

Educational Service Unit Coordinating Council
Educational Resources Committee Meeting
Wednesday, March 4, 2020, 1:45 PM
ESU 7 plus Zoom, 2657 44th Ave, Columbus, NE 68601

1. Call to Order

2. Roll Call

3. Agenda Item

1. Special Populations

1. NDE Special Education Update

1. Friday Newsblast - February 7, 2020

2. Friday Newsblast - February 14, 2020

3. Friday Newsblast - February 21, 2020

4. Friday Newsblast - February 28, 2020

2. ESPD Report

3. Behavioral Health

4. SRS Staff Report

2. PDO (Professional Development Organization)

1. MSA 2020-2021

1. PDO/Affiliate Budget Requests

1. Approve ESPD Budget Request 2020-2021

2. Approve SDA Budget Requests 2020-2021

3. Approve PDO - September 8-9, 2020 - Visible Learning Quote

4. Approve PDO Fees - 2020-2021

2. Approve SRS Fees and Tier Structure
2. PDO Meetings
3. NDE Updates
4. Monthly Talking Points
5. LB 147/998 Training
6. High Quality Instructional Materials Fellowship
4. Next Meeting Agenda Items
5. Adjournment

{{Name: Agenda Item Name}}
{{Discussion: Agenda Item Discussion}}
{{Comments: Agenda Item Comments}}
{{Actions: Agenda Item Actions}}

Nebraska Open Meetings Act

84-1407. Act, how cited. Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes. (4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the

agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if: (a) Reasonable advance publicized notice is given; (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used; (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference; (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing. Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if: (a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county; (b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section; (c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, or entity or pool or at a place which will accommodate the anticipated audience; (d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used; (e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call; (f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; (g) The telephone conference call lasts no more than five hours; and (h) No more than one-half of the board's, council's, governing body's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that: (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and (ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call. Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified Daily Documentation 1st Quarter in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. Meetings of public body; rights of public; public body; powers

and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; (f) Reasonable arrangements are made to provide viewing at other in-state locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and (g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Revised 6-3-19



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of School Administrators

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FIRST NAME	LAST NAME	EMAIL	POSITION / ASSIGNMENT - DISTRICT	Trainer of Trainers
Jackie	Anderson	jackieanderson@opsd.org	Director of Student Services, Ogallala PS	
Christa	Anderson	christa.anderson@lexschools.org	Special Education Coordinator - Lexington Public	
Kaylee	Ayala	kayala@paplv.org	Elementary Special Services Supervisor - Papillion La Vista	
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Mikki	Bohling	mikki.bohling@esu10.org	Special Education Coordinator - ESU 10	Trainer of Trainers
Autumn	Bos	autumn.bos@ssccards.org	Teacher - South Sioux City Community	
Pam	Brezenski	pbrezenski@esu13.org	Director, Special Education - Scottsbluff	Trainer of Trainers
Traci	Brittain	tbrittain@gips.org	Social-Emotional Cognitive Learning Specialist - Grand Island Public	Trainer of Trainers
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Jeff	Sutter	jsutter@4rhuskies.org	SPED Director - Aurora Public Schools
Alison	Sweitzer	sweitzer.alison@westside66.net	Teacher - Behavior Facilitator - Westside Public
Jodie	Tagel	tagel.jodie@westside66.net	Teacher - Behavior Facilitator - Westside Public
Jackie	Ternus	jternus@esu7.org	School Psychologist - ESU 7
Sheri	Thompson	sthompson@4rhuskies.org	Speech-Language Pathologist - Aurora Public
Dr. Jill	Timmons	jtimmons@fairburyjeffs.org	School Psychologist
Karen	Williams	karen.williams@creteschools.org	Psychologist - Crete Public
Heather	Witte	heather.witte@esu9.us	DHH Coordinator ESU9/CWNP
Keery	Wolf	Wolf.Keery@westside66.net	Teacher - Behavior Facilitator - Westside Public
Steph	Yockey	Stephanie.yockey@gibbonpublic.org	Teacher - Gibbon Public

Trainer of Trainers

Trainer of Trainers



The **Assistive Technology Partnership Education (ATP/Ed) Program** provides statewide services to IFSP and IEP team members working with children and students with disabilities birth to 21 who are receiving services within school systems. All decisions related to assistive technology services and devices are made by the IFSP/IEP team.

Our vision is to ensure that individual children/students can be successful by creating systemic capacity that results in quality Assistive Technology (AT) services for every child/student who needs AT.

SERVICES OF ATP/ED PROGRAM

ATP/Ed DOES	ATP/Ed DOES NOT
<p>Engage in support via phone, email, or video related to AT processes and/or AT devices/systems.</p> <p>Provide webinar support regarding AT processes and AT devices/systems.</p> <p>Provide regional face-to-face workshops (15 or more attendees) regarding AT processes and to build knowledge of potential AT device/system solutions for students.</p> <p>Engage in conference presentations and demonstrations to increase awareness and capacities of educational systems to provide quality AT services to children/students.</p> <p>Support and provide access to the AT4All Statewide Education Loan Pool.</p> <p>Provide <i>priority</i> coaching to IEP/IFSP teams on AT processes/services [NOTE – this is not yet offered as the service is in development].</p> <p>Seek feedback from the field regarding the needs for building the capacity of educational systems for providing AT services.</p> <p>Collaborate with state and regional agencies, organizations, and projects to coordinate supports that result in education systems' capacities to provide quality AT services to children/students.</p>	<p>Engage in direct services to students.*</p> <p>Conduct AT Assessments.*</p> <p>Train students how to use AT devices/systems.*</p> <p>Provide onsite support to individuals or teams on a concierge/as needed basis.</p> <p>*NOTE – These are services that are provided by IEP/IFSP teams. ATP/Ed can support IEP/IFSP teams through the services noted in the preceding column.</p>

Professional Development Being Scheduled

- **Vendor-based webinars** to provide access/awareness to different types of assistive technology tools and systems.
- **Regional Trainings**
 - o General Trainings
 - **AT Basics** - What is AT, Different Types of AT, AT Cycle, AT Consideration, AT in the IEP
 - **AT Assessment** - What is AT (Review), AT Consideration, Team-Based Assessment (Framework, Feature Match, Trials), Using Data to make decisions
 - **AT Implementation** - What is AT (Review), AT in the IEP, AT Implementation Planning, Evaluating Effectiveness of AT
 - o Focused Trainings
 - **Case-Specific Connected AT Trainings** – 4 Trainings over the course of a year that allows IEP/IFSP teams to bring a case and work through it from start to finish. The trainings cover all of the ‘General Trainings’ but are connected and focused on a particular student.
- **Webinars** that include but not limited to AT tools to support students who struggle with:
 - o Reading Decoding
 - o Reading Comprehension
 - o Writing - Transcription
 - o Writing - Planning and Composing
 - o Writing - Revising and Editing
 - o Math - Computation
 - o Executive Function - Time Management
 - o Executive Function - Materials Organization

To request ATP/Ed Services:

Contact Us:		
<u>Email</u>	<u>Phone</u>	<u>Website Form</u>
atp.education@nebraska.gov	(877) 713-4002 (in state only)	https://atp.nebraska.gov/services/services-school

The ATP Education Program is part of the Nebraska Assistive Technology Partnership (ATP) and is funded through the Nebraska Department of Education Office of Special Education.



SAVE THE DATE!

Parents Encouraging Parents

PEP Conference

May 1 – May 2, 2020 | Younes Conference Center | 416 W Talmadge Rd. | Kearney, NE

PEP brings together parents of children with disabilities in an accepting and confidential environment. You'll have the opportunity to share your ideas and feelings, and discuss common concerns. Sessions also include further information on parenting and educating children with disabilities, as well as how to develop and maintain effective partnerships with the professionals who work with your family.

Who Should Attend?

All Nebraskan Parents, who are raising a child with an active IFSP/IEP.

Couples: both partners are encouraged to attend the conference together for maximum benefit.

Single parents are encouraged to bring a support-person.

A small number of openings are reserved for education professionals who serve children with disabilities and are employed in Nebraska school districts. Professionals will experience PEP from a parent perspective.

Conference Details

No Registration fee

Registration is first come, first served

Lodging will be provided Friday, May 1

Continental breakfast provided by the hotel

Lunch provided both days of the conference

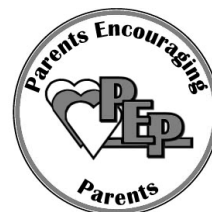
What Parents and Education Professionals Say About PEP

"After coming, I understand the importance for parents to come together because they are so busy 'just handling' things. They need to regroup and get on the same page. This has started a movement in us to better our relationship like nothing ever has. Thank-you."

