children with a maximum group size of twenty (20).

005.06D If the programs serve children in the hours before or after the typical school day, at least one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate or be qualified as a teacher assistant. A paraeducator, a teacher assistant and/or an additional certificated teacher will be assigned to assure the ratios are consistent with 005.06A-005.06C of this chapter.

005.06E~~005.06D~~ In full-day programs where children nap, the certified teacher or teacher assistant may be out of the classroom during the nap period as long as the children are adequately supervised by other staff and the teacher or teacher assistant is readily available.

005.07 Facilities, Equipment, Health and Safety

005.07A Classroom settings will provide at least thirty-five (35) square feet per child of space usable by the children.

005.07B An outdoor play area that is protected by fences or physical barriers will be available which provides at least seventy-five (75) square feet per child of play space.

005.07B1 The fence or physical barrier will be of a type of structure that is a continuous barrier and is at least 36 inches in height, flush with the ground, and without any gaps that would allow a child to exit the protected area.

005.07C Each classroom setting and outdoor play area will be equipped with safe, durable, age-appropriate equipment and materials for indoor and outdoor activities.

005.07D If needed, modifications of the equipment, materials, and activities will be made to assure maximum participation in the ongoing activities of the program for children with disabilities attending the program.

005.07E Equipment and materials will be organized into clearly defined areas of interest that are arranged to encourage independent choice; cooperative activity; and alteration between quiet and active exploration and teacher-and child-initiated activities.

005.07F Each prekindergarten program will maintain safe, healthful, and sanitary conditions within the facilities used for the program and on the outdoor playground and meet applicable fire, safety, and health codes.

005.07G At least one (1) staff member per class who has received first aid and CPR training specifically designed for children will be on duty with the children at all times. Written verification of current training will be available.

005.08 Meals and/or Snacks. The program will provide all children in each class at least one meal and/or snack that meets USDA Child Nutrition Program guidelines each day. All tables used for meals and snack will be properly sanitized. Full day programs must provide at least one meal and one snack, or two meals each day that meet USDA Child Nutrition Program guidelines.

005.09 Immunizations. The school district will comply with all state statutes and regulations regarding the immunization status of all enrolled children.

005.10 Supervision. Adequate and appropriate supervision will be provided at all times children are in attendance, including during outdoor play and field trips. Adequate and appropriate supervision includes, but is not limited to, knowing the whereabouts and being within sight or sound of children at all times.

005.11 Toileting. The program will ensure the toileting needs of all children are met immediately. The program will ensure wet and/or soiled clothing is changed immediately.

005.12 Infants and Toddlers. Programs serving children birth to age 3 will meet the following requirements:

005.12A The physical, emotional and social needs of infants and toddlers will be met consistently and promptly;

005.12B Formula and feeding schedules will be obtained from parents;

005.12C Infants will not sleep with bottles;

005.12D Bottles will not be propped;

005.12E If formula is used, it will be a commercially made product;

005.12F All breast milk and prepared formula will be refrigerated and clearly labeled with the child's name and discard date; and unused prepared formula will be discarded as indicated by the label;

005.12G Unfrozen breast milk will be discarded 48 hours after being expressed; and frozen breastmilk will be discarded three months after being expressed;

005.12H Only highchairs with three point safety straps will be used;

005.12I Infants will be placed on their backs to sleep except in cases where there is a medical reason the child will not sleep on its back; and written verification of the medical reason from the child's physician will be available;

005.12J Wet or soiled diapers will be changed immediately and disposed of in a sanitary manner;

005.12K Individual cleaning cloths will be used for diapering;

005.12L Diaper changing surfaces will be cleaned and disinfected after each use and staff will use proper hand washing techniques after each diaper change;

005.12M Toileting will be done in a manner agreed upon with the parent;

005.12N Potty chairs will be cleaned, disinfected, and properly stored away from play areas;

005.12O All cribs and playpens will meet federal safety standards as indicated by the Consumer Product Safety Commission; and

005.12P All cribs and playpens will not contain any soft objects, bumper pads, toys or loose bedding.

005.13 Sixpence Programs. School districts that receive Early Childhood Endowment birth to three grants, also referred to as Sixpence programs, may be required to meet additional grant-related program requirements established by the Endowment Board of Trustees.

006 Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Compulsory Kindergarten-Entrance ~~Eligibility~~ Age in a Home-Based Program (Does not apply to or include special education services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52) or Elementary and Secondary Schools Act (ESSA) Title I, Part C services.

006.01 Contact Hours in Home-Based Programs. Program staff will have contact with each enrolled family at least three (3) times each month and a minimum total of 180 minutes per month. A minimum of 120 minutes will be face-to-face contact with the family. Contact maybe completed by the home visiting specialist or the home visitor. If a school district or educational service unit contracts with another organization to provide early childhood services, the district or ESU will ensure the adequate number of hours are provided as required in this subsection.

006.02 Family Development and Support. Each home-based

prekindergarten program will include the following, at a minimum:

006.02A Written information for families about the program's philosophy, policies, and procedures;

006.02B An orientation to the program for families; and

006.02C Delivery of services that are based on family needs and interests and that focus on the child's development and positive family outcomes. Services will be provided year round following a curriculum that meets the requirements of subsection 006.03 of this Chapter.

006.03 Developmentally and Culturally Appropriate Curriculum, Practices, and Assessment in Home-Based Prekindergarten Programs. Each home-based prekindergarten program will provide curricula that are research-based and designed to work with families that facilitate the optimal growth and development of children, and that are culturally appropriate for all families served. The program will also include a well-defined language development and early literacy emphasis, including the involvement of families in literacy activities.

006.03A Each program will have a written program plan that will include a description of program curriculum, practices and assessments used. This plan must be provided to all parents and be available to the Department upon request.

006.03B Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines: Nebraska's Birth to Five Learning and Development Standards. The summary of these standards ~~are~~ is found on the Department's website~~contained in Appendix D of this Chapter~~. The assessment data will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age expectations for literacy/pre-reading and mathematics.

006.04 Evaluation and Quality Assurance. Each home-based program will participate in periodic program evaluations to assure program quality and positive child outcomes. The evaluation process will be designed by the Department's Office of Early Childhood and will include, but not be limited to the following:

006.04A An assessment of program quality;

006.04B A report of child outcomes including at least one objective measure of child performance and progress; and

006.04C A written plan for dissemination of the results of the evaluation.

006.05 Program Staff. In order to provide home-based services, each home-based program will use one or more home visiting specialists and may in addition use one or more home visitors who meet the qualifications below:

006.05A Home Visiting Specialist. Any home visiting specialist in a home-based program will have a bachelor's degree or higher in one of the following areas:

006.05A1 Early Childhood Education,

006.05A2 Early Childhood Special Education,

006.05A3 Child Development, or

006.05A4 Human Services, Nursing, Social Work, Sociology or Psychology including at least twelve (12) graduate or undergraduate hours in any area of family-centered practices or child and youth development.

006.05B Home Visitor. Any home visitor will have at least twelve (12) semester hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family centered practices or child and youth development.

006.05B1 The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as

the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following:

006.05B1A Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement.

006.05B1B Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement.

006.05B1C Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement.

006.05B1D Holding a Nebraska Home Visitor certificate will be equivalent to three (3) semester hours.

006.05B1E Early childhood training hours (including web-based training) provided by or sponsored by the ~~Nebraska~~ Department's ~~of Education~~ Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.

006.05C Orientation. All staff working in the home-based program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties and responsibilities, home visiting safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28-711, child assessment information, and information about the importance of family routines and schedules.

006.05D Staff Development Plan. There will be a written plan

detailing staff development opportunities for all home visiting specialists and home visitors working in the home-based program who have regular contact with children and their families. The written plan will include a professional development goal, the strategies for meeting the goal and a timeline for completion. The written plan will be reviewed and updated annually.

006.05E Staff Development Hours. Home visiting specialists and home visitors who have regular contact with children in early childhood programs will participate annually in at least fifteen (15) clock hours of Early Childhood Training Center approved staff development. All staff development will relate to prekindergarten or child development.

006.05F Background checks. Home visiting specialists and home visitors who do not hold a valid Nebraska Teaching Certificate and who have contact with children will be checked by program administration against the Nebraska Central Registry of Child Abuse and Neglect, and the Nebraska Adult Protective Services Registry and have a criminal background check before being hired. No person or persons may be hired or remain employed who has a felony conviction nor any misdemeanor conviction involving abuse, neglect, or sexual misconduct as further defined and identified in 92 NAC Chapter 21 subsections 003.12~~3~~4 and 003.13~~4~~5.

007 Early Childhood Education Grants for Prekindergarten Program for Children Ages Three to Compulsory Kindergarten-Entrance Age. Any school district, individually or in cooperation with other school districts or educational service units, working in cooperation with existing nonpublic programs meeting the requirements for approval in this Chapter may submit an application for an Early Childhood Education Grant for a prekindergarten program for children ages three (3) to compulsory kindergarten-entrance age that is established by the district and is approved by the Department pursuant to this Chapter. Administrative authority for Early Childhood Education Grants for prekindergarten programs for children from birth to age three (3) (Sixpence Grants) resides with the Early Childhood Education Endowment Board of Trustees.

007.01 Children Who May Be Served With Grant Funds.

007.01A All prekindergarten-age children, ages three (3) to compulsory kindergarten-entrance age, regardless of their abilities, disabilities, or the social, linguistic, or economic diversity of the

children's families are eligible to be served with grant funds awarded as provided in this Chapter.

007.01B Up to thirty percent of the funds granted for each prekindergarten program under this Chapter may be used to offset program costs for children who are not identified in the priorities specified in subdivisions (1)(b)(c), and (d) of Neb. Rev. Stat. §79-~~l~~ 1103~~(l)(b), (c), and (d)~~ or who are not supported through any of the funding sources listed in subsection 004.04 of this Chapter, in order to maximize the participation of children from diverse groups.

007.01C Early Childhood Education Grant funds will not be used to support the participation of children who are below age three or who are of compulsory kindergarten-entrance age. ~~eligible by age to enroll in kindergarten (those who reach age five by July 31 of the current year).~~

007.02 Grant Application Process.

007.02A Request For Proposals. For years in which grant funds are available, the Department will issue a Request for Proposals (RFP) for new or expansion grants for programs for children ages three to kindergarten entrance or compulsory attendance age.

007.02B Forms. Each school district applying for a continuation grant, or a new or expansion grant ~~funding~~ under this Chapter, individually or in cooperation with other school districts or educational service units, will submit an application electronically through the Nebraska Department of Education Grants Management System. ~~on the forms in Appendix B of this Chapter. The application process for continuation grants is established online and requires electronic submission of information identified in Appendix C of this Chapter~~.

007.02C Applications. Applications will be rated on the basis of conformance with the requirements of this Chapter.

007.02D Panel. The Commissioner or his or her designee will appoint a panel of persons knowledgeable in early childhood education to evaluate the applications and to recommend proposals for funding to the Commissioner.

007.02E Commissioner's Recommendation. Application funding

recommendations by the Commissioner will be made at a meeting of the ~~State~~ Board ~~of Education~~. Upon action by the Board, all applicants will be notified of the outcome.