"I learned a lot of great information. I feel relieved and empowered and know I am not alone."

"I was able to take my professional hat off and listen to what parents with a child with a disability go through from the day they learn about the disability."

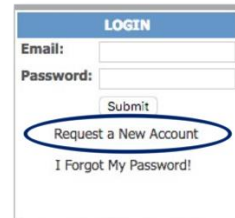
REGISTRATION DETAILS TO BE ANNOUNCED



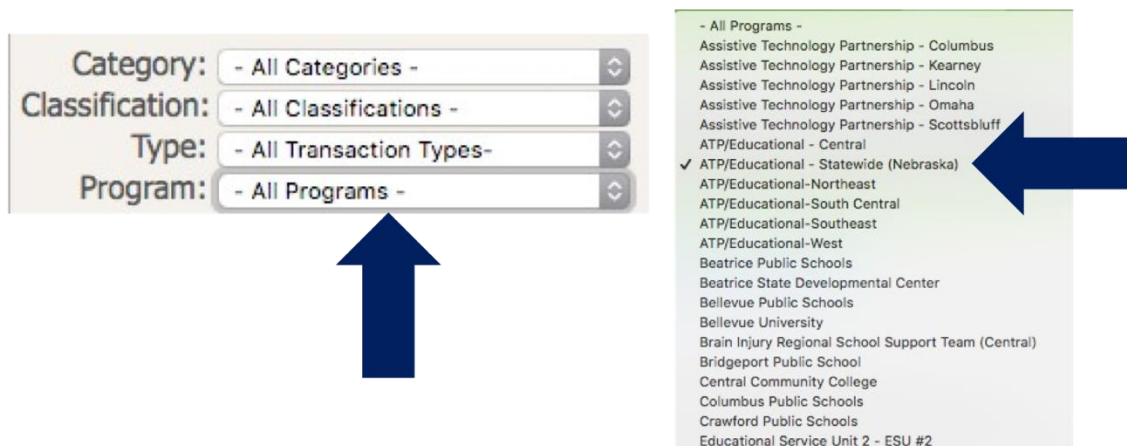
Using AT4All.com is EASY!

Directions

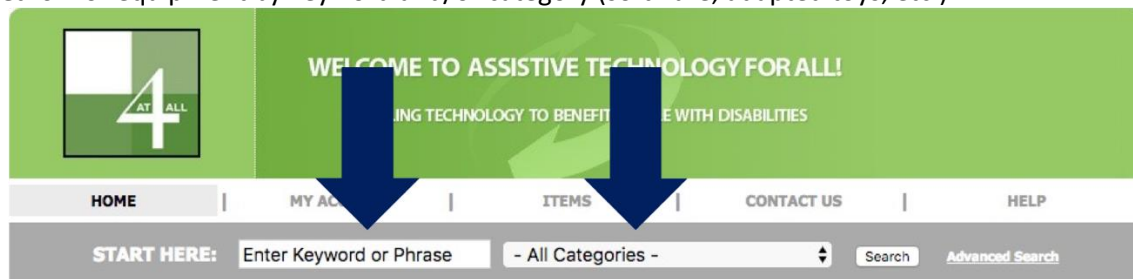
1. Link to **AT4All.com** and **Request a new account.**



2. To locate equipment available in the ATP Educational Statewide Equipment Loan Pool click **'Advance Search'**. Then use the dropdown menu next for **'Programs'** and choose **'ATP/Educational-Statewide'**.



3. Search for equipment by keyword and/or category (software, adapted toys, etc.)



4. To view a description of an item, **click on the name of the item.**

The screenshot shows a search results page for 'c-pen'. At the top, it says 'Searching for c-pen: 314 items found'. There are filters for Category, Classification, Type, and Program, all set to '- All ...'. The State is set to 'Nebraska (314)' and Sorting is 'Relevance'. There is a 'Custom Item Report' link and a checked 'Include Contact Info' option. A 'Bookmark' link is visible. The main content area shows 'Item Information' for 'C-Pen Exam Pen - Available for Loan'. A blue arrow points to the item name. The description states: '(AT00397) The C-Pen Exam Reader pen scanner is major technological breakthrough for anyone wanting to read English exam questions. The C-Pen Exam Reader is a totally portable, pocket-sized device that reads text out aloud with an English human-like digital voice. The Exam Reader has been approved by The Joint Council for Qualifications (JCQ)* for use in exams. This means students who have reading difficulties such as dyslexia can independently take exams knowing that they can read and understand the questions. No special access arrangements required. The pen is half the size of other portable pen scanners on the market and at 50g is half the weight.'

5. To save the item for future reference, click **Bookmark Item**. To request to obtain the item on loan, click **Request Loan**.

The screenshot shows the 'ITEM DETAILS' page for 'C-Pen Exam Pen #167957'. The 'Item Information' section contains the same description as in the previous screenshot. A photo shows a hand holding the orange pen scanner over a document. Below the description, there are three buttons: 'Bookmark Item', 'Request Loan', and 'Show Contact Information'. Two large blue arrows point from the 'Request Loan' button area down to the 'Request Loan' button. At the bottom, there is a disclaimer: 'AT4ALL is brought to you by Nebraska Assistive Technology Partnership - ATP. There are a number of state agencies, private businesses, and lending programs along with individuals that are listing items for sale, giveaway, demonstration, or loan. Please keep in mind that each agency, business, or program will have their own criteria for selling or lending their equipment. If you have any questions, please contact the specified person for that item. List of Participating Agencies'.

For more information contact:
877-713-4002
atp.education@nebraska.gov

SAVE THE DATE!

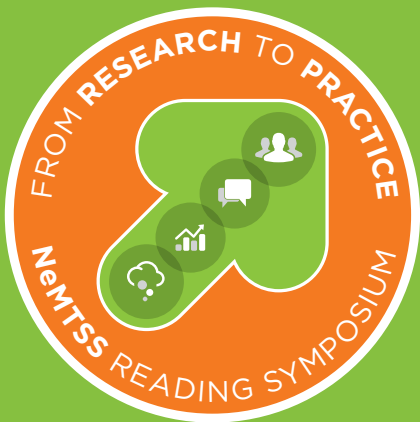
NeMTSS Reading Symposium

From Research to Practice

June 10, 2020

Embassy Suites

Lincoln, NE



NeMTSS
FRAMEWORK



SAVE THE DATE!

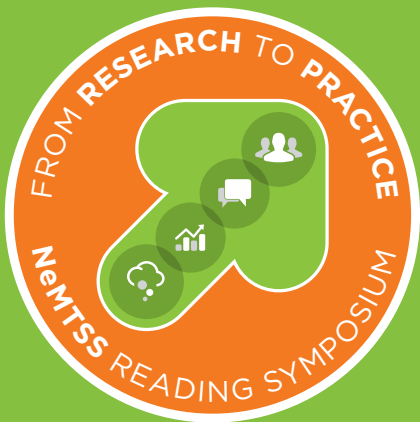
NeMTSS Reading Symposium

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Lincoln, NE



NeMTSS
FRAMEWORK





REGISTRATION NOW OPEN

NEBRASKA YOUNG CHILD INSTITUTE

A state-wide conference for multidisciplinary professionals to connect on issues to improve the outcomes of young children.

JUNE 16-17, 2020

Younes Conference Center | Kearney, NE

www.neyoungchildinstitute.com

#ForNebraskaBabies

NEBRASKA
— Young Child Institute —

ESUCC Educational Resources

SRS Update

Scott Isaacson

March, 2020

The team continues to address fixes and improvements to the system, especially in the areas of ADVISER reporting, bugs in completing forms, and improving help desk response times. The team has released 9 fixes into the live system since our last board meeting. Helpdesk tickets are down, with 86 currently open. We have continued short monthly check-in calls with the advisory team between their quarterly full-length meetings. A few key user representatives met in February to plan for adding 504 plan support to the SRS application and are sharing their work with the SRS advisory committee for more feedback. Another key enhancement coming will be an administrative dashboard or checklist to help administrative users see a concise list of problems such as errors reporting students to ADVISER, expired forms, or incomplete data.

Karen Flories

karen.flories@corwin.com

Karen is a full-time Professional Learning consultant for Corwin. In her role, she works with teachers and leaders across the nation to understand the Visible Learning research and use it as a guide to inform decisions about what best impacts student learning. Karen also facilitates professional learning centered on teacher clarity and formative assessment, and works hands on with teachers and leaders to drive learning at surface, deep and transfer levels. Prior to her role with Corwin, Karen was the Executive Director of Educational Services for 5 years and Director of Literacy and Social Studies in VVSD for 2 years, after serving as the English Department Chair for Romeoville high school. Karen's classroom experience includes high school English, special education, and alternative education. During her time at the district level, Karen led the implementation of Visible Learning as well as development on sound assessment practices and design. As a result, the district has seen steady gains in both English Language Arts and mathematics for the past four years. Karen's presentation style is highly engaging and focuses on participants being able to understand and apply specific practices in their school or classroom based on solid evidence.

Investment and Timeline

NE - ESUCC - Visible Learning - September 8-9, 2020

Currency: US Dollar

Resources	Author	Unit Price	Quantity	Discount	Resources Price	Total Price
Foundation Day						\$5,000.00
9/8/2020: <u>Karen Flories</u> - \$5,000.00						
Impact Series: Mindframes for Impact						\$5,000.00
9/9/2020: <u>Karen Flories</u> - \$5,000.00						
Resources						
	Foundation Day Resource Guide	\$22.00	120.00		\$2,640.00	\$2,640.00
	Mindframes for Success Resource Guide	\$22.00	120.00		\$2,640.00	\$2,640.00
Estimated Shipping						\$244.95
TOTAL						\$15,524.95

- Pricing for Consulting Service Days are inclusive of all travel expenses.
- Investment above includes an estimate of Shipping Fees for books and resources and may vary based on rates that are applied at the time the order is shipped. A separate PO for books and resources will be requested and are required without a signed contract. Resources and books will be invoiced separately from professional development services. Books and resources will be shipped approximately 30 days prior to engagement; please notify Corwin with specific delivery requests. Expedited shipping will apply should the client request it.
- Copying and distribution of any handouts is the Client's responsibility.
- Consultant will hold above date(s) on his/her calendar for 30 days, at which time he/she may need to release the hold for another Client. Corwin recommends moving to contract within 30 days, if possible, so as to secure this date on his/her calendar.
- All payments indicated above are exclusive of all federal, state, local and foreign taxes, levies and assessments. The Client will be responsible for the payment of all such taxes, levies and assessments imposed by any taxing authority, and taxes will be included at the time of invoice; tax exempt form should be included with PO and signed contract, if applicable.
- This proposal for services is intended to be a working document and is subject to change based on client needs.
- For any Survey product, Corwin will send a link for Customer to complete a survey and Customer has two (2) weeks to complete the survey in order for Corwin to generate a report for Customer. If Customer does not complete the survey within the two-week period and/or if less than five (5) survey responses are received, the survey will be considered invalid/incomplete and the related survey Product will be forfeited and no refunds or credits will be granted.
- Evaluation Services including Surveys and Assessments will be billed upon the delivery of the Client's subsequent report.



PDO Training Form

Contact Person/Affiliate Chair: Amy Schultz, Mark Brady

Affiliate: SDA

Email: amy.schultz@esu9.us, mbrady@esu7.org

Phone: 402-463-5611 (ESU 9), 402-564-5753 (ESU 7)

Contractor/Company: Corwin

Presenter: TBD

Email: Kelly.valentine@corwin.com

Phone: (805) 410-2661

Address: 2455 Teller Road City, State, Zip: Thousand Oaks, CA 91320

Point of Contact: Kelly Valentine

Workshop Title: Visible Learning Foundation and Mind frames for Visible Learning or Developing Visible Learners

Date of Workshop: September 8-9, 2020

Projected cost of workshop (include presenter fees, materials, expenses, etc): \$16,000

How does workshop align with ESU CC Goals and ESUCC/NDE priority areas?

The idea for this training was developed within the Educator Effectiveness PDO work group as members considered current needs in our schools. Members of this work group and other members of PDO identified this training as necessary in improving our knowledge-base and our capability to provide support for our schools in the area of evidence-based practices. Training in Visible Learning will positively impact PDO members' abilities to support schools in various AQuESTT tenets including Educator Effectiveness, Educational Opportunities and Access, and College, Career, and Civic Readiness. This training would be cost prohibitive for many schools across the state, so increasing the collective efficacy of our PDO group will ultimately allow districts to receive Visible Learning training and resources while saving a significant amount of money. In this way, the proposed Visible Learning PDO session supports the ESUCC Value-Add Bold Step.


Office Use:

Contract sent:

W-9/W4NA:

Date Received:

Date Received:



*To lead and support the preparation of all
Nebraskans for learning, earning, and living.*

2017-2026 STRATEGIC VISION AND DIRECTION

Nebraska State Board of Education and Nebraska
Department of Education

12/02/16

Nebraska State Board of Education

The State Board of Education is an elected, constitutional body that is the policy forming and evaluative body for the state school program (79-301 (2) R.R.S.) in addition to ensuring the State Department of Education functions effectively within the framework developed by the state Legislature and the Board. The Board is elected on a non-partisan ballot, with one member from each district. Board members serve four-year terms.

District 3: Rachel Wise, President

District 1: Lillie Larsen, Vice President

District 2: Glen Flint

District 4: John Witzel

District 5: Patricia Timm

District 6: Maureen Nickels

District 7: Molly O 'Holleran

District 8: Patrick McPherson

Nebraska Department of Education

The Nebraska Department of Education (NDE) is a constitutional agency comprised of services, programs, Vocational Rehabilitation (Nebraska VR), and Disabilities Determination Section (DDS). The NDE operates under the authority of an elected State Board of Education (Board) and the Commissioner of Education (Commissioner). The NDE is organized into teams that carry out the duties assigned by state and federal statutes and the policy directions of the Board. Teams are organized around distinct functions and responsibilities that encompass leadership and support for Nebraska's system of early childhood, primary, secondary, and postsecondary education; direct services to clients; and internal support to the agency.

The NDE carries out its duties on behalf of Nebraska students and parents involved in public and nonpublic school systems. The NDE staff interacts with schools, parents, businesses, community partners, and institutions of higher education to develop, coordinate, and improve educational programs and services.

Commissioner of Education: Matthew L. Blomstedt, Ph.D.

Strategic Vision and Direction – 2017-2026

Introduction

In January of 2016, the Board and the NDE initiated the development of a Strategic Plan to guide the vision and direction of education in Nebraska for the next ten years. Nebraska's Strategic Plan to be known as **Nebraska Quality Education Systems for Today and Tomorrow (NEQuESTT)** represents the evolution of a philosophical and practical approach to supporting education in Nebraska. This commitment unifies and strengthens positive outcomes for each and every Nebraskan through bold and achievable goals. **NEQuESTT** not only outlines the critical needs and strengths within the system, but also reflects innovative approaches to ensure each Nebraskan has equitable access to opportunities and are ready for success in postsecondary, career, and civic life. **NEQuESTT** is the educational journey that puts forth a new vision and bold agenda for the system of education in Nebraska. This vision will require new and different ways of working together, stretching beyond the status quo, and engaging stakeholders through collaborative processes. The strategic plan defines a direction for accountability and a system of services and supports without losing sight of the importance of ensuring compliance with state and federal policies.

NEQuESTT guides the Board and the NDE to address some of the most urgent priorities within Nebraska. With an intentional and comprehensive focus on ensuring a reduction in educational inequities for the most vulnerable populations, this strategic plan directs focus on student- or client-centered outcomes, high quality opportunities, and a strong system of support **for every student, every day**.

NEQuESTT and AQuESTT

NEQuESTT aligns with Nebraska's accountability system, Accountability for a Quality Education System Today and Tomorrow (**AQuESTT**). The six critical tenets of **AQuESTT** holistically address accountability and quality education in Nebraska. Originally designed to meet statutory accountability requirements, **AQuESTT** has quickly grown beyond and guides the NDE and its work.

AQuESTT provides a fundamental focus on achievement and opportunity gaps and ensures strategies produce equitable outcomes for each and every learner. As a result, **NEQuESTT** includes goals with benchmarks that measure disaggregated data to ensure equity and access.