007.02F Funding Distribution. Grant funds will be distributed by the Department using the priorities and limitations specified in subdivisions (1)(b), (1)(c), and (1)(d) of Neb. Rev. Stat. §79-1103~~(1), (b), (c), and (d)~~. The Department will make an effort to fund programs across the state in both rural and urban areas.

007.03 Grant Funding.

007.03A Each prekindergarten program approved under the provisions of this Chapter will be eligible to apply for grant funding subject to the following:

007.03A1 Appropriation of the funds by the Legislature.

007.03A2 An annual review of compliance with the requirements of this Chapter and quality as measured over time by the program assessment tool pursuant to subsection 005.04A. Programs found with deficiencies as identified in the assessment tool must show measured progress annually.

008 Violations, Probation, or Loss of Program Approval and/or Loss of Grant Funds

008.01 Violations. When the Commissioner or his or her designee determines that the prekindergarten program is in violation of any requirement specified in this Chapter, written notice will be given to the school district or educational service unit. Any prekindergarten program in violation of any requirements specified in this Chapter will submit a written plan to the Commissioner or his or her designee describing how violations will be corrected prior to the beginning of the next school year.

008.02 Continued violation of any requirements indicated in this Chapter may result in probation, loss of approval and/or loss of grant funding as described in this Chapter. The Commissioner may, at his or her discretion, make recommendations to the ~~State~~ Board to end or deny program approval and/or grant funding or place a program on probation.

008.03 Recommendations from the Commissioner to the Board to either end or deny program approval pursuant to Sections 004, 005 and 006 or to end grant funding pursuant to Section 007 may be appealed by filing a petition and request for hearing with the ~~State~~ Board ~~of Education~~ pursuant to 92 NAC 61 no later than 15 calendar days after the date of receipt of written notice of the recommendation from the Commissioner or his or her designee. All hearings arising under this Chapter will be conducted in accordance with the hearing procedures of 92 NAC 61, including provisions of that Chapter relating to evidence.

008.04 When the Commissioner makes a recommendation to the Board to end or deny program approval or end grant funding, notice of the recommendation and of the right to request a hearing will be given by certified mail returned receipt requested sent at least thirty (30) calendar days prior to the date of the Board meeting at which the recommendation is to be considered. The notice will be sent to the superintendent of the school district or head administrator of the educational service unit responsible for the program. The notice will specify the basis for the recommendation.

008.05 Upon review of the Commissioner's recommendation and following any hearing, the Board will make a determination regarding the program's approval or grant funding and will inform the superintendent of the school district or the head administrator of the educational service unit of the Board's decision in writing by certified mail.

Return to: Nebraska Department of Education NDE: 24-012
Office of Early Childhood Revised: 8/18
PO Box 94987 Date Due: October 15
Lincoln, NE 68509

NEBRASKA DEPARTMENT OF EDUCATION
PREKINDERGARTEN PROGRAM REPORT
For _____ School Year

District Name/ESU Number:		County District Number:
_____		_____
Address:	**City:**	**Zip Code:**
_____	_____	_____

Program Contact:	Title:
_____	_____
Telephone Number:	**E-mail Address:**
_____	_____

Program Coordinator:	Title:
_____	_____
Telephone Number:	**E-mail Address:**
_____	_____

PROGRAM OPERATION

☐ **Yes**, this public school district/ESU **does** operate a prekindergarten program in the _____ school year.

*If you checked **yes**, please complete pages 2-11, sign below and return pages 1-3 to the NDE Office of Early Childhood at the address provided.*

☐ **No**, this public school district/ESU **does not** operate a prekindergarten program in the _____ school year.

*If you checked **no**, please sign below and return this page only to the NDE Office of Early Childhood at the address provided.*

Signature of District Superintendent/ESU Administrator:	Date:
	_____
By signing this you are confirming that this form is completed accurately and to your best knowledge.	

For definitions refer to the definitions section of Rule 11 (002.00).

Yes	No		
☐	☐	**Center-based Program serving Preschoolers**	Does this public school/ESU operate a center based prekindergarten program serving preschoolers? • Complete the following sections of the Supplemental Regulation Checklist: 004.00 & 005.00
☐	☐	**Center-based Program serving Infants and/or Toddlers**	Does this public school/ESU operate a center based prekindergarten program serving infants and/or toddlers? • Complete the following sections of the Supplemental Regulation Checklist: 004.00, 005.00 & 005.12
☐	☐	**Home-based Program**	Does this public school/ESU operate a home-based prekindergarten program serving Children Birth to Kindergarten Eligibility Age? • Complete the following sections of the Supplemental Regulation Checklist: 004.00 & 006.00
☐	☐	**Sixpence Program**	Does this public school/ESU operate a Sixpence prekindergarten program? • If yes, please indicate if it is an infant and/or toddler center-based program, home-based program or both by checking the correct box(es) above and completing the corresponding regulation checklists. • Complete the following section of the Supplemental Regulation Checklist: 004.00, 005.13
☐	☐	**Childcare**	Does this public school/ESU operate childcare?

How many classes of children does your district serve?	**Total Part-Day (Less than 6 hours)**	**Total Full-Day (6 hours or more)**
	____	____

Class *means a group of children who are receiving early childhood services in a classroom for a specific time period established by the school district or educational service unit. When there is more than one group of children (example: a morning group and an afternoon group), each group represents a distinct class for all purposes and must meet all requirements of this Chapter.*

Yes	No		
☐	☐	**004.04**	Coordination with Existing Programs and Funding Sources. Each program will develop, and keep on file, a written plan to show that the program will be coordinated or contracted with existing programs, including those listed in Subsection 004.04A and nonpublic programs which meet the requirements of this Chapter. Each program will develop and keep on file a written plan to coordinate and use a combination of local, state, and federal funding sources including, but not limited to, those listed in Subsection 004.04A in order to maximize the participation of economically and categorically diverse groups of children and to ensure that participating children and families have access to knowledge of comprehensive services that may be available.
			A For the purposes of Subsection 004.04, existing programs and funding sources are as follows:
☐	☐		**A1** Grants provided through the Early Childhood Education Grant Program for children ages three to kindergarten entrance age under Neb. Rev. Stat. § 79-1103 and the Early Childhood Grant Program for children ages birth to three (Sixpence Grants) under Neb. Rev Stat. § 79-1104.02
☐	☐		**A2** Programs for children with disabilities below five years of age funded through the Special Education Act, the Early Intervention Act, and funds available through the flexible funding provisions under the Special Education Act.
☐	☐		**A3** The federal Head Start or Early Head Start program.
			Complete remaining funding regulations on the next page (page 3)

☐	☐		**A4** Title I of the federal funds provided through the Elementary and Secondary Education Act and subsequent reauthorizations or other appropriate federal legislation.
☐	☐		**A5** Child care assistance through the Department of Health and Human Services.
☐	☐		**A6** Local district funds.
☐	☐		**A7** Funds obtained through contracts with other school districts, such as contracts to provide services to children below age five with disabilities pursuant to 92 NAC 51.
☐	☐		**A8** Private grants and gifts.
☐	☐		**A9** Parent fees from the program's locally developed sliding scale.
☐	☐		**A10** Nonpublic prekindergarten programs which meet the requirements of Neb. Rev. Stat. § 79-1104(2) and this Chapter.

Complete the Supplemental Regulation Checklist (pages 4-11), then answer the question below based on it.

☐ **Yes,** this public school district/ESU **does** meet all regulations required by Rule 11.
If check yes, k*eep completed supplemental regulation checklist (pages 4-11) on file.*

☐ **No,** this public school district/ESU **does not** meet all regulations required by Rule 11.
*If you checked **no**, complete the chart listed below. Keep completed supplemental regulation checklist (pages 4-11) on file.*

Note: For any regulation checked NO, on the supplemental regulation checklist, please identify the regulation and provide information below that describes in detail the plan for correcting the Rule 11 violations and making the necessary changes. Attach documentation as necessary. ***Failure to provide a detailed plan will result in a noncompliance letter.***

Regulation Number	**Areas of noncompliance and plan for making corrections in progress**

SUPPLEMENTAL REGULATION CHECKLIST for PREKINDERGARTEN PROGRAMS

004.00
Requirements For All Prekindergarten (Center-based and Home-based) Established By School Boards or Educational Service Units

Yes	No		
☐	☐	**004.01**	Stated Purpose. Each program will have a stated purpose of promoting social, emotional, intellectual, language, physical, and aesthetic development and learning for the children served and of promoting family development and support.
		004.02	Planning. Each program will have a planning period. The planning period will include activities associated with:
☐	☐		**A** Determining the community's unmet needs for early childhood education for prekindergarten children in terms of the number of such children in the community, an estimate of the number of children birth to kindergarten entrance age who are not currently receiving services, and barriers to the provision of services.
☐	☐		**B** Developing cooperative relationships with public and nonpublic providers of early childhood programs, including the development of cooperative agreements and contracts, as needed to carry out the proposed program.
☐	☐		**C** Recruiting and training staff.
☐	☐		**D** Identifying and listing existing school community resources available to provide comprehensive services to the program participants.
☐	☐	**004.03**	Advisory Committee. A local Early Childhood Advisory Committee will be established with membership representing families and community members.
☐	☐	**N/A** ☐	**A** An existing advisory committee such as that required for services to children below age five (5) with disabilities in Title 92 NAC Chapter 51, a Head Start Policy Council, or a Title I Advisory Committee, may serve this purpose if the representation conforms with this section and the mission is expanded to encompass the purpose of this Chapter.
☐	☐		**B** Advisory Committee meetings are subject to the Open Meetings Act as described in Neb. Rev. Stat. §84-1407 to 84-1414.
☐	☐	**004.05** **N/A** ☐	Fees. Fees if charged will not exceed the actual cost for providing prekindergarten programs. Programs charging fees will have a plan to use a sliding fee scale in order to maximize the participation of economically and categorically diverse groups. Programs may waive fees on the basis of need. This Subsection does not allow any school district to fail to meet its responsibilities under the Special Education Act (Neb. Rev. Stat. §79-1110 to 79-1167).
☐	☐	**004.06**	Program Coordinator. Prekindergarten programs will be coordinated by either a certificated district staff member or an employee of an agency with whom the district has a partnership agreement who holds a current Nebraska Teaching Certificate with at least 9 college credit hours in early childhood education and has the authority and responsibility to ensure compliance of this Chapter.
☐	☐	**004.07**	Program and Staff Requirements. All teachers and administrators in prekindergarten programs established by school district or educational service units will hold a valid certificate or permit to teach issued by the Department pursuant to 92 NAC 21 unless a waiver has been granted by the Board pursuant to section 003.02A in which case the specific staff member or members listed as the subject of the waiver, will temporarily be exempt from the requirements in sections 004.07 and 005.05A. Each center based part-day or full-day program will also meet program and staff requirements in Section 005 of this Chapter. Each home based program will also meet the program and staff requirements in Section 006 of this Chapter.
☐	☐	**004.08**	Participation and Inclusion. Participation of children and families in any program under this Chapter will be voluntary. Programs will not exclude children verified as having disabilities and will include to the extent possible children of diverse social and economic characteristics.
☐	☐		**A** Birth Certificates. Within 30 days of enrollment, parents or guardians must submit to the district a certified copy of the child's birth certificate or other documentation in compliance with the Missing Children's Identification Act Neb. Rev. Stat. §§43-2001 through 43-2012.