Roles:

In order to support strategic priorities, a suite of approaches is utilized that reflects the nuance of the work and the many stakeholders, systems, and partners that intersect to support a state education system. The various roles are:

Champion - NDE actively leads the strategic vision, goals, and policy direction to support learning, earning, and living by:

- Engaging key stakeholders and partners on emerging needs in the educational landscape and corresponding policy advocacy approach
- Exercising policy leadership and proactively engaging and partnering with the Unicameral and Governor on priority issues
- Advocating for necessary resources to meet needs and/or address issues to execute the vision

Regulator - NDE leverages policy authority to ensure delivery of high-quality, equitable education and services, beyond compliance with state and federal regulations by:

- Assuring access to fair, equitable, and high-quality education and services
- Monitoring school and districts to ensure adherence to regulations and setting expectations beyond compliance for accountability and growth in learning
- Promoting best practices for leadership and using data and resources to ensure effective continuous improvement

Capacity Builder - NDE directs technical assistance and professional development opportunities and promotes the sharing of best practices by:

- Providing technical assistance and professional development opportunities for educators, staff, and community providers
- Actively engaging with priority and needs improvement schools as well as continuing to support the improvement of all schools
- Identifying schools and districts across the state with effective educational practices to gather data on successful practices
- Acting as a facilitator to connect schools to highlight learnings, share lessons learned, and communicate best practices
- Developing, maintaining, and leveraging strong working relationships with education and community partners to extend and enhance capacity across the state

Connector - NDE helps bridge the divide between learning, earning, and living, connecting schools, families, business, and communities by:

- Connecting, convening, and partnering with schools, businesses, out-of-school programs, postsecondary education, state agencies, and community providers to create a more comprehensive approach to education and service delivery
- Supporting other agencies and organizations in active engagement and relationship building amongst individuals, parents, and families

Change Agent - NDE explores and supports promising new innovations by:

- Researching, promoting, and providing support for promising new initiatives and innovations in education across the state and nation (e.g., promising activities in rural areas, blended learning, personalized learning, adult basic education)
- Providing ongoing training, support, and resources to drive the adoption of new practices and to assure implementation

Strategic Direction:

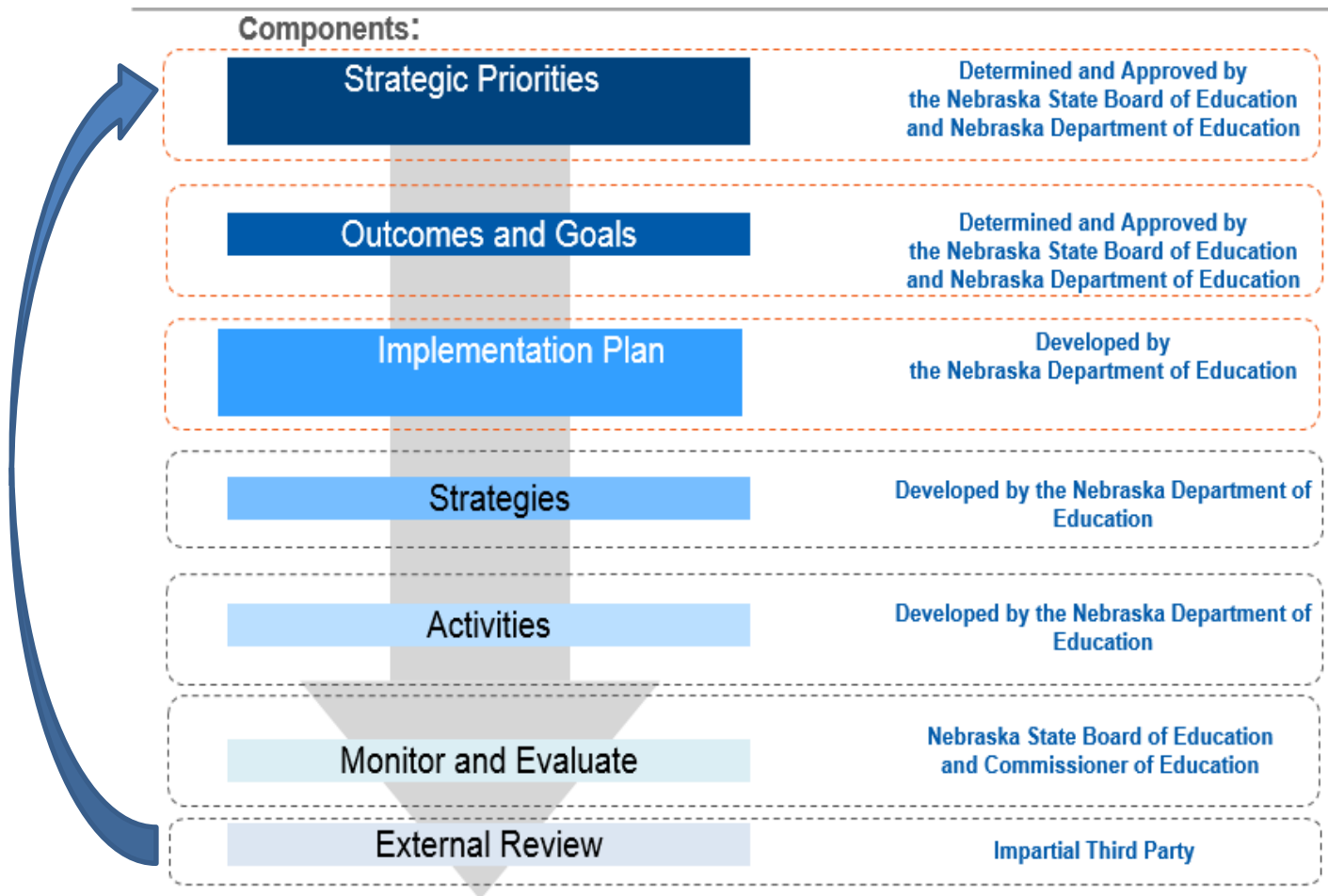
To realize the new strategic vision it can no longer be business as usual.

	FROM	TO
ORGANIZATIONAL STRUCTURE	<ul style="list-style-type: none"> Organizational structure primarily oriented around subject area silos Decision-making authority mostly concentrated in hands of senior agency leadership 	<ul style="list-style-type: none"> More cross-functional, with collaboration and communication across teams More distributed decision-making authority, where staff closer to the issue is empowered to make relevant decisions
PERSONNEL & STAFFING	<ul style="list-style-type: none"> Staff with very specific skills focused primarily on content knowledge Traditional focus on regulation and compliance 	<ul style="list-style-type: none"> Broader staff expertise, including both content knowledge and breadth of experiences (e.g., relationship building, background in business, work with underserved communities) Focus on leadership, innovation, and learning
STAKEHOLDER ENGAGEMENT	<ul style="list-style-type: none"> Sporadic engagement on an as-needed basis Limited engagement with specific populations or cultural communities 	<ul style="list-style-type: none"> Consistent and tailored stakeholder engagement plans for specific audiences, allowing authentic relationships and dialogue to develop
DATA & SYSTEMS	<ul style="list-style-type: none"> Limited publicly accessible data Focus on accountability and compliance Cumbersome website 	<ul style="list-style-type: none"> Readily available data for all stakeholders from an easy to use, up-to-date platform Focus on performance management User-friendly website and an online portal with lessons learned and best practices for practitioners

Moving Forward:

The Board has taken into account the multiple roles of the NDE in the development of this strategic plan and in the expectations set forth for the NDE. This recognition is coupled with the expectation of providing quality, equitable support through a multi-faceted system under the charge of the NDE. The shared responsibility of leadership between the Board and the Commissioner includes developing this plan, monitoring goals, and implementing strategies through the NDE's programs and supports for schools, students, systems and clients across the state. The Board carries out this strategic plan through direction to the Commissioner. The Commissioner has the responsibility to build an implementation plan that makes **NEQUESTT** a living document utilizing the aforementioned roles and strategic direction outlined for organizational structure; personnel and staffing; stakeholder engagement; and data and systems.

The strategic plan is multi-layered.



Operational Approach:

NEQUESTT provides a framework for measuring multiple levels and processes to ensure success through standard, quantifiable metrics, artifacts, and evidence-based analyses utilizing a three-tiered approach:

- **NDE Accountability** – Process, regulations, support, interagency collaboration, data systems, fiscal responsibility, and evaluation
- **Service Accountability** – Quality and success of services provided by the agency
- **District and School Accountability** – School and agency progress and improvement

Strategic Priorities, Outcomes, and Goals:

The Board and Commissioner will regularly review these goals as organized by the strategic priorities and outcomes. The NDE goals will include Commissioner and Board activities necessary to build the department's system of accountability and support for services and schools. The NDE will track progress on these goals and other metrics required by state and federal law. The Commissioner will annually report progress on these goals and other measures to report progress and performance to the Board.

Implement, Monitor, and Evaluate:

The Board and the Commissioner share the responsibility to:

- champion and lead the strategic vision and goals.
- serve as change agents and capacity builders.
- ensure progress on the strategic priorities.

The Board and the Commissioner will be responsible for implementing this plan including the development of strategies, and activities, and monitoring on an annual basis. A review will be presented by the Commissioner and appropriate NDE personnel annually or as directed. An objective external review of **NEQUESTT** will be conducted by an impartial third-party reviewer two years after adoption and thereafter as determined by the Board with results being presented to stakeholders.