005.00
Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Kindergarten Eligibility Age in a Center-Based Program
(Also referred to as: Prekindergarten, PK program, Preschool, Childcare, etc.)

Yes	No	
☐	☐	**Does the District/ESU operate a Center-Based Program serving preschoolers or infants/toddlers?** **If marked NO, do not complete 005.01 – 005.13, proceed to section 006.00 on page 10.**
☐	☐	**005.01** Instructional Hours. Each class in the program will operate a minimum of twelve (12) instructional hours per week during the school year. Programs receiving grant funds pursuant this Chapter or receiving Tax Equity and Educational Opportunities Support Act (TEEOSA) funds will operate a minimum of four hundred and fifty (450) instructional hours per school year.

Early Childhood (Prekindergarten) instructional program hours are being collected through the Consolidated Data Collection (CDC). Districts must indicate the total number of hours per week and per year for each classroom group of children.

Yes	No		
		005.02	Family Development and Support. Each center based part-day or full-day prekindergarten program will provide a strong family development and support component which recognizes the central role of parents in their children's development and establishes a working partnership with each parent. The family development and support component will include, as a minimum:
☐	☐		**A** Written information for families about the program's philosophy, policies, and procedures.
☐	☐		**B** An orientation to the program for children and families.
☐	☐		**C** At least two (2) home visits per year between the parent(s) and the teacher to discuss the child's development and learning. If the family decides to have the visit at a location other than the home, it must be conducted at a location determined jointly by the family and teacher.
☐	☐		**D** Specified opportunities for program staff to dialogue with families through such activities as parent conferences, participation on advisory committees, needs assessments, participation as classroom volunteers, and flexible scheduling of meetings and events.
☐	☐		**E** Services based on the family's needs and interests that include but are not limited to, components that will enhance parenting skills and the family's ability to access community resources.
☐	☐	**005.03**	Developmentally and Culturally Appropriate Curriculum, Practices, and Assessment. The part-day or full-day center based prekindergarten program will provide a play-oriented learning environment, which facilitates the optimal growth and development of children, with opportunities for age-appropriate learning experiences through active involvement with people and materials.
☐	☐		**A** A written program plan will be developed to explain and implement the program. The written program plan will include a description of how the program curriculum, practices, and assessment provide a variety of developmentally appropriate, experiential activities which:
☐	☐		**A1** Promote a positive self-concept in each child.
☐	☐	**005.03**	**A2** Foster attachments for all children by ensuring they have consistent teachers and paraeducators daily.
☐	☐		**A3** Develop social skills in each child.
☐	☐		**A4** Encourage each child to think, reason, question, and experiment.
☐	☐		**A5** Foster both receptive and expressive language development and provide early literacy/pre-reading experiences.
☐	☐		**A6** Incorporate family literacy experiences.
☐	☐		**A7** Develop an understanding of mathematical concepts including quantities of things, of time, and of space.
☐	☐		**A8** Enhance each child's physical development and skills.
☐	☐		**A9** Encourage sound safety, health, and nutritional practices, including avoidance of controlled substances.
☐	☐		**A10** Stimulate each child in creative expression and appreciation of the arts.

Yes	No		
☐	☐		**A11** Include exploratory play in a language and literacy-rich environment during a majority of the daily schedule.
☐	☐		**A12** Reflect and respect the diversity of races, national origins, gender, and physical and mental abilities in the larger society and with particular emphasis on the cultural and ethnic backgrounds of the children enrolled through planned activities, use of materials, and use of equipment.
☐	☐		**A13** Use positive, age appropriate techniques of child guidance including redirection, anticipation, elimination of potential problems, and encouragement.
☐	☐		**A14** Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines: Nebraska's Birth to Five Learning and Development Standards. The summary of these standards are contained in Appendix D of this Chapter. The assessment data will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age expectations for literacy/pre reading and mathematics.
☐	☐		**A15** Link the prekindergarten to the district's kindergarten/primary program through a written transition plan insuring continuity, identification, and implementation of processes necessary to facilitate the transition of children. The prekindergarten program will be included in the district school improvement plan.
☐	☐		**A16** Include a well-defined language development and early literacy emphasis, including the involvement of parents in family literacy activities.
☐	☐		**A17** Provide at least one outdoor play period (weather permitting) daily.
		005.04	Evaluation and Quality Assurance. The program will participate in periodic program evaluations to assure program quality and positive child outcomes. The evaluation process will be designed by the Department and will include, but not be limited to the following:
☐	☐		**A** An assessment of program quality.
☐	☐		**B** A report of child outcomes including at least one objective measure of child performance and progress.
☐	☐		**C** A written plan for dissemination of the results of the evaluation.
		005.05	Program Staff. The prekindergarten program will use qualified staff as set forth below.
☐	☐		**A** Teacher. Any teacher in a prekindergarten program shall will hold a valid Nebraska Teaching Certificate with one of the following endorsements: Early Childhood Special Education (Birth through Kindergarten), Early Childhood Inclusive (Birth through Grade 3), or Early Childhood Education (Age 3 through Grade 3). The Early Childhood Education (age 3 through Grade 3) endorsement will not be valid for teaching children below age 3. A program may use a teacher without such an endorsement if the teacher files with the Department, as part of the annual Early Childhood Program Report, a plan developed by the teacher and the cooperating college or university to complete the endorsement. The plan will require the teacher to receive at least six (6) semester hours of credit annually toward completion of the endorsement. When fifty percent (50%) of the required courses have been completed, the teacher is eligible for a provisional endorsement pursuant to 92 NAC 24.

Teacher qualification information is being collected through the Nebraska Student and Staff Record System (NSSRS). Districts must complete a Staff Template and Staff Assignment Template for each teacher. All early childhood teachers must be reported as prekindergarten. For any program employing a teacher not having an early childhood education endorsement, the teacher's plan for and progress toward completion of the endorsement must be submitted yearly to NDE, Office of Early Childhood.

Yes	No	
☐	☐	**005.05 B** Paraeducator. A paraeducator assigned to work as a member of a team in a classroom setting will have received at least twelve (12) semester hours of undergraduate or graduate credit in child development/early childhood education, or the equivalent in prior training or experience as determined by the Commissioner or his or her designee. Equivalencies include, but are not limited to the following: **1** Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement. **2** Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement. **N/A** ☐ **3** Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement. **4** Early childhood training hours (including web-based training) provided by or sponsored by the Nebraska Department of Education Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour. **5** The program may employ a paraeducator who does not meet the twelve (12) semester hour requirement as long as the paraeducator completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment.

Indicate the total number of paraeducators in the program and indicate how many meet the specified Rule 11 requirement.

_____	**005.05B5 How many paras** are in year 1 of employment and are completing 6 semester credit hours in child development/early childhood education or the equivalent
_____	**005.05B5 How many paras** that are in year 2 of employment and are completing 12 semester credit hours in child development/early childhood education or the equivalent
_____	**005.05B5 How many paras** have completed 12 semester credit hours in child development/early childhood education or the equivalent
_____	Total **Number** (add boxes above) of paraeducators that are in the district's early childhood program. (year 1, year 2 and have completed 12 hours)

Yes	No		
☐	☐	**005.05** N/A ☐	**C** Home Visitor. The prekindergarten program may employ a home visitor in a center-based program who provides family development and support services under the direction of a teacher. The home visitor will have at least twelve (12) semester hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education; (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family-centered practices or child and youth development. **1** The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following: **A** Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. shall will be an equivalent for the twelve (12) semester hour requirement. **B** Holding a current Nebraska teaching certificate with a K-6 elementary endorsement shall will be an equivalent for the twelve (12) semester hour requirement. **C** Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement. **D** Holding a Nebraska Home Visitor certificate shall will be equivalent to three (3) semester hours. **E** Early childhood training hours (including web-based training) provided by or sponsored by the Nebraska Department of Education Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.
☐	☐		**D** Orientation. All staff working in the prekindergarten program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties and responsibilities, building safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28-711, child assessment information, and daily routines and schedules.
☐	☐	N/A ☐	**E** Language Resource. If the majority of children enrolled in the program use a common language other than spoken English, at least one staff member who uses such language will be available as an active participant to communicate with such children in classroom and group experiences. Where less than a majority of the children enrolled in the program speak a language different from the rest, one staff member or a community resource person or parent will be identified to serve as a resource to the program.
☐	☐	**005.05**	**F** Staff Development Plan. There will be a written plan detailing staff development opportunities for all teachers, paraeducators and home visitors working in the program who have regular contact with children and their families. The written plan will include a professional development goal, the strategies for meeting the goal and a timeline for completion. The written plan will be reviewed and updated annually.
☐	☐		**G** Staff Development Hours. Teachers, paraeducators and home visitors who have regular contact with children in early childhood programs will participate annually in at least fifteen (15) clock hours of Early Childhood Training Center approved staff development. All staff development will relate to prekindergarten or child development.
☐	☐		**H** Background checks. Program staff who are not required to hold a Nebraska Teaching Certificate and who have contact with children will be checked by program administration against the Nebraska Central Registry of Child Abuse and Neglect, and the Nebraska Adult Protective Services Registry before being hired. No person or persons may be hired or remain employed who has a felony conviction nor any misdemeanor conviction involving abuse, neglect, or sexual misconduct as further defined and identified in 92 NAC Chapter 21 sections 003.12 and 003.13.

Yes	No		
		005.06	Child/Staff Ratio and Group Size. Child/staff ratios and group sizes will be maintained as indicated below with staff assigned who meet the qualifications described in Section 005.06. When age groups are mixed, the lower ratio will prevail.
☐	☐	**N/A** ☐	**A** If the program serves infants, one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate. A paraeducator or an additional teacher will be assigned to assure a ratio of at least one (1) adult for each four (4) children with a maximum group size of eight (8). (See definition of infant)
☐	☐	**N/A** ☐	**B** If the program serves toddlers, one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate. A paraeducator or an additional teacher will be assigned to assure a ratio of at least one (1) adult for each six (6) children with a maximum group size of twelve (12). (See definition of toddler)
☐	☐	**N/A** ☐	**C** If the program serves preschoolers, one (1) staff member in the classroom setting will hold a valid Nebraska Teaching Certificate for each group of twenty (20) children. A paraeducator or additional teacher will be assigned to assure a ratio of at least one (1) adult for each ten (10) children with a maximum group size of twenty (20). (See definition of preschooler)
☐	☐	**N/A** ☐	**D** In full-day programs where children nap, the certified teacher may be out of the classroom during the nap period as long as the children are adequately supervised by other staff and the teacher is readily available.
		005.07	Facilities, Equipment, Health and Safety.
☐	☐		**A** Classroom settings will provide at least thirty-five (35) square feet per child of space usable by the children.
☐	☐		**B** An outdoor play area that is protected by fences or physical barriers will be available which provides at least seventy-five (75) square feet per child of play space.
☐	☐		**B1** The fence or physical barrier will be of a type of structure that is a continuous barrier and is at least 36 inches in height, flush with the ground, and without any gaps that would allow a child to exit the protected area.
☐	☐		**C** Each classroom setting and outdoor play area will be equipped with safe, durable, age appropriate equipment and materials for indoor and outdoor activities.
☐	☐		**D** If needed, modifications of the equipment, materials, and activities will be made to assure maximum participation in the ongoing activities of the program for children with disabilities attending the program.
☐	☐		**E** Equipment and materials will be organized into clearly defined areas of interest that are arranged to encourage independent choice; cooperative activity; and alteration between quiet and active exploration and teacher and child initiated activities.
☐	☐		**F** Each prekindergarten program will maintain safe, healthful, and sanitary conditions within the facilities used for the program and on the outdoor playground and meet applicable fire, safety, and health codes.
☐	☐		**G** At least one (1) staff member per class who has received first aid and CPR training specifically designed for children will be on duty with the children at all times. Written verification of current training will be available.
☐	☐	**005.08**	Meals and/or Snacks. The program will provide all children in each class at least one meal and/or snack that meets USDA Child Nutrition Program guidelines each day. All tables used for meals and snack will be properly sanitized.
☐	☐	**005.09**	Immunizations. The school district will comply with all state statutes and regulations regarding the immunization status of all enrolled children.
☐	☐	**005.10**	Supervision. Adequate and appropriate supervision will be provided at all times children are in attendance, including during outdoor play and field trips. Adequate and appropriate supervision includes, but is not limited to, knowing the whereabouts and being within sight or sound of children at all times.
☐	☐	**005.11**	Toileting. The program will ensure the toileting needs of all children are met immediately. The program will ensure wet and/or soiled clothing is changed immediately.

Enrollment Information

This data is used for state aid calculations.

Child enrollment information is being collected in ADVISER. Districts must complete Early Childhood Program section for each student participating in an early childhood program.

All children birth to kindergarten entrance age served by the district must be included in ADVISER.

Yes	No	
☐	☐	All children enrolled in the program are below the age of kindergarten entrance eligibility.
If no, please explain		_____

Yes	No	
☐	☐	**Does the District/ESU operate a center-based program serving infants and/or toddlers? If marked NO, do not complete 005.12 – 005.12P**
		005.12 Infants and Toddlers. Programs serving children birth to age 3 will meet the following requirements:
☐	☐	**A** The physical, emotional and social needs of infants and toddlers will be met consistently and promptly;
☐	☐	**B** Formula and feeding schedules will be obtained from parents;
☐	☐	**C** Infants will not sleep with bottles;
☐	☐	**D** Bottles will not be propped;
☐	☐	**E** If formula is used, it will be a commercially made product;
☐	☐	**F** All breast milk and prepared formula will be refrigerated and clearly labeled with the child's name; and unused prepared formula will be discarded as indicated by the label;
☐	☐	**G** Unfrozen breast milk will be discarded after 48 hours; and frozen breastmilk will be discarded after three months;
☐	☐	**H** Only highchairs with three point safety straps will be used;
☐	☐	**I** Infants will be placed on their backs to sleep except in cases where there is a medical reason the child will not sleep on its back; and written verification of the medical reason from the child's physician will be available;
☐	☐	**J** Wet or soiled diapers will be changed immediately and disposed of in a sanitary manner;
☐	☐	**K** Individual cleaning cloths will be used for diapering;
☐	☐	**L** Diaper changing surfaces will be cleaned and disinfected after each use and staff will use proper hand washing techniques after each diaper change;
☐	☐	**M** Toileting will be done in a manner agreed upon with the parent;
☐	☐	**N** Potty chairs will be cleaned, disinfected, and properly stored away from play areas;
☐	☐	**O** All cribs and playpens will meet federal safety standards as indicated by the Consumer Product Safety Commission; and
☐	☐	**P** All cribs and playpens will not contain any soft objects, bumper pads, toys or loose bedding.

Yes	No	
☐	☐	**Does the District/ESU operate a Sixpence program? If marked YES, you must also complete either/both regulations 005.12 and 006.00. If marked NO, do not complete 005.13.**
☐	☐	**005.13** Sixpence Programs. School districts that receive Early Childhood Endowment birth to three grants, also referred to as Sixpence programs, may be required to meet additional grant related program requirements established by the Endowment Board of Trustees. (District meets Sixpence Requirements)

006.00

Additional Program and Staff Requirements for Prekindergarten Programs Serving Children Birth to Kindergarten Eligibility Age in a Home-Based Program (Does not apply to or include special educatahion services in the home under Rule 51 and Rule 52 (92 NAC 51 and 52).

Yes	No	
☐	☐	**Does the District/ESU operate a Home-Based Program?** **(Do not complete for Home-Based Early Childhood Special Education)** **If marked NO, do not complete 006.00 – 006.05C.**
☐	☐	**006.01** Contact Hours in Home-Based Programs. Program staff will have contact with each enrolled family at least three (3) times each month and a minimum total of 180 minutes. A minimum of 120 minutes will be face-to-face contact with the family. Contact may be completed by the home visiting specialist or the home visitor. If a school district or educational service unit contracts with another organization to provide early childhood services, the district or ESU will ensure the adequate number of hours are provided as required in this subsection.
		006.02 Family Development and Support. Each home based prekindergarten program will include the following, as a minimum:
☐	☐	**A** Written information for families about the program's philosophy, policies, and procedures;
☐	☐	**B** An orientation to the program for families; and
☐	☐	**C** Delivery of services that are based on family needs and interests and that focus on the child's development and positive family outcomes. Services will be provided year round following a curriculum that meets the requirements of subsection 006.03 of this Chapter.
☐	☐	**006.03** Developmentally and Culturally Appropriate Curriculum, Practices, and Assessment in Home Based Prekindergarten Programs. Each home-based prekindergarten program will provide curricula that are researched based and designed to work with families that facilitate the optimal growth and development of children and that are culturally appropriate for all families served. The program will also include a well defined language development and early literacy emphasis, including the involvement of families in literacy activities.
☐	☐	**A** Each program will have a written program plan that will include a description of program curriculum, practices and assessments used. This plan must be provided to all parents and be available to the Department upon request.
☐	☐	**B** Use child assessment (evaluation) practices based on documentation gathered through an established system of ongoing observation and assessment to provide objective measures of each child's performance and progress in development and learning to meet the Nebraska Early Learning Guidelines: Nebraska's Birth to Five Learning and Development Standards. The summary of these standards are contained in Appendix D of this Chapter. The assessment data will be used to plan and implement teaching strategies and activities to meet the individual needs of each child. Any formal assessment tools used will meet accepted standards of reliability and validity. Developmentally appropriate practices will be implemented for all children. Individualized support will be provided for children who are not progressing within age expectations for literacy/pre-reading and mathematics.
		006.04 Evaluation and Quality Assurance. Each home based program will participate in periodic program evaluations to assure program quality and positive child outcomes. The evaluation process will be designed by the Department's Office of Early Childhood and will include, but not be limited to the following:
☐	☐	**A** An assessment of program quality;
☐	☐	**B** A report of child outcomes including at least one objective measure of child performance and progress; and
☐	☐	**C** A written plan for dissemination of the results of the evaluation.

Yes	No	
		006.05 Program Staff. In order to provide home-based services, each home-based program will use one or more home visitor specialists and may in addition use one or more home visitors who meet the qualifications below:
☐	☐	**A** Home Visiting Specialist. Any home visitor specialist in a home based program will have a bachelor's degree or higher in one of the following areas: **1** Early Childhood Education, **2** Early Childhood Special Education, **3** Child Development, or **4** Human Services, Nursing, Sociology or Psychology including at least twelve (12) graduate or undergraduate hours in any area of family centered practices or child and youth development.
☐	☐	**B** Home Visitor. Any home visitor will have received at least twelve (12) semester hours of undergraduate or graduate credit in one or a combination of the following areas: (i) Early Childhood Education (ii) Early Childhood Special Education; (iii) Child Development; (iv) Human Services, Nursing, Social Work, Sociology or Psychology, including coursework in the area of family centered practices or child and youth development. **1** The program may employ a home visitor who does not meet the twelve (12) semester hour requirement as long as the home visitor completes a minimum of six (6) semester hours or the equivalent in training or experience within the first year of employment and meets the full twelve (12) semester hour requirement before the end of the second year of employment. Equivalencies include, but are not limited to the following: **A** Holding a current Child Development Associate Credential issued by the Council for Early Childhood Professional Recognition in Washington, D.C. will be an equivalent for the twelve (12) semester hour requirement. **B** Holding a current Nebraska teaching certificate with a K-6 elementary endorsement will be an equivalent for the twelve (12) semester hour requirement. **C** Each two (2) years of employment in a program serving children birth through second grade will be an equivalency for three (3) credit hours of the twelve (12) semester hour requirement. Four or more years of experience may count for a maximum of six (6) of the twelve (12) semester hour requirement. **D** Holding a Nebraska Home Visitor certificate will be equivalent to three (3) semester hours. **E** Early childhood training hours (including web-based training) provided by or sponsored by the Nebraska Department of Education Office of Early Childhood will count toward the twelve (12) semester hour requirement. Fifteen (15) clock hours constitute one (1) semester hour.
☐	☐	**N/A** ☐
☐	☐	**C** Orientation. All staff working in the home based program will be provided with an orientation prior to having direct responsibility for the care and teaching of children or for providing family and development services. The orientation will include job duties4801 and responsibilities, home visiting safety procedures, information about the state law regarding reporting suspected cases of child abuse and neglect under Neb. Rev. Stat. §28-711, child assessment information, and information about the importance of family routines and schedules.

Indicate the total number of home visitors in the program and indicate how many meet the specified Rule 11 requirement.

_____	**006.05C How many home visitors** are in year 1 of employment and are completing 6 semester credit hours in child development/early childhood education or the equivalent
_____	**006.05C How many home visitors** are in year 2 of employment and are completing 12 semester credit hours in child development/early childhood education or the equivalent
_____	**006.05C How many home visitors** have completed 12 semester credit hours in child development/early childhood education or the equivalent
_____	Total **Number** (add boxes above) of home visitors that are in the district's early childhood program. (year 1, year 2 and have completed 12 hours)

Return to: NDE 24-006
Nebraska Department of Education Revised: 11/2018
Office of Early Childhood Date Due: February 1
kristine.luebbe@nebraska.gov

NEBRASKA DEPARTMENT OF EDUCATION
OFFICE OF EARLY CHILDHOOD
APPLICATION for NEW or EXPANSION GRANTS

District Name/ESU Number:		U.S. Congressional District (check one) ☐ 1 ☐ 2 ☐ 3
Address:	City:	Zip Code:

Grant Application Category: ☐ Option 1 (11-20 children per classroom) ☐ Option 2 (7-10 children per classroom)	Amount of Grant Funds Requested for Operating Budget:	Amount of Grant Funds Requested for Start-up Budget:	Amount of Local Share to be Provided:

Authorized Representative (NDE considers the Superintendent/ESU Administrator to be the Authorized Representative):	Signature of Authorized Representative:

Telephone Number:	FAX Number:	E-mail Address:

Program Contact/Coordinator:	Title:

Telephone Number:	FAX Number:	E-mail Address:

Fiscal Contact:	Title:

Telephone Number:	FAX Number:	E-mail Address:

PARTNERSHIP STATEMENT of COMMITMENT

Directions: This form should be completed by each local partner (agency, organization, etc.), including the applicant district/ESU. Please make copies of this form for each partner to complete and submit with the application.