MISSION

To lead and support the preparation of all Nebraskans for learning, earning, and living

GUIDING PRINCIPLES

NDE will:

- Create a dynamic vision that drives change through proactive leadership to support learning;
 - Build connections amongst stakeholders to take action in support of success for all learners;
 - Provide all Nebraskans significant opportunity to receive fair, equitable, and high-quality education and services to close achievement gaps;
 - Allow all learners to achieve their fullest potential in transitioning through phases of school and into civic life;
 - Ensure all educators are effective in instructional strategies and monitoring student progress using multiple measures of proficiency; and
 - Prepare all learners to be college, career, and civic-ready.
-

STRATEGIC PRIORITIES

Ensure that all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success

Increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life

OUTCOME STATEMENTS

Leadership

Provide leadership and high quality services in processes, regulations, interagency collaboration, data systems, fiscal responsibility and evaluation that enhance the success of educational systems in Nebraska.

Success, Access, and Support

Positive Partnerships and Student Success – Increase student, family, and community engagement to enhance educational experiences and opportunities.

Transitions – Provide quality educational opportunities for student success through transitions between grade levels, programs, schools, postsecondary institutions, and careers.

Educational Opportunities and Access – Ensure that all students have access to comprehensive instructional opportunities to be prepared for postsecondary education and career.

Teaching, Learning, and Serving

College, Career, and Civic Ready – Ensure every student upon completion of secondary education is prepared for postsecondary education, career, and civic opportunities.

Assessment – Use assessments to measure and improve student achievement and inform instruction.

Educator Effectiveness – Assure that students are supported by qualified/credentialed, effective teachers and leaders throughout their learning experiences.

Leadership

Strategic Priority: Ensure that all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success.

Strategic Priority: Increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life.

Outcome Statement: Provide leadership and high-quality services in processes, regulations, interagency collaboration, data systems, fiscal responsibility, and evaluation that enhance the success of educational systems in Nebraska.

- Goal 1.1** By 2018, the NDE will be organized through personnel and processes to provide leadership in school support systems, regulations, interagency collaboration, data systems, fiscal responsibility, and evaluation that will enhance the success of educational systems in Nebraska.
- Goal 1.2** By 2018, the Board and Commissioner will have a process in place to evaluate and ensure timely, high-quality services and systems of support provided by the Nebraska Department of Education.
- Goal 1.3** By 2020, 100% of teachers, service providers, school leaders and local school board members will have access to quality professional learning opportunities through an NDE facilitated professional learning directory.
- Goal 1.4** By 2020, the NDE will collaborate with the Governor, Legislature, postsecondary institutions, and the Educational Service Units (ESUs) to create a uniform process to align dual credit opportunities for students across the state.

Success, Access, and Support

Positive Partnerships, Relationships, and Success

Strategic Priority: Ensure that all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success.

Outcome Statement: Increase student, family, and community engagement to enhance educational experiences and opportunities.

Goal 2.1 By 2019, the NDE will develop a system to regularly engage and survey clients, schools, and stakeholders to gather input, and measure engagement and satisfaction.

Goal 2.2 By 2026, the dropout rate of all Nebraska students including subgroups will be less than 1%.

Goal 2.3 By 2026, 100% of Nebraska schools will have all students in grades 7-12 create and utilize a personal learning plan.

Goal 2.4 By 2026, there will be a reduction in the percentage of students who are absent more than 10 days per year from 27.46% to 15%.

Success, Access, and Support

Transitions

Strategic Priority: Ensure that all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success.

Outcome Statement: Provide quality educational opportunities for student success through transitions between grade levels, programs, schools, postsecondary institutions, and careers.

Goal 3.1 By 2018, a baseline and benchmarks will be developed to track all students with a disability having access to participate in career counseling, explorations, self-advocacy training, and work-based learning experiences.

Goal 3.2 By 2026, the 4-year cohort graduation rates for all Nebraska students will be greater than 92% and not less than 85% for any one subgroup.

Goal 3.3 By 2026, the 7-year cohort graduation rates for all Nebraska students will be greater than 95% and not less than 90% for any one subgroup.

Goal 3.4 By 2026, 100% of Nebraska schools will fully implement a systematic process for supporting the needs of highly-mobile students.

Success, Access, and Support
Educational Opportunities and Access

Strategic Priority: Ensure that all Nebraskans, regardless of background or circumstances, have equitable access to opportunities for success.

Outcome Statement: Ensure all students have access to comprehensive instructional opportunities to be prepared for postsecondary education and career.

Goal 4.1 **By 2020, NDE will develop a statewide digital course and content repository.**

Goal 4.2 **By 2026, 85% of all Nebraska students, upon graduation from high school, will have completed Advanced Placement coursework, earned dual credit and/or obtained industry certification.**

Goal 4.3 **By 2026, 95% of Nebraska elementary schools would be able to identify at least one high-quality early childhood educational program accessible to all of the school's resident preschool age population.**

Teaching, Learning, and Serving
College, Career, and Civic Ready

Strategic Priority: Increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life.

Outcome Statement: Ensure every student upon completion of secondary education is prepared for postsecondary education, career, and civic opportunities.

Goal 5.1 **By 2018, the State Board will adopt a comprehensive approach to define and measure civic readiness.**

Goal 5.2 **By 2020, all Nebraska elementary schools will provide evidence-based interventions for any students not on grade level in reading and/or math.**

Goal 5.3 **By 2026, 100% of Nebraska schools will provide all students with a program for career awareness, exploration, and preparation.**

Goal 5.4 **By 2026, at least 50% of all Nebraska high school students from any given cohort year, will have earned a college degree, credential, or certificate within five years of graduating from high school.**

Teaching, Learning, and Serving

Assessment

Strategic Priority: Increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life.

Outcome Statement: Use assessments to measure and improve student achievement and inform instruction.

- Goal 6.1** By 2018, utilizing baseline data from the ACT, long-term goals will be developed for 11th grade achievement, including goals for subgroups.
- Goal 6.2** By 2018, the NDE will implement an assessment system to measure achievement and growth in grades 3-8 that meets the requirements of federal and state law and is timely for instructional purposes.
- Goal 6.3** By 2026, the percent of Nebraska students in grades 3-8 and 11 proficient in reading will increase from 79% to 89%.
- Goal 6.4** By 2026, the percent of Nebraska students in grades 3-8 and 11 proficient in math will increase from 72% to 82%.
- Goal 6.5** By 2026, the percent of Nebraska students in grades 3-8 and 11 proficient in science will increase from 72% to 82%.

Teaching, Learning, and Serving

Educator Effectiveness

Strategic Priority: Increase the number of Nebraskans who are ready for success in postsecondary education, career, and civic life.

Outcome Statement: Assure students are supported by qualified/credentialed, effective teachers and leaders throughout their learning experiences.

Goal 7.1 By 2018, NDE will develop and implement a statewide teacher equity plan.

Goal 7.2 By 2020, 100% of Nebraska schools will utilize performance standards and a research-based evaluation system for all certificated staff as aligned to Rule 10.

Goal 7.3 By 2022, 100% of Nebraska schools will be staffed by teachers who have or are actively pursuing a teaching certificate with the appropriate endorsement for the subject(s) and grade level(s) of the course(s) being taught.

ACKNOWLEDGMENT

The Nebraska State Board of Education and the Nebraska Department of Education give special thanks to the many partners who have provided input in the development of this strategic plan. We also recognize and appreciate the grant support of the Peter Kiewit Foundation and the Sherwood Foundation. The NDE is excited to continue collaboration in leading and supporting the preparation of all Nebraskans for learning, earning, and living.

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 147

Introduced by Groene, 42.

Read first time January 11, 2019

Committee: Education

- 1 A BILL FOR AN ACT relating to the Student Discipline Act; to amend
- 2 section 79-254, Reissue Revised Statutes of Nebraska; to provide for
- 3 use of physical contact or physical restraint or removal from a
- 4 class in response to student behavior; to harmonize provisions; and
- 5 to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-254, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-254 Sections 79-254 to 79-294 and sections 2 and 3 of this act
4 shall be known and may be cited as the Student Discipline Act.

5 Sec. 2. (1) If a student becomes physically violent toward himself
6 or herself, a teacher, an administrator, or another student, a teacher or
7 administrator may use the necessary physical contact or physical
8 restraint to control such student until such student no longer presents a
9 danger to himself or herself, the teacher, the administrator, or the
10 other student.

11 (2) If a student exhibits destructive behavior toward school
12 property, a teacher or administrator may use the necessary physical
13 contact or physical restraint to control such student until such student
14 ceases the destructive behavior or the student is removed from the
15 classroom.

16 (3) Any action by a teacher or administrator pursuant to subsection
17 (1) or (2) of this section shall not be considered corporal punishment
18 pursuant to section 79-295.

19 (4) Any teacher or administrator defending himself or herself,
20 another teacher or administrator, or a student pursuant to subsection (1)
21 of this section, or protecting school property pursuant to subsection (2)
22 of this section, shall not be subject to legal action or administrative
23 discipline if such teacher or administrator was acting in a reasonable
24 manner.

25 (5) For purposes of this section, physical restraint means holding
26 the hands, wrists, or torso of a student to control the movements of such
27 student and shall not include the use of any mechanical device or binding
28 a student to any object.

29 Sec. 3. (1) A teacher has the authority to have a student removed
30 from the classroom by an administrator, administrator's designee, or
31 school resource officer if the teacher:

1 (a) Has documented that such student has repeatedly interfered with
2 such teacher's ability to communicate effectively with the students in
3 such class or with the ability of students in such class to learn;

4 (b) Determines such student's behavior is so unruly, disruptive, or
5 abusive that it seriously interferes with such teacher's ability to
6 communicate effectively with the students in the class or with the
7 ability of the students in the class to learn; or

8 (c) Determines such student has committed other disruptive acts that
9 merit discipline under the Student Discipline Act.

10 (2) If a teacher has a student removed from a classroom pursuant to
11 this section, the principal of the school may place such student into
12 another appropriate classroom or into in-school suspension or suspend the
13 student pursuant to section 79-265 or 79-267. The principal may not
14 return such student to a class taught by such teacher without the
15 teacher's consent unless such return is required pursuant to the Special
16 Education Act or the federal Individuals with Disabilities Education Act,
17 20 U.S.C. 1400 et seq., as such act existed on January 1, 2019. If the
18 teacher does not consent to the student's return to the teacher's
19 classroom, within two school days following the student's removal a
20 conference shall be held with the teacher and the parent or legal
21 guardian of such student in the presence of the principal or the
22 principal's designee for the purpose of determining the causes of the
23 problem and developing a plan to implement possible student behavior
24 improvement mechanisms. Following the conference, the principal may
25 readmit such student to the teacher's class. A principal or other
26 administrator shall not coerce a teacher to consent to the return of a
27 student to a class from which such student was removed pursuant to this
28 section.

29 (3) A teacher shall not be subject to legal action or administrative
30 discipline for having a student removed from a class pursuant to
31 subsection (1) of this section if such teacher was acting in a reasonable

1 manner.

2 Sec. 4. Original section 79-254, Reissue Revised Statutes of
3 Nebraska, is repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 998

Introduced by Murman, 38.

Read first time January 14, 2020

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend section 79-2,146, Reissue
2 Revised Statutes of Nebraska, sections 9-812, 79-2,144, 79-1001, and
3 79-1007.11, Revised Statutes Cumulative Supplement, 2018, and
4 section 79-1017.01, Revised Statutes Supplement, 2019; to transfer
5 money; to create a fund; to provide duties; to require behavioral
6 awareness and intervention training and behavioral awareness and
7 intervention points of contact as prescribed; to change the Tax
8 Equity and Educational Opportunities Support Act as prescribed; to
9 harmonize provisions; and to repeal the original sections.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-812, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 9-812 (1) All money received from the operation of lottery games
4 conducted pursuant to the State Lottery Act in Nebraska shall be credited
5 to the State Lottery Operation Trust Fund, which fund is hereby created.
6 All payments of the costs of establishing and maintaining the lottery
7 games shall be made from the State Lottery Operation Cash Fund. In
8 accordance with legislative appropriations, money for payments for
9 expenses of the division shall be transferred from the State Lottery
10 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund
11 is hereby created. All money necessary for the payment of lottery prizes
12 shall be transferred from the State Lottery Operation Trust Fund to the
13 State Lottery Prize Trust Fund, which fund is hereby created. The amount
14 used for the payment of lottery prizes shall not be less than forty
15 percent of the dollar amount of the lottery tickets which have been sold.

16 (2) A portion of the dollar amount of the lottery tickets which have
17 been sold on an annualized basis shall be transferred from the State
18 Lottery Operation Trust Fund to the Education Innovation Fund, the
19 Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,
20 the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and
21 the Compulsive Gamblers Assistance Fund as provided in subsection (3) of
22 this section. The dollar amount transferred pursuant to this subsection
23 shall equal the greater of (a) the dollar amount transferred to the funds
24 in fiscal year 2002-03 or (b) any amount which constitutes at least
25 twenty-two percent and no more than twenty-five percent of the dollar
26 amount of the lottery tickets which have been sold on an annualized
27 basis. To the extent that funds are available, the Tax Commissioner and
28 director may authorize a transfer exceeding twenty-five percent of the
29 dollar amount of the lottery tickets sold on an annualized basis.

30 (3) Of the money available to be transferred to the Education
31 Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska

1 Education Improvement Fund, the Nebraska Environmental Trust Fund, the
2 Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:

3 (a) The first five hundred thousand dollars shall be transferred to
4 the Compulsive Gamblers Assistance Fund to be used as provided in section
5 9-1006;

6 (b) Beginning July 1, 2016, forty-four and one-half percent of the
7 money remaining after the payment of prizes and operating expenses and
8 the initial transfer to the Compulsive Gamblers Assistance Fund shall be
9 transferred to the Nebraska Education Improvement Fund;

10 (c) Forty-four and one-half percent of the money remaining after the
11 payment of prizes and operating expenses and the initial transfer to the
12 Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska
13 Environmental Trust Fund to be used as provided in the Nebraska
14 Environmental Trust Act;

15 (d) Ten percent of the money remaining after the payment of prizes
16 and operating expenses and the initial transfer to the Compulsive
17 Gamblers Assistance Fund shall be transferred to the Nebraska State Fair
18 Board if the most populous city within the county in which the fair is
19 located provides matching funds equivalent to ten percent of the funds
20 available for transfer. Such matching funds may be obtained from the city
21 and any other private or public entity, except that no portion of such
22 matching funds shall be provided by the state. If the Nebraska State Fair
23 ceases operations, ten percent of the money remaining after the payment
24 of prizes and operating expenses and the initial transfer to the
25 Compulsive Gamblers Assistance Fund shall be transferred to the General
26 Fund; and

27 (e) One percent of the money remaining after the payment of prizes
28 and operating expenses and the initial transfer to the Compulsive
29 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers
30 Assistance Fund to be used as provided in section 9-1006.

31 (4) The Nebraska Education Improvement Fund is created. The fund

1 shall consist of money transferred pursuant to subsection (3) of this
2 section, money transferred pursuant to section 85-1920, and any other
3 funds appropriated by the Legislature. The fund shall be allocated, after
4 actual and necessary administrative expenses, as provided in this section
5 for fiscal years 2016-17 through 2020-21. A portion of each allocation
6 may be retained by the agency to which the allocation is made or the
7 agency administering the fund to which the allocation is made for actual
8 and necessary expenses incurred by such agency for administration,
9 evaluation, and technical assistance related to the purposes of the
10 allocation, except that no amount of the allocation to the Nebraska
11 Opportunity Grant Fund may be used for such purposes. On or before
12 December 31, 2019, the Education Committee of the Legislature shall
13 electronically submit recommendations to the Clerk of the Legislature
14 regarding how the fund should be allocated to best advance the
15 educational priorities of the state for the five-year period beginning
16 with fiscal year 2021-22. For fiscal year 2016-17, an amount equal to ten
17 percent of the revenue allocated to the Education Innovation Fund and to
18 the Nebraska Opportunity Grant Fund for fiscal year 2015-16 shall be
19 retained in the Nebraska Education Improvement Fund. For fiscal years
20 2017-18 through 2020-21, an amount equal to ten percent of the revenue
21 received by the Nebraska Education Improvement Fund in the prior fiscal
22 year shall be retained in the fund. The balance of the fund on June 30,
23 2021, shall be transferred to the Behavioral Training Cash Fund. For
24 fiscal years 2016-17 through 2020-21, the remainder of the Nebraska
25 Education Improvement Fund fund, after payment of any learning community
26 transition aid pursuant to section 79-10,145, shall be allocated as
27 follows:

28 (a) One percent of the allocated funds to the Expanded Learning
29 Opportunity Grant Fund to carry out the Expanded Learning Opportunity
30 Grant Program Act;

31 (b) Seventeen percent of the allocated funds to the Department of

1 Education Innovative Grant Fund to be used (i) for competitive innovation
2 grants pursuant to section 79-1054 and (ii) to carry out the purposes of
3 section 79-759;

4 (c) Nine percent of the allocated funds to the Community College Gap
5 Assistance Program Fund to carry out the community college gap assistance
6 program;

7 (d) Eight percent of the allocated funds to the Excellence in
8 Teaching Cash Fund to carry out the Excellence in Teaching Act;

9 (e) Sixty-two percent of the allocated funds to the Nebraska
10 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in
11 conjunction with appropriations from the General Fund; and

12 (f) Three percent of the allocated funds to fund distance education
13 incentives pursuant to section 79-1337.