Partner Name:		
Address:	**City:**	**Zip Code:**
Contact Person:	**Title:**	
Telephone Number:	**Email Address:**	

As a partner in the program, this agency will commit the following resources, time, ongoing representation, etc. to assure that the program provides a high quality early childhood experience:

The partner's signature on this form verifies participation in the development of the grant application, a full awareness of the content of the grant application, and agreement to participate in the development of a written partnership agreement.

Signature of Partner:	Date:

APPLICATION NARRATIVE

(PLEASE NOTE: Text boxes within the application template will automatically expand to include all necessary information.)

Grant Applications will be scored on a 100 point scale.

Application Summary

In one or two sentences, identify how the grant funds will be used (i.e., number of groups of children, number of children, number of days and hours).

Program Planning (Maximum 10 points)

1) Current Status: Provide information regarding the current status of preschool age children in the proposed service area.

_____Number of licensed child care centers
_____ Total licensed capacity
_____ Number of licensed preschools
_____ Total licensed capacity
_____ Number of licensed family child care homes
_____ Total licensed capacity
_____ Number of Head Start classrooms
_____ Total funded capacity
_____ Number of children, age 3 & 4, enrolled in Head Start
_____ Number of children, age 3 & 4, with a verified disability
_____ Number of children, age 3 & 4, enrolled in Title 1, Part A services
_____ Number of children, age 3 & 4, enrolled in Title 1, Part C (Migrant services)
_____ Number of children, age 3 & 4, enrolled in Title 1, Homeless services
_____ District-wide percentage of free & reduced lunch eligibility
_____ District-wide percentage of English Language Learners
_____ Total number of 3 year-old children
_____ Total number of 4 year-old children
_____ Kindergarten enrollment for the current school year
_____ Anticipated kindergarten enrollment for the next school year
Kindergarten is offered:
☐ All-Day Every-Day
_____ Total number of hours per year
☐ Half-Day Every-Day
_____ Total number of hours per year

Define the proposed service area.

2) Need: Provide a justification of the need for an early childhood education program grant in the proposed service area. Describe the community's unmet needs for three- and four-year-old children. Describe the needs of working families and how the proposed program will impact these families. Describe the barriers to services.

3) Community Characteristics: Describe any significant characteristics of the community and/or changes in the community demographics (i.e., immigrant population, economic status).

Partnerships (Maximum 25 points)

1) Partners: Identify the partners with whom you have, or will have, a formal written partnership agreement. Check all that apply and include the name of the partner program as appropriate. **A Partnership Statement of Commitment form must be included for each partner that is checked.**

- ☐ Programs for Children with Disabilities below 5 years of age funded through the Special Education Act
- ☐ Early Intervention
- ☐ Head Start _____
  If not checked, explain why Head Start has not been included. _____
- ☐ Title 1, Part A
- ☐ Migrant (Title 1, Part C)
- ☐ Title 1 Homeless
- ☐ Child Care Center _____
- ☐ Family Child Care Home _____
- ☐ Community Preschool _____
- ☐ Local School District _____
- ☐ Educational Service Unit _____
- ☐ Early Learning Connection Coordinator _____
- ☐ Health & Human Services
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Describe the efforts to include community partners, especially any Head Start programs in the district. If community partners declined to participate, identify the partner and cite the reason(s) for not participating. List the partners that participated in the program planning process and those partners submitting an attached Partnership Statement of Commitment.

_____

Describe the participation of the partners in the program planning process. Describe how the partners will be involved in the start-up process and in the implementation of the early childhood education program.

_____

Describe the plan for development of local written partnership agreements.

_____

2) Advisory Committee: Describe the plan for establishing the local early childhood advisory committee. Include a purpose statement and identify the roles and/or individuals to be represented. Describe the responsibilities of the committee members.

_____

Program Description (Maximum 50 points)

1) Start-up Plan: Identify the anticipated activities and timeline for implementing the early childhood program. Describe the role of the classroom teacher in the start-up activities. Include the projected date the program will begin serving children.

_____

2) Program Design: Identify the elements of the early childhood education program. Check all that apply.

___

Length of the Day
☐ Part Day (less than 6 hours per session)
_____ Number of hours per day
☐ Full Day (6 hours or more per session)
_____ Number of hours per day

Days of programming
☐ Monday
☐ Tuesday
☐ Wednesday
☐ Thursday
☐ Friday

Length of program year
☐ School Year (9 months)
_____ Total number of hours per year
☐ Full Year (12 months)
_____ Total number of hours per year

Classroom Ratios
_____ Number of classroom groups of children
_____ Number of children per classroom group
_____ Number of staff per classroom group

Program Facility
☐ Existing site _____
☐ New site _____
☐ Type of facility _____

Describe how the program meets the applicable fire, safety and health codes.

Describe how the program will provide adequate space and appropriate equipment both indoors and outdoors.

Meals and/or Snacks Meeting USDA Guidelines

- ☐ Breakfast provided
- ☐ Morning snack provided
- ☐ Lunch provided
- ☐ Afternoon snack provided
- ☐ Participate in School Lunch Program
- ☐ Participate in Child and Adult Care Food Program

Transportation

- ☐ Provided for all enrolled children
- ☐ Provided for some enrolled children
- ☐ Not provided

Describe the family development and support activities, including family literacy activities. Identify a plan for conducting home visits. Describe how the program will meet the economic and logistical needs and circumstances of families.

Describe the written agreements with the local Head Start agency and, if feasible, other community-based early childhood education and care programs to provide higher-quality learning experiences and a more seamless transition to kindergarten. Include information regarding how all early childhood stakeholders, community and school based, will be included in the process of transitions to kindergarten.

Describe how the early childhood education program will be part of the district school continuous improvement process.

3) Student Population: Identify the population of children who will be served in the early childhood education program. Check all that apply and add estimated numbers as appropriate.

☐ Children whose family income qualifies them for participation in the federal free or reduced lunch program.
_____Estimated number of four-year-olds who will be eligible to attend kindergarten in the following year.

☐ Children who reside in a home where a language other than spoken English is used as the primary means of communication.
_____Estimated number of four-year-olds who will be eligible to attend kindergarten in the following year.

☐ Children who were born prematurely or at low birth weight as verified by a physician.
_____Estimated number of four-year-olds who will be eligible to attend kindergarten in the following year.

☐ Children whose parents are younger than eighteen or who have not completed high school.
_____Estimated number of four-year-olds who will be eligible to attend kindergarten in the following year.

☐ Children who have been verified with a disability.
☐ Children who qualify for or who are enrolled in the federal Head Start program.
☐ Children who qualify for or who are enrolled in Title I.
☐ Children who do not qualify for one of the above.

_____ Estimated number of children who will participate in year 1 of the early childhood education program grant.
_____ Estimated total number of four-year-olds to be served (age as of July 31).
_____ Estimated number of three-year-olds to be served (age as of July 31).

4) Staff: Describe how the program will recruit and assure that all teachers and paraeducators will meet the requirements of ***Rule 11 – Regulations for the Approval of Prekindergarten Programs established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants***.

_____

If staff (teacher and/or paraeducator) for the early childhood education program has been identified, provide the name, position, and teaching endorsement or qualifications, as applicable.

_____

Describe how the early childhood staff will be supported to provide time for the teacher(s) and para(s) to plan together for curriculum/instruction and assessment, as well as how staff will be supported through mentoring and/or coaching to promote best practices.

_____

Describe the governance structure. Specifically identify who is responsible for supervising and evaluating staff in the early childhood education program. Identify the program coordinator/administrator and the number of early childhood credits earned by that person.

_____

5) Curriculum Framework: Identify the curriculum framework selected for use in the early childhood education program.

Describe how the selected curriculum provides a research-based and play-oriented learning environment which facilitates the optimal growth and development of children, with opportunities for age-appropriate learning experiences through active involvement with people and materials.

Describe how the ***Nebraska's Birth to Five Learning and Development Standards*** will be used to support the curriculum.

If applicable, describe how technology and interactive media will be integrated into the curriculum and will support the learning and development of the children.

6) Child Assessment and Program Evaluation: Describe how data from child assessments and program quality assessments will be used to connect assessment, curriculum, teaching strategies, and classroom practices to meet the group and individual needs of the children.

Check the box below to indicate the applicant's agreement to participate in a program evaluation process:

☐ The program agrees to participate in periodic evaluations to assure program quality and positive child outcomes as part of the evaluation process designed by the Department of Education.

7) Professional Development: Describe how individual staff and program professional development needs will be determined.

Identify the training needed to implement the program and child assessments as well as the curriculum. Identify the training resources available within the partnership and the timeline for providing the training.

Describe how the early childhood education program will coordinate with the regional *Early Learning Connection* to provide professional development opportunities. If known, identify the person(s) who will serve as a member of the *Early Learning Connection* regional partnership.

_____

Coordinate and Use a Combination of Local, State, and Federal Funding Sources (Maximum 15 points)

Identify the program's plan to use multiple funding sources to maximize participation of economically and categorically diverse groups and to ensure that participating children and families have access to comprehensive services. Check all funding sources that will be used in the program:

- ☐ Early Childhood Special Education
- ☐ Special Education Flexible Funding
- ☐ Federal Head Start
- ☐ Title 1, Part A
- ☐ Even Start Family Literacy (Title 1, Part B)
- ☐ Migrant (Title 1, Part C)
- ☐ Title 1 Homeless
- ☐ Child Care Assistance through Health and Human Services
- ☐ Local School District
- ☐ Parent Fees Based on a Sliding Fee Scale
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Identify the program's plan to use a sliding fee scale to maximize participation of economically and categorically diverse groups and to ensure that participating children and families have access to comprehensive services.

_____

OPERATING BUDGET with MULTIPLE FUNDING SOURCES

*All state funds should be specified on a line item basis, as applicable. Cells with **XXXXXX** indicate categories which cannot be supported by a particular funding source. Any of the funding sources listed in 79-1103(2) R.R.S. can be used to support the Early Childhood Program.*

FUNDING SOURCE / BUDGET CATEGORIES	State Early Childhood Grant	IDEA Part B Base	IDEA Part B Enrollment/ Poverty	Special Education Act Flex Funding (State)	Head Start	Title 1 Part A	Title 1 Part C (Migrant)	Local District Funds	HHSS Child Care Assistance	Parent Fees (Sliding Fee Scale)	Other
SHARE (indicate % of TOTAL BUDGET)											
Personnel (100)											
Employee Benefits (200)											
Professional Services (300)				XXXXXX							
Evaluation (300)				XXXXXX							
Staff Development (300)											
Staff Travel (300)											
Property Services (400)											
Purchased Services (500)				XXXXXX							
Child Transportation (500)				XXXXXX							
Classroom Materials/Supplies (600)											
Child Food (600)		XXXXXX	XXXXXX	XXXXXX							
Family Involvement (600)											
Indirect Costs (695)											
Property (700)											
Minor Facility Modifications (700)		XXXXXX		XXXXXX		XXXXXX					
TOTAL											

BUDGET NARRATIVE

PLEASE NOTE: Text boxes within the budget template will expand to include all necessary information. *All anticipated costs necessary to operate the program must be explained. The budget must relate directly to the activities and staff identified in the application and should provide a rationale for the projected costs (e.g., how employee benefits are derived). The budget should clearly indicate the portions to be supported through grant funds as well as the matching funding or services provided by the applicant or partner agencies.*

Personnel:

Grant Funds _____
Match Funds _____

Fringe Benefits:

Grant Funds _____
Match Funds _____

Professional Services:

Grant Funds _____
Match Funds _____

Evaluation:

Grant Funds _____
Match Funds _____

Staff Development:

Grant Funds _____
Match Funds _____

Property Services:

Grant Funds _____
Match Funds

Purchased Services:

Grant Funds _____
Match Funds _____

Child Transportation:

Grant Funds _____
Match Funds _____

Staff Travel:

Grant Funds _____
Match Funds _____

Classroom Materials/Supplies:

Grant Funds _____
Match Funds _____

Child Food:

Grant Funds _____
Match Funds _____

Family Involvement:

Grant Funds _____
Match Funds _____

Indirect Costs:

Grant Funds _____
Match Funds _____

Property:

Grant Funds _____
Match Funds _____

Minor Facility Modifications:

Grant Funds _____
Match Funds _____

START-UP BUDGET

PLEASE NOTE: Text boxes within the budget template will expand to include all necessary information. *This form supplements the operating budget form and is intended to clarify the request for start-up funds separate from ongoing operating costs. Start-up funds may be requested in an amount up to $25,000. Complete all line items as applicable. A detailed budget narrative for use of the start-up funds must also be included on this form.*

BUDGET CATEGORIES	Start-up Request	Budget Narrative
Personnel (100)	_____	_____
Fringe Benefits (200)	_____	_____
Professional Services (300)	_____	_____
Staff Development (300)	_____	_____
Property Services (400)	_____	_____
Purchased Services (500)	_____	_____
Staff Travel (500)	_____	_____
Classroom Materials/Supplies (600)	_____	_____
Property (700)	_____	_____
Minor Facility Modifications (700)	_____	_____
Administrative/Indirect Costs (695)	_____	_____
TOTAL	_____	

Nebraska Department of Education Required Information for Continuation Grants

Program Information
- Contact Information
  - Authorized Representative
- Summary (of previous year)
  - Highlights and Successes from Previous Year
  - Challenges from Previous Year
  - Planning Process for Upcoming Year
- Program Design (for upcoming year)
  - Hours, days and terms of operation
  - Classroom ratios and group size
  - Meals, Transportation, Health and Safety
  - Family Development
  - Staff
    - Identification and Qualifications for: Program Coordinator, Classroom Teacher, Paraeducators

Program Framework (for upcoming year)
- Partners
  - Identification of inter-agency and intra-agency partners
  - Dates of Partnership Agreements
- Advisory Committee
  - Description of membership, structure and schedule
- Professional Development
  - Plan for teachers and paraeducators
- Curriculum Framework
  - Identification of curricula being used
  - Description of Early Learning Guidelines as support to curriculum
- Evaluation Measures
  - Scores from most recent program evaluation and how they've been used to promote continuous improvement
  - Other assessments used in Prekindergarten classroom
  - Plan for dissemination of the results of the evaluation measures
  - Description of how prekindergarten is involved in district continuous improvement plan

Budget (for upcoming year)
- Identification of local, state, and federal funding sources
- Operating budget detail with matching sources of funding equal to or greater than the grant
- Operating budget summary

Assurances

Summary of Early Learning Guidelines: Nebraska's Birth to Five Learning and Development Standards

Social Emotional Standards:

SE.01: Self Concept- Develops self-awareness and sense of self

SE.02: Self Control- Manages emotions with increasing independence

SE.03: Cooperation and Prosocial Behavior- Develops foundational skills to support cooperation and prosocial behavior

SE.04: Social Relationships- Shows interest in, interacts with, and develops personal relationships with others

SE.05: Knowledge of Families and Communities- Develops a sense of belonging to family, community, and other groups

Approaches to Learning Standards:

AL.01: Initiative and Curiosity- Develops foundational skills that support initiative, self-direction, and curiosity as a learner

AL.02: Sensory Exploration, Reasoning, and Problem Solving- Demonstrates active inquiry, persistence, problem identification, and application of knowledge to new situations

Health and Physical Development Standards:

HP.01: Fine (Small) Motor Skills- Uses finger and hand control to operate and use small objects demonstrating fine motor coordination

HP.02: Gross (Large) Motor Skills- Child demonstrates effective and efficient use of large muscles for movement, position, and to explore the environment

HP.03: Health and Safety Practices- Child develops an awareness and understanding of health, physical activity, and safety

HP.04: Nutrition- Develops healthy eating habits and exhibits increasing independence in eating abilities

Language and Literacy Standards:

LL.01: Listening and Understanding- Demonstrates continual growth in understanding increasingly complex and varied vocabulary

LL.02: Speaking and Communicating- Develops foundational skills to communicate effectively for a variety of purposes

LL.03: Phonological Awareness- Demonstrates knowledge of phonological awareness

LL.04: Book Knowledge and Appreciation- Demonstrates interest in and appreciation of reading-related activities

LL.05: Print Awareness and Early Writing- Conveys meaning through drawing, letters, and words

Mathematics Standards:

M.01: Number and Operations- Demonstrates awareness of quantity, counting, and numeric competencies

M.02: Geometry and Spatial Sense- Develops understanding of geometric shapes and spatial relationships

M.03: Patterns and Measurements- Demonstrates awareness of routines, predictable patterns, and attributes that can be measured

M.04: Data Analysis- Develops foundational skills in learning to understand concepts of classification, data collection, organization, and description

Science Standards:

S.01: Scientific Knowledge- Demonstrates a basic awareness and use of scientific concepts

S.02: Scientific Skills and Methods- Develops foundational skills in learning and understanding about the world through exploration and investigation

Creative Arts Standards:

CA.01: Music- Develops foundational skills to support creative expression through voice, instruments, and objects

CA.02: Visual Art- Develops foundational skills that support creative expression through the process, production, and appreciation of visual art forms

CA.03: Movement- Develops foundational skills that support creative expression through movement

CA.04: Dramatic Play- Expresses creativity using puppetry, storytelling, dance, plays, and theater

FISCAL IMPACT
STATEMENT

Agency:	Nebraska Department of Education
Prepared by:	Melody Hobson
Date Prepared:	July 16, 2025
Phone:	402-860-4055
Title:	92
Chapter:	11
Name:	Early Childhood Education Programs
Statement Status:	Public Hearing Draft

Type of Fiscal Impact:

	State Agency	Political Subdivision	Regulated Public
No Fiscal Impact			X
Increase Costs	Minimal		
Decrease Costs		Potential	
Increased Revenue			
Decreased Revenue			
Indeterminable			

Description of Impact:

State Agency: It will cost approximately $650 to hold the hearing and print copies for distribution upon approval of the revised rule. The Legislature already provides funds to the Nebraska Department of Education for this program.
Political Subdivision: Allowing a Teacher Assistant, rather than requiring a Certified Teacher in infant and toddler classrooms and in the hours before and after school is in session has the potential to decrease costs for school districts and ESUs. The amount of reduction will be dependent on number of classrooms, types and operating hours of prekindergarten programs and cannot determined at this time

Regulated Public: There is no anticipated fiscal impact regarding the revisions of the rule on the public.

DR. BRIAN L. MAHER, COMMISSIONER
TEL 402.471.2295
FAX 402.471.0117
P.O. Box 94987
Lincoln, NE 68509-4987
education.ne.gov

From: Troy L. Hawk, Legal Counsel

Date: April 28, 2026

Re: Summary of Rulemaking Hearing on the Proposed Revisions of 92 *NAC* 11

On April 27, 2026, a hearing on the proposed revision of Title 92, *Nebraska Administrative Code*, Chapter 11 (Rule 11), *Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants*. Legal Counsel Troy Hawk served as the hearing officer. A recording of the hearing is available at: https://www.education.ne.gov/legal/rule-hearings/.

Summary of Oral Testimony on the Proposed Revision of 92 NAC 11

Troy Hawk called the hearing to order, introduced himself, introduced the subject of the hearing, read into the record information about the legal notice of the hearing, outlined the procedures for the hearing and for receiving written testimony, and received testimony on revisions to Title 92 *Nebraska Administrative Code,* Chapter 11.

Melody Hobson , Administrator for the Nebraska Department of Education Office of Early Childhood, presented a summary of the proposed changes to Rule 11:

A summary of the substantive changes from the current Rule 11 contained in the draft rule revision include:

1. Revising the definition of a prekindergarten program to be inclusive of kindergarten eligible children,

2. Counting the time for required home visits as instructional time,

3. Including the requirement that curriculum be consistent with the science of reading,

4. Provides that suspension of prekindergarten children is governed by Neb. Rev. Stat. § 79-265.01,

5. Simplifying the Rule 11 teacher waiver process, and

6. Adding a category of classroom staffing entitled “teacher assistant” for preschool classrooms before and after school hours and in infant and toddler classrooms under some conditions.

Oral Testimony

Gwen Easter provided oral testimony. She also submitted written testimony, attached below, and her oral testimony consistent with that written testimony. Ms. Easter also had questions regarding Appendix B, which she was asked to submit to NDE separately.

Kimberly Ricker provided oral testimony. She also submitted written testimony, attached below, and her oral testimony consistent with that written testimony.

Summary of Written Testimony on the Proposed Revision of 92 NAC 11

Written Testimony

Written Testimony was provide by **Gwen Easter, Kimberly Ricker,** and **Mitchell Clark**, which is attached below.

Melody Hobson of the Nebraska Department of Education thanked everyone for the assistance in revising Rule 11.

Troy Hawk thanked everyone for their time and effort and closed the hearing on Rule 11.

WRITTEN TESTIMONY

In 2007 when Head Start began in schools, there was no effect on Family Child Care homes in the school areas. Federal department of Health and Human Service told NDE school systems if they didn't bring up their numbers of children or they were at risk of losing Federal funding in 2012

The University of Nebraska and Susie Buffet Early Childhood teamed to push the Cradle to Career vision to have schools systems to be the hub of Early Childhood Education and the Purpose Build model for department development an idea modeled after Tom Cousins Alanta vision of 1995.

The University of Nebraska Buffet Early Childhood Institute was created in 2011. , NDE, school systematically took all Head Start, Pre K, and school age before/after school programs and consolidated them into the school programs with the sole intent to keep funding and neglectfully began monopolizing Black North Omaha Family home daycares and centers to remove children from established Family home daycares in the area. This was done without contacting any existing programs or providing **justification of the need for an early childhood education program in the proposed service area as required by NAC 92, 11, "Rule 11", but solely to maintain their funding source**.

Planning (004.02A) – Determining the community's unmet needs for early childhood education for Pre-K children in terms of number of such children in the community, an estimate of the number of children at risk, kinds of programs available, number of children birth to compulsory kindergarten age who are not receiving services, and barriers to the provision of services.

Q (This has absolutely not been followed since 2012, and there is no oversight for any of these requirements. If this had been done previously, these programs should have worked with the local childcare providers and centers in a joint effort to serve the children, not pull them away from quality providers to house them in schools. How does the department plan to monitor this requirement and where can the public find this information?)

004.02B – Developing cooperative relationships with public and nonpublic providers of early childhood programs, including the development of cooperative agreements and contracts, as needed to carry out the proposed program.

(How has the department managed this requirement previously and other than funding sources, who are the cooperative relationship being built with?)

004.02D Identifying and listing existing school-community resources available to provide comprehensive services to the program participants.