14 (5) Any money in the State Lottery Operation Trust Fund, the State
15 Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, the
16 Nebraska Education Improvement Fund, or the Education Innovation Fund
17 available for investment shall be invested by the state investment
18 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 (6) Unclaimed prize money on a winning lottery ticket shall be
21 retained for a period of time prescribed by rules and regulations. If no
22 claim is made within such period, the prize money shall be used at the
23 discretion of the Tax Commissioner for any of the purposes prescribed in
24 this section.

25 Sec. 2. The Behavioral Training Cash Fund is created. The fund
26 shall be administered by the State Department of Education and shall
27 consist of money received pursuant to section 9-812 and any money
28 appropriated by the Legislature. The department shall distribute money in
29 the fund pursuant to section 6 of this act to school districts for
30 behavioral awareness and intervention training required pursuant to
31 section 79-2,146. Any money in the fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska Capital
2 Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 3. Section 79-2,144, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 79-2,144 The state school security director appointed pursuant to
6 section 79-2,143 shall be responsible for providing leadership and
7 support for safety and security for the public schools. Duties of the
8 director include, but are not limited to:

9 (1) Collecting safety and security plans, required pursuant to rules
10 and regulations of the State Department of Education relating to
11 accreditation of schools, and other school security information from each
12 school system in Nebraska. School districts shall provide the state
13 school security director with the safety and security plans of the school
14 district and any other security information requested by the director,
15 but any plans or information submitted by a school district may be
16 withheld by the department pursuant to subdivision (8) of section
17 84-712.05;

18 (2) Recommending minimum standards for school security on or before
19 January 1, 2016, to the State Board of Education;

20 (3) Conducting an assessment of the security of each public school
21 building, which assessment shall be completed by August 31, 2019;

22 (4) Identifying deficiencies in school security based on the minimum
23 standards adopted by the State Board of Education and making
24 recommendations to school boards for remedying such deficiencies;

25 (5) Establishing security awareness and preparedness tools and
26 training programs for public school staff;

27 (6) Establishing research-based model instructional programs for
28 staff, students, and parents to address the underlying causes for violent
29 attacks on schools;

30 (7) Overseeing suicide awareness and prevention training in public
31 schools pursuant to section 79-2,146;

1 (8) Establishing tornado preparedness standards which shall include,
2 but not be limited to, ensuring that every school conducts at least two
3 tornado drills per year;

4 (9) Collecting behavioral awareness and intervention training plans
5 and certifying compliance or noncompliance with section 79-2,146 to the
6 State Department of Education for each school district;

7 ~~(10) (9)~~ Responding to inquiries and requests for assistance
8 relating to school security from private, denominational, and parochial
9 schools; and

10 ~~(11) (10)~~ Recommending curricular and extracurricular materials to
11 assist school districts in preventing and responding to cyberbullying and
12 digital citizenship issues.

13 Sec. 4. Section 79-2,146, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 79-2,146 (1)(a) ~~(1)~~ Beginning in school year 2015-16, all public
16 school nurses, teachers, counselors, school psychologists,
17 administrators, school social workers, and any other appropriate
18 personnel shall receive at least one hour of suicide awareness and
19 prevention training each year. This training shall be provided within the
20 framework of existing inservice training programs offered by the State
21 Department of Education or as part of required professional development
22 activities.

23 (b) ~~(2)~~ The department, in consultation with organizations
24 including, but not limited to, the Nebraska State Suicide Prevention
25 Coalition, the Nebraska chapter of the American Foundation for Suicide
26 Prevention, the Behavioral Health Education Center of Nebraska, the
27 National Alliance on Mental Illness Nebraska, and other organizations and
28 professionals with expertise in suicide prevention, shall develop a list
29 of approved training materials to fulfill the requirements of subsection
30 (1) of this section. Such materials shall include training on how to
31 identify appropriate mental health services, both within the school and

1 also within the larger community, and when and how to refer youth and
2 their families to those services. Such materials may include programs
3 that can be completed through self-review of suitable suicide prevention
4 materials.

5 (2)(a) Prior to the end of school year 2024-25, each school district
6 shall ensure that administrators, teachers, paraprofessionals, school
7 nurses, and counselors receive behavioral awareness and intervention
8 training. Each school district may provide such training, or similar
9 training, to any other school employees at the discretion of the school
10 district. In addition, all school employees shall have a basic awareness
11 of the goals, strategies, and schoolwide plans included in such training.

12 (b) Beginning in school year 2021-22, each school district shall
13 offer behavioral awareness and intervention training annually.
14 Administrators, teachers, paraprofessionals, school nurses, and
15 counselors who have received such training from the school district in
16 which they are employed shall receive a behavioral awareness and
17 intervention training review at least once every three years.

18 (c) Any protections and defenses found in the Student Discipline Act
19 shall not be made contingent on whether or not an employee of a school
20 district has completed behavioral awareness and intervention training.

21 (d) Behavioral awareness and intervention training shall include,
22 but not be limited to, evidence-based training on a continuum that
23 includes:

24 (i) Recognition of detrimental factors impacting student behavior,
25 including, but not limited to, signs of trauma;

26 (ii) Positive behavior support and proactive teaching strategies,
27 including, but not limited to, expectations and boundaries;

28 (iii) Verbal intervention and de-escalation techniques;

29 (iv) Clear guidelines on removing students from and returning
30 students to a class;

31 (v) Behavioral interventions and supports that will take place when

1 a student has been removed from a class; and

2 (vi) Physical intervention for safety.

3 (e) In addition to the requirements contained in subdivision (2)(d)
4 of this section, behavioral awareness and intervention training shall be
5 consistent with the Student Discipline Act, include an awareness of the
6 protections for school personnel found in the act, include an awareness
7 of the requirement for written consent of a parent or guardian pursuant
8 to section 79-258, and include the identification and role of each
9 employee designated as the behavioral awareness and intervention point of
10 contact.

11 (3)(a) Each school district shall designate one or more school
12 employees as a behavioral awareness and intervention point of contact for
13 each school building or other division as determined by such school
14 district. Each behavioral awareness and intervention point of contact
15 shall be trained in behavioral awareness and intervention and shall have
16 knowledge of community service providers and other resources that are
17 available for the students and families in such school district.

18 (b) Each school district shall maintain or have access to an
19 existing registry of local mental health and counseling resources. The
20 registry shall include resource services that can be accessed by families
21 and individuals outside of school. Each behavioral awareness and
22 intervention point of contact shall coordinate access to support services
23 for students whenever possible. Except as provided in section 43-2101, if
24 information for an external support service is provided to an individual
25 student, school personnel shall notify a parent or guardian of such
26 student in writing unless such recommendation involves law enforcement or
27 child protective services. Each school district shall indicate each
28 behavioral awareness and intervention point of contact for such school
29 district on the web site of the school district and in any school
30 directory for the school that the behavioral awareness and intervention
31 point of contact serves.

1 (4)(a) On or before September 1, 2021, and on or before September 1
2 of each year thereafter, each school district shall submit a behavioral
3 awareness and intervention training report to the state school security
4 director. Such report shall include the school district behavioral
5 awareness and intervention training plan, summarize how such plan
6 fulfills the requirements of this section, and provide any other
7 information required by rules and regulations adopted and promulgated
8 pursuant to subsection (5) of this section.

9 (b) Behavioral awareness and intervention training required pursuant
10 to this section shall be funded from the Behavioral Training Cash Fund
11 pursuant to section 6 of this act. Any school district that fails to file
12 the behavioral awareness and intervention training report required
13 pursuant to subdivision (4)(a) of this section with the state school
14 security director or that is found to be in noncompliance with the
15 requirements of this section shall not receive behavioral awareness and
16 intervention training funding pursuant to section 6 of this act for such
17 school year.

18 (c) On or before October 31, 2021, and each October 31 thereafter,
19 the state school security director shall certify the compliance or
20 noncompliance with the requirements of this section of each school
21 district to the State Department of Education.

22 (5) ~~(3)~~ The department may adopt and promulgate rules and
23 regulations to carry out this section.

24 Sec. 5. Section 79-1001, Revised Statutes Cumulative Supplement,
25 2018, is amended to read:

26 79-1001 Sections 79-1001 to 79-1033 and section 6 of this act shall
27 be known and may be cited as the Tax Equity and Educational Opportunities
28 Support Act.

29 Sec. 6. (1) For school fiscal year 2021-22 and each school fiscal
30 year thereafter, except as provided in subsection (6) of this section,
31 using data from the fall personnel report filed pursuant to section

1 79-804 for the immediately preceding school fiscal year, each school
2 district shall receive behavioral training funding paid from the
3 Behavioral Training Cash Fund for each school within such school district
4 that has any grade above kindergarten, including, but not limited to, a
5 special education school, an alternative school, or a focus school.