(How has the department managed this requirement previously and other than funding sources, who are the cooperative relationship being built with?)

004.03 Advisory Committee: A local Early Childhood Advisory Committee will be established with membership representing families and community members. The following may serve this purpose: Title 92 NAC Chapter 51, a Head Start Policy Council, or a Title 1 Advisory Committee, if the mission of such committee is expanded to encompass the Chapter and subject to the Open Meetings Act.

(Does this committee exist and where can we find the minutes and notice of meetings as required by the Nebraska Open Meetings Act?)

Gwen Easter, CEO, Founder
Safe Haven Community Center
Safe Haven Early Childhood Preschool Education Academy
402 706-1358
R.E.A.D.S. (Right to Educate Advocate for Dyslexic Students & Special Education)
Certified Dyslexia Advocate,
Consultant, Screener, Tutor & Trainer

THIS PAGE

INTENTIONALLY

LEFT BLANK

My name is Kimberly Ricker; I am a licensed Family Child Care Home I provider and have been in business caring for children ages birth to age 13 for the past 35 years. I am here to provide comment on the Title 92, Chapter 11 – Proposed Regulations for the approval of PreKindergarten Programs Established by School Districts or Educational Service Units.

003.02 - The school system may ask for a waiver listing each staff member that does not (004.07) hold a valid certificate or permit to teach nor (005.05A) hold a NE Teaching Certificate with an Early Childhood endorsement.

1. *How does removing these qualifications benefit the infant or preschool children in care in any of the Rule 11 Schools and how can the department justify the quality of care being provided if a waiver is procured?*

003.02A – 003.02C: To be eligible for a waiver, the job posting, applications received, resume of person hired, and a copy of course study showing the teaching certificate could be achieved within four years must be sent within ~~30~~ (90) days by the Board and be renewed annually. *And can be renewed indefinitely. (page 7)*

2. *Why would the department need an additional 60 days to provide such simple information required for a waiver? How is removing the guardrails and allowing schools to extend these waivers indefinitely be in the children's best interest and how does this ensure quality care to our most vulnerable population?*

3. *In 003.06,(page 8) Is Appendix A Form, that is being removed, the same Early Childhood Program Report that must be submitted annually, on or before October 15 of each year, where can these reports be reviewed?*

005.03 (page 13) Developmentally and Culturally Appropriate Curriculum Practices and Assessment. Programs must implement developmentally appropriate research-based early childhood curricula, including additional curricular enhancements, as appropriate that are based on scientifically valid research and have standardized training procedures consistent with the science of reading for children of this age and include curriculum material to support implementation.

4. *What scientific program exists for standardized training procedures consistent with reading for children ages birth through age three?*

005.05 Program Staff

005.05 **(A) Teacher**: Teachers without a teaching endorsement may be used as long as they have a plan to obtain one. (page 16)

5. *How does reducing the qualification of teachers or hiring teachers without certificates or permits benefit the children in care under the Rule 11 Schools? How can the department justify the quality of care if we are asking for a piece of paper that says they have a plan to get an education within the next four years?*

005.05B **Teacher Assistant:** Page 16: Teacher assistant is Pre-K classroom serving **children younger than age 3** may carry out daily activities of the classroom if a certified teacher is assigned to the class during normal school hours and plans teaching activities in collaboration with the teaching assistant.

6. *Since, the certified teacher does not have to be present in the classroom at any time during the day, just assigned to a classroom and help with planning activities, which does not in any way ensure the quality care of children in these programs, how does the department justify this change as being in the best interest of the children?" This assignment is not limited to one classroom. So how many classrooms may one 'certified teacher' be assigned to and how is the school monitoring this?*

7. *005.05I – BACKGROUND CHECKS – page 19, Can anyone in this hearing explain why any program staff, regardless of whether or not they are required to hold a teaching certificate, which would include all those who are covered under a waiver, and who have contact with children, are not required to have a FINGERPRINTED BACKGROUND CHECK as well as the Central Registry check and Protective Services Check. We are really moving backwards in regard to the safety and well-being of our youngest children in the school districts!*

005.06E: Child-Staff Ratios and Group Size (page 20)
Full-Day programs where children nap, teacher or teacher assistant may be out of the room during nap period as long as the children are adequately ***supervised by other staff*** *and the teacher or assistant is "readily available".*

8. *Where in the regulations of childcare ratios/staffing is it allowable to remove all qualified teachers or assistants and replace with a general underqualified staff person, just because it is nap time? Does this 'staff' person need to be background checked or have any other qualifications?*

9. *The definition of adequate and appropriate supervision means "knowing the whereabouts and being within sight and sound of children at all times. How can a teacher be out of the classroom and provide adequate supervision of children and how are ratios maintained if there is only one staff person watching the children?*

10. *In 007.02 Grant Application Process: (Appendix B) – New or expansion grants will submit this application. An annual review of compliance with these requirements are required. Where are these compliance reports located and where can they be reviewed?*

Teacher Assistants are just pawns for the certified teachers who are never actually in the rooms with the children. They may have no experience or knowledge-based training. They are not required to have fingerprinted background checks. It's like putting your kid in Walmart for childcare. The only thing they are providing are walls and hoping kids don't get hurt. This Department has created a corporation to monetize and monopolize childcare for their own benefit. The money they are using to do this are the funds that were supposed to go to private childcare providers to continue to provide quality care and instead they are stealing the children from the private providers, with less than quality staff and excessive turnover, which is a detriment to all the children in these programs.

Family child care homes could never offer free childcare without grants and government funding. But what we do offer is intentional interaction with each and every child in our program, low ratios and exceptional quality, with our own creative resources. Using the words continuity when referring to Rule 11 requirements (pg. 4, A Guide to Rule 11) does not mean continuity of care, which family child cares provide unequivocally, but references continuity with regards to the programs they use, which is a shame and benefits no child at all.

THIS PAGE

INTENTIONALLY

LEFT BLANK

301 South 13th St. | Suite #600 | Lincoln, NE 68508 | FirstFiveNebraska.org | (402) 261-9671

April 27, 2026

Nebraska State Board of Education
Nebraska Department of Education
500 S. 84th St.
Lincoln, NE 68510

RE: Rule 11 changes

President Tegtmeier and Members of the Nebraska State Board of Education,

Thank you for the opportunity to provide written comments on proposed revisions to Title 92, Nebraska Administrative Code, Chapter 11 (Rule 11). My name is Mitchell Clark and I am a Policy Advisor at First Five Nebraska, a statewide public policy organization that supports quality early care and learning opportunities for Nebraska's youngest children. I am writing in support of the proposed Rule 11 changes, particularly those which streamline the waiver process for teacher certification, provide alternative pathways for classroom staff and clarify the use of early literacy materials and instruction.

The proposed changes are both timely and necessary to address the demand for high-quality early childhood education in Nebraska—a cornerstone for children's long-term success. Programs continue to face significant staffing shortages due to broader workforce challenges. Since the initial waiver was implemented in 2020, enrollment in public preschool has rebounded, but data from the Bureau of Labor Statistics indicates that the number of preschool teachers is rebounding more slowly.

Streamlining the waiver process in Section 003 is necessary to ensure that pre-kindergarten programs can navigate staffing challenges. Likewise, the alternative pathways proposed in Section 005 will help fill the pipeline of qualified educators by introducing a new teacher assistant classification and aligning paraeducator requirements with federal law.

The proposed changes in Section 005.03 also acknowledge developments in early literacy instruction by reiterating the need for research-based materials in the classroom and training procedures aligned with age-appropriate reading science. Research-based early literacy tools are essential to supporting literacy outcomes at higher grade levels, unlocking future opportunities for Nebraska's youngest learners.

Thank you again, President Tegtmeier and members of the Nebraska State Board of Education, for the opportunity to provide written comment.