6 (2) The behavioral training funding for each school described in
7 subsection (1) of this section shall equal the base training
8 reimbursement plus any additional training reimbursement units calculated
9 pursuant to this section.

10 (3) The base training reimbursement shall be two thousand dollars.

11 (4) Each school that has a full-time teacher equivalent greater than
12 or equal to eighty teachers shall qualify for additional training
13 reimbursement units as follows:

14 (a) Three additional training reimbursement units for each school
15 with a full-time teacher equivalent greater than or equal to two hundred
16 forty teachers;

17 (b) Two additional training reimbursement units for each school with
18 a full-time teacher equivalent greater than or equal to one hundred sixty
19 teachers but less than two hundred forty teachers; and

20 (c) One additional training reimbursement unit for each school with
21 a full-time teacher equivalent greater than or equal to eighty teachers
22 but less than one hundred sixty teachers.

23 (5) The amount to be paid for each additional training reimbursement
24 unit for each school fiscal year shall equal the ratio of (a) the
25 difference of the amount available for distribution in the Behavioral
26 Training Cash Fund on December 1 immediately preceding such school fiscal
27 year minus the total of the base training reimbursements for all school
28 districts divided by (b) the total additional training reimbursement
29 units for all school districts.

30 (6) For school fiscal year 2021-22, each school district shall
31 qualify for behavioral training funding. For school fiscal year 2022-23

1 and each school fiscal year thereafter, each school district in
2 compliance with the behavioral awareness and intervention training
3 requirements contained in section 79-2,146 as certified by the state
4 school security director is eligible for behavioral training funding.

5 (7) For school fiscal year 2021-22 and each school fiscal year
6 thereafter, the department shall include a behavioral training adjustment
7 in the calculation of formula need pursuant to section 79-1007.11 for
8 each school district which shall be equal to the behavioral training
9 funding to be paid to such school district for such school fiscal year.

10 (8) For school fiscal year 2021-22 and each school fiscal year
11 thereafter, the department shall include the behavioral training funding
12 to be paid for such school fiscal year in the calculation of formula
13 resources pursuant to section 79-1017.01 for each school district.

14 Sec. 7. Section 79-1007.11, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 79-1007.11 ~~(1) Except as otherwise provided in this section, for~~
17 ~~school fiscal years 2013-14 through 2015-16, each school district's~~
18 ~~formula need shall equal the difference of the sum of the school~~
19 ~~district's basic funding, poverty allowance, limited English proficiency~~
20 ~~allowance, focus school and program allowance, summer school allowance,~~
21 ~~special receipts allowance, transportation allowance, elementary site~~
22 ~~allowance, instructional time allowance, teacher education allowance,~~
23 ~~distance education and telecommunications allowance, averaging~~
24 ~~adjustment, new learning community transportation adjustment, student~~
25 ~~growth adjustment, any positive student growth adjustment correction, and~~
26 ~~new school adjustment, minus the sum of the limited English proficiency~~
27 ~~allowance correction, poverty allowance correction, and any negative~~
28 ~~student growth adjustment correction.~~

29 (1) (2) Except as otherwise provided in this section, for school
30 fiscal year 2016-17, each school district's formula need shall equal the
31 difference of the sum of the school district's basic funding, poverty

1 allowance, limited English proficiency allowance, focus school and
2 program allowance, summer school allowance, special receipts allowance,
3 transportation allowance, elementary site allowance, distance education
4 and telecommunications allowance, averaging adjustment, new learning
5 community transportation adjustment, student growth adjustment, any
6 positive student growth adjustment correction, and new school adjustment,
7 minus the sum of the limited English proficiency allowance correction,
8 poverty allowance correction, and any negative student growth adjustment
9 correction.

10 (2) ~~(3)~~ Except as otherwise provided in this section, for school
11 fiscal years 2017-18 and 2018-19, each school district's formula need
12 shall equal the difference of the sum of the school district's basic
13 funding, poverty allowance, poverty allowance adjustment, limited English
14 proficiency allowance, focus school and program allowance, summer school
15 allowance, special receipts allowance, transportation allowance,
16 elementary site allowance, distance education and telecommunications
17 allowance, averaging adjustment, new community achievement plan
18 adjustment, student growth adjustment, any positive student growth
19 adjustment correction, and new school adjustment minus the sum of the
20 limited English proficiency allowance correction, poverty allowance
21 correction, and any negative student growth adjustment correction.

22 (3) ~~(4)~~ Except as otherwise provided in this section, for school
23 fiscal years ~~year~~ 2019-20 and 2020-21 ~~each school fiscal year thereafter~~,
24 each school district's formula need shall equal the difference of the sum
25 of the school district's basic funding, poverty allowance, limited
26 English proficiency allowance, focus school and program allowance, summer
27 school allowance, special receipts allowance, transportation allowance,
28 elementary site allowance, distance education and telecommunications
29 allowance, community achievement plan allowance, averaging adjustment,
30 new community achievement plan adjustment, student growth adjustment, any
31 positive student growth adjustment correction, and new school adjustment

1 minus the sum of the limited English proficiency allowance correction,
2 poverty allowance correction, and any negative student growth adjustment
3 correction.

4 (4) Except as otherwise provided in this section, for school fiscal
5 year 2021-22 and each school fiscal year thereafter, each school
6 district's formula need shall equal the difference of the sum of the
7 school district's basic funding, poverty allowance, limited English
8 proficiency allowance, focus school and program allowance, summer school
9 allowance, special receipts allowance, transportation allowance,
10 elementary site allowance, distance education and telecommunications
11 allowance, community achievement plan allowance, behavioral training
12 adjustment, averaging adjustment, new community achievement plan
13 adjustment, student growth adjustment, any positive student growth
14 adjustment correction, and new school adjustment minus the sum of the
15 limited English proficiency allowance correction, poverty allowance
16 correction, and any negative student growth adjustment correction.

17 (5) If the formula need calculated for a school district pursuant to
18 subsections (1) through (4) of this section is less than one hundred
19 percent of the formula need for such district for the school fiscal year
20 immediately preceding the school fiscal year for which aid is being
21 calculated, the formula need for such district shall equal one hundred
22 percent of the formula need for such district for the school fiscal year
23 immediately preceding the school fiscal year for which aid is being
24 calculated.

25 (6) If the formula need calculated for a school district pursuant to
26 subsections (1) through (4) of this section is more than one hundred
27 twelve percent of the formula need for such district for the school
28 fiscal year immediately preceding the school fiscal year for which aid is
29 being calculated, the formula need for such district shall equal one
30 hundred twelve percent of the formula need for such district for the
31 school fiscal year immediately preceding the school fiscal year for which

1 aid is being calculated, except that the formula need shall not be
2 reduced pursuant to this subsection for any district receiving a student
3 growth adjustment for the school fiscal year for which aid is being
4 calculated.

5 (7) For purposes of subsections (5) and (6) of this section, the
6 formula need for the school fiscal year immediately preceding the school
7 fiscal year for which aid is being calculated shall be the formula need
8 used in the final calculation of aid pursuant to section 79-1065 and for
9 districts that were affected by a reorganization with an effective date
10 in the calendar year preceding the calendar year in which aid is
11 certified for the school fiscal year for which aid is being calculated,
12 the formula need for the school fiscal year immediately preceding the
13 school fiscal year for which aid is being calculated shall be attributed
14 to the affected school districts based on information provided to the
15 department by the school districts or proportionally based on the
16 adjusted valuation transferred if sufficient information has not been
17 provided to the department.

18 Sec. 8. Section 79-1017.01, Revised Statutes Supplement, 2019, is
19 amended to read:

20 79-1017.01 For state aid calculated for each school fiscal year,
21 local system formula resources includes other actual receipts determined
22 pursuant to section 79-1018.01, net option funding determined pursuant to
23 section 79-1009, allocated income tax funds determined pursuant to
24 section 79-1005.01, ~~and~~ community achievement plan aid determined
25 pursuant to section 79-1005, and, beginning in school fiscal year
26 2021-22, behavioral training funding, and is reduced by amounts paid by
27 the district in the most recently available complete data year as
28 property tax refunds pursuant to or in the manner prescribed by section
29 77-1736.06.

30 Sec. 9. Original section 79-2,146, Reissue Revised Statutes of
31 Nebraska, sections 9-812, 79-2,144, 79-1001, and 79-1007.11, Revised

- 1 Statutes Cumulative Supplement, 2018, and section 79-1017.01, Revised
- 2 Statutes Supplement, 2019, are repealed.