Sincerely,

Mitchell Clark
Policy Advisor
First Five Nebraska

NDE CONTRACTS

DATE REC'D	CONTRACT #	AMENDMENT #	CONTRACT NAME	MAXIMUM CONTRACT AMOUNT	START DATE	ENDING DATE	FUNDING SOURCE	SCOPE OF SERVICES	CONTACT PERSON
12/19/2025	46198		National Council for Community & Education Partnerships	$514,000.00	12/22/2025	6/30/2027	General	Support NDE's implementation & evaluation of the Postsecondary Readiness Pilot grant.	Katie Graham
12/28/2025	46196		Vela Institute	$504,000.00	12/22/2025	6/30/2027	General	Support NDE's postsecondary readiness pilot program.	Katie Graham
12/28/2025	46203		Van Horne Mediation	$49,999.00	12/22/2025	6/30/2026	Federal/General	Serve as hearing officer for PPC, VR, Nutrition, Teacher Cert and Option Enrollment cases.	Ami Huff
12/28/2025	46202		Van Horne Mediation	$100,000.00	12/22/2025	6/30/2026	Federal/General	Serve as hearing officer for SPED cases.	Ami Huff
12/29/2025	46205		Tatiana Eskridge	$6,475.00	12/29/2025	6/29/2026	General	Strategic Initiative & Policy Intern.	Ryan Foor
12/29/2025	46186		Liliana Velasquez	$5,500.00	1/1/2026	12/31/2026	General	Deliver special care training to Spanish speaking Early Childhood professionals.	Melody Hobson
1/5/2026	46195		Sarah Hardin	$15,000.00	1/1/2026	2/1/2027	General	2026 NE Teacher of Year.	David Jespersen
1/5/2026	46191		Teachstone	$49,880.00	1/1/2026	12/31/2026	General/Federal	Provide training materials for the introductions and the observer trainings.	Melody Hobson
1/6/2026	46152		NCSA	$12,000.00	11/1/2025	10/31/2026	Federal	Execute multiple conferences/arranging and providing speakers.	Amy Rhone
1/6/2026	46197		Emspace	$49,900.00	12/19/2025	12/18/2026	Federal	Design and develop material, templatesand digit assests for the promotion of the Beanstock program.	Zainab Rida
1/7/2026	46192		UNMC	$81,407.00	1/7/2026	1/6/2027	Federal	Responsible for work related to the annual report and lead the evaluation of the SPDG activities and Pbis trainings and coaching support.	Amy Rhone
1/7/2026	46204		Kidwell	$30,795.00	12/15/2025	2/27/2026	General	Install sound masking system.	Ryan Foor
1/8/2026	46211		NE Association of Health Occupation Students of America	$7,000.00	1/2/2026	5/31/2026	General	Procure services of conference assistant for NE HOSA State Leadership Conferece.	Katie Graham
1/8/2026	46210		NE DECA	$7,000.00	1/2/2026	5/31/2026	General	Procure services of conference assistant for NE DECA State Career Development Conference.	Katie Graham
1/8/2026	46208		NE Future Business Leaders of America	$8,500.00	1/2/2026	5/31/2026	General	Procure services of conference assistant for NE State FBLA Conferece.	Katie Graham
1/8/2026	46212		Buckley & Sitzman	$8,500.00	1/2/2026	4/15/2026	General	Perform procedures to verify that cash processes comply.	Katie Graham
1/8/2026	46213		NE FCCLA Association	$12,700.00	1/2/2026	5/31/2026	General	Procure services of confernece assistant for NE FCCLA State Leadership Conference.	Katie Graham
1/8/2026	46207		NE Future Educators Association	$5,900.00	1/2/2026	5/31/2026	General	Procure services of confernece assistant for Educators Rising State Leadership Conference	Katie Graham
1/8/2026	46209		NE Association of SkillsUSA	$10,000.00	1/2/2026	5/31/2026	General	Procure services of conference assistant for 2026 NE SkillsUSA Leadership & Skills Championsip.	Katie Graham
1/9/2026	46218		Grafton & Associates	$16,170.00	1/12/2026	12/31/2026	General	Provide licenses for the use of Intuit Quickbook online advanced for each of NE Career & Technical Student Organizations.	Katie Graham
1/9/2026	46217		Margaret Schneider	$37,058.00	1/12/2026	12/27/2026	Federal	Coordinate and lead the development, advising and management of DECA State Officers.	Katie Graham
1/12/2026	46216		Kimberly Sanderson	$20,000.00	2/1/2026	1/31/2027	Federal/General	Provide coaching services and develop and deliver training.	Melody Hobson
1/12/2026	46206		Donelle Wolters	$48,287.00	1/12/2026	12/27/2026	Federal	Serve as FFA Leadership Program Manager	Katie Graham
1/12/2026	46214		Partners for Insightful Evaluation	$314,000.00	1/2/2026	1/1/2027	Federal	Provide statewide evaluation services for the 21st Century Community Learning Centers grant program.	Zainab Rida
1/12/2026	46215		Julie Jones-Branch	$48,900.00	2/1/2026	1/31/2027	Federal	Serve as course proctor for First Connections training.	Melody Hobson
1/13/2026	46187		UNO	$249,900.00	1/13/2026	6/30/2026	General	Create attendace improvement cohorts.	Shirley Vargas
1/15/2026	46226		Value-Up	$39,000.00	1/26/2026	12/31/2026	Federal	Provide training.	Zainab Rida
1/15/2026	46135	AM#1	District Management Group					Allow additional 10 school teams to implement rapid cycles of improvement across NE schools identified by AQUESTT as needs support to improve.	Shirley Vargas
1/16/2026	46223		OCIO (Sushmitha Sayempu)	$139,067.20	1/16/2026	1/15/2027	Federal	Provide Early Childhood development support.	Melody Hobson
1/16/2026	46222		OCIO (Swetha Manne)	$120,667.20	1/16/2026	12/14/2026	Federal	Provide Early Childhood development support.	Melody Hobson
1/16/2026	46219		Hayes & Associates	$63,418.00	1/1/2026	9/30/2026	Federal	Conduct audits of Child Care Centers.	Zainab Rida
1/16/2026	46220		CN Resource	$236,150.00	1/15/2026	9/30/2026	Federal	Conduct administrative reviews and site visits of school food authorites.	Zainab Rida
1/21/2026	46201		DHHS	$14,065.00	1/21/2026	7/21/2026	Federal	Provide individual data & mailing lists on a quarterly basis from the Traumatic Brain Injury Registry.	Lindy Foley
1/21/2026	46221		Sarah Hoops	$16,000.00	1/19/2026	9/30/2026	General	Develop content for new units of Harvest of the Month Early Care & Education curriculum.	Zainab Rida
1/21/2026	46224		OCIO (Eric Tomasek)	$216,963.13	1/16/2026	12/14/2026	Federal	Provide SPED development support for projects ILCD & CSP.	Amy Rhone
1/21/2026	46200		Enome Inc	$300,000.00	12/29/2025	12/28/2026	Federal	Implement multi-year high quality IEP development and implementation pilot project.	Amy Rhone
1/21/2026	46227		Courtney Hagestad	$21,949.40	1/26/2026	12/27/2026	Federal	Serve as 2026 FCCLA Leadership Coordinator.	Katie Graham
1/26/2026	46199		Children's Nebraska	$49,519.00	1/1/2026	9/30/2026	Federal	Continue Support & implementation of Project AWARE.	Zainab Rida
1/28/2026	46229		Educational Service Unit 3 (ESU 3)	$6,000.00 plus $14.50 per student per year from 6/30/28	1/1/2026	12/31/2030	General	InterLocal Agreement - signed prior to routing for provision of student information system (NebSIS) for NDE to support systems involved youth. Initial contract amount is for $6,000. Additional amounts of $14.50 per student will be charged on June 30 every year beginning 6/30/2028.	Lane Carr
2/18/2026	46121		Educational Service Unit 2 (ESU 2)	$11,952.51	10/1/2025	5/16/2026	Federal	Coinduct Job Expo to support delivery of Pre-Employment Transition Services (Pre-ETS) to eligible and potentially eligible students with disabilities.	Lindy Foley
2/20/2026	46241		Jennifer Snyder	$4,500.00	3/1/2026	2/28/2027	Federal	Deliver special care training for early childhood learning	Melody Hobson
2/23/2026	46235		Perry Guthrey Haase & Gessford PC LLO	$2,000.00	2/20/2026	2/20/2026	Federal	Present to Nebraska State Legislature on behalf of NDE.	Amy Rhone
2/24/2026	46232		DHHS	$10,100.00	4/5/2026	4/4/2027	Federal	Provide IDEA Part C co-lead representatives, program coordinator and program specialist availavle to facilitate and make presentations at Early Development Network (EDN) meetings and conduct additional Part C activities.	Amy Rhone
2/24/2026	46244		Tanya's Childcare, Inc. d/b/a Tots Adventure Home	$3,000.00	4/1/2026	3/31/2027	Federal	Provide class practice and reliability observations for early childhood training	Melody Hobson
2/25/2026	46236		B2 Creative Inc dba Creative Press & Design	$11,000.00	3/1/2026	2/28/2027	General	Produce Step Up to Quality signage	Melody Hobson
2/25/2026	46237		Susan (Sue) Borcher	$5,500.00	3/1/2026	2/28/2027	Federal	Deliver Special Care Training on behalf of NDE.	Melody Hobson
2/25/2026	45231	AM#1	Lrene Jo Smith	$10,500.00	3/1/2025	2/28/2026	Federal/General	Provide coaching/training services.	Melody Hobson
2/26/2026	46228		Lrene Jo Smith	$10,500.00	3/1/2026	2/28/2027	Federal/General	Provide Step up to Quality coaching and technical assistance.	Melody Hobson
2/26/2026	46231		Share Training dba Share Collaborative	$6,500.40	4/6/2026	5/5/2026	Federal	In-person Reflective Supervision training for VR staff.	Lindy Foley
2/26/2026	46225		Board of Regents of the University of Nebraska obo University of Nebraska Lincoln (UNL)	$6,936.00	2/1/2026	1/31/2027	Federal	Support NDE's Transition program by maintaining the Nebraska Transition website.	Amy Rhone
2/27/2026	46033	AM#1	TNTP, Inc.	$99,005.00	7/1/2025	6/30/2026	Federal	Ensure students with disabilities receive support.	Amy Rhone
2/27/2026	46234		Tasha Jedlicka	$14,089.00	3/1/2026	2/28/2027	Federal/General	Conduct rating reviews for Step Up to Quality.	Melody Hobson
2/28/2026	46340		Suzanne Schneider	$5,000.00	3/1/2026	2/28/2027	Federal/General	Provide Step up to Quality coaching and technical assistance.	Melody Hobson
2/28/2026	46238		Jeanne Fielder	$2,500.00	3/1/2026	2/28/2027	Federal	Deliver Special Care Training on behalf of NDE.	Melody Hobson
3/6/2026	46248		Stephanie Finklea d/b/a Black Chick Farms	$6,250.00	3/15/2026	9/30/2026	Federal	Serve on NE Farm to School Network Steering Committee	Zainab Rida
3/6/2026	46249		Gary Fehr d/b/a Green School Farms	$8,500.00	3/26/2026	9/30/2026	Federal	Serve on NE Farm to School Network Steering Committee	Zainab Rida
3/12/2026	46250		Taryn Brown	$25,557.00	4/6/2026	3/21/2027	Federal	Health Occupation Students of America (HOSA) State Officer Coordinator	Katie Graham
3/13/2026	45337	AM#1	Firespring Inc.	$21,900.00	6/15/2025	6/14/2026	Federal/General	Manage the Learning Begins at Birth website, store and ship Learning Begins at Birth (LBAB) materials.	Melody Hobson
3/13/2026	46027	AM#1	HMH Education Company dba Northwest Evaluation Association (NWEA)	$7,598,321.97	7/1/2025	6/30/2026	Federal/General	Provide statewide assessments.	Allyson DenBeste
3/13/2026	46233		UNL - Bureau of Sociological Research (BOSR)	$56,147.00	4/1/2026	3/31/2027	Federal	Transition Survey for federal post-school outcome data reporting requirements.	Amy Rhone
3/13/2026	46239		Janice Lee	$5,500.00	3/1/2026	2/28/2027	Federal	Deliver Special Care Training on behalf of NDE.	Melody Hobson
3/13/2026	46240		Plasma Games	$1,000,000.00	2/23/2026	1/29/2027	General	Provide access and use of its learning platform to all Nebraska school districts.	Ryan Foor
3/13/2026	46242		AI for Education Inc.	$6,000.00	6/1/2026	6/2/2026	General	Keynote Speaker on Artificial Intelligence (AI) and breakout presentaton.	Allyson DenBeste
3/13/2026	46245		Kids Can Community Center	$3,000.00	4/1/2026	3/31/2027	Federal	Provide up to 15 infant, toddler and/or preschool classrooms for CLASS practice and reliability observations.	Melody Hobson
3/17/2026	47001		Student1	$44,000.00	7/1/2026	6/30/2027	General	Technical consultation for the Systems Involved Use Data Project	Lane Carr
3/19/2026	46251		Jennifer LaGarde	$5,500.00	6/1/2026	6/2/2026	General	In person presentation for Future Ready Conferences	Allyson DenBeste
3/20/2026	46252		Linda Meyers	$28,500.00	5/1/2026	4/30/2027	Federal/General	Attend and participate in meetings for Step Up to Quality	Melody Hobson
3/20/2026	46254		Melinda J. Young	$8,000.00	4/1/2026	3/31/2027	Federal	Deliver NDE supported early childhood training on behalf of NDE	Melody Hobson
3/20/2026	46261		Kids First, Inc.	$3,000.00	5/1/2026	4/30/2027	Federal	Provide class practice and reliability observations for early childhood training	Melody Hobson
3/20/2026	47000		ACT Education Corp.	$1,423,500.00	7/1/2026	6/30/2027	General	ACT training	Allyson DenBeste
3/30/2026	46264		Sparq Data Solutions	$2,700.00	4/1/2026	3/31/2027	General	Board support software	Ryan Foor
3/31/2026	46141	AM#1	EconSys					Extend contract date from 4/1/2026 to 4/31/2026	
4/3/2026	46246		Board of Regents of the University of Nebraska obo UNL	$14,850.00	4/1/2026	3/31/2027	General	Training and professional development for candidates applying for Child Development Associate credential	Melody Hobson
4/8/2026	46079	AM#1	Emspace					Increase from $200,000.00 to $209,500.00	
4/8/2026	46137	AM#1	Gerald Gill Strait					Increase from $14,400.00 to $21,400.00	
4/13/2026	45319	AM#3	Midland University					Decrease from $1,540,647.00 to $1,444,672.00	