

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
 CHAPTER 10 - REGULATIONS AND PROCEDURES FOR THE
 ACCREDITATION OF SCHOOLS

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001 General Provisions

001.01 Statutory Authority. This Chapter is adopted pursuant to Sections 79-318, 79-305, 79-703, 79-760, 79-760.01, 79-760.02, 79-762, 79-215, 79-719 to 79-724, and 79-801 to 79-804 of the Revised Statutes of Nebraska (R.R.S.).

001.02 Accreditation Classification. Accredited school systems shall comply with all the numbered provisions of this Chapter except that the items identified as Quality Indicators are not requirements. No violations will be cited under Section 014 for any Quality Indicator. School systems will be classified as accredited if they meet all of the applicable requirements of this Chapter. All of the statements herein, with the exception of the Quality Indicators, are requirements of accredited school systems. Quality Indicators may be used by school systems to help in designing local programs. Nonpublic schools that are classified as accredited shall meet all of the requirements of this Chapter except when specifically excluded or when a requirement is for districts only.

001.03 Accreditation Requirement. All public school districts in Nebraska that provide elementary and/or secondary instruction to children of compulsory attendance age are required to be accredited under the provisions of this Chapter. Accredited school systems are also considered to be approved for legal operation for purposes of state law. Approved private or parochial schools are eligible to apply for and maintain accreditation under the provisions of this Chapter.

001.04 Related Regulations. In addition to the requirements of this Chapter, public school systems must also comply with procedures for enrollment of students as found in 92 NAC 19. Provisions applicable to both public and nonpublic schools regarding teacher certification and endorsement are contained in 92 NAC 21 and 92 NAC 24.

001.05 Implementation of this Chapter. This Chapter will initially be used during the 2001-02 school year to determine future accreditation status.

001.06 Duration of Accreditation. Accreditation is granted for one school year from each July 1 through the following June 30. Renewal is based upon the school system's compliance with this Chapter during the prior school year. As detailed in this Chapter, failure to comply with mandatory requirements for legal operation in Section 003 may cause a school system to lose its accreditation during the school year.

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001.07 Unified School System. For purposes of compliance with this Chapter, a unified school system shall meet the requirements as though the schools were part of one single district. A unified system means two or more Class II or III school districts participating in an interlocal agreement under the Interlocal Cooperation Act with approval from the State Committee for the Reorganization of School Districts under the provisions of 79-4,108 R.R.S.

001.08 Any public school districts reopening shall follow the application procedures as provided for nonpublic schools in Section 015.

002 Definitions. As used in this Chapter:

002.01 Board means the State Board of Education.

002.02 Commissioner means the State Commissioner of Education.

002.03 Core Curriculum means a curriculum which includes language arts, social studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness and which, in public schools, incorporates multicultural education in all areas.

002.04 Course means a particular subject, subject area, or defined sequence of learning experiences scheduled during the school day with a certificated teacher assigned and with one or more students enrolled and in attendance.

002.05 Department means the State Department of Education, which is comprised of the Board and the Commissioner.

002.06 Elementary Grades means those grades designated by the school system as elementary, but not to include any above grade eight.

002.07 Governing Body means the school board or board of education of a public school district, a board elected or appointed to provide direction to a nonpublic school or a nonpublic school system, or an individual or corporate owner.

002.08 High School Grades means grades 9 through 12 in a school system organized with a four-year high school and grades 10 through 12 in a school system organized with a three-year high school. School systems organized with a three-year high school may include the ninth grade in determining compliance with this Chapter.

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002.09 Integrated Course or Curriculum means a course or curriculum that is organized by concepts, themes, or ideas and includes content from two or more subjects or fields.

002.10 Instructional Unit means 15 clock hours (900 minutes) of classroom instruction in a course offered in the secondary school. As an example, a course which meets for 50 minutes a day for 180 days generates 10 instructional units. Instructional units are computed to the nearest one-tenth.

002.11 Middle Grades means grade(s) designated by the school system as middle and may include any grades from four through nine. The middle grades typically include at least grades seven and eight. Common middle grade configurations are grades six through eight or grades seven through nine.

002.12 Quality Indicators means statements used in this Chapter to describe conditions which contribute to high performance learning. These statements express the intent of the regulations which follow. Quality Indicators are not requirements of this Chapter.

002.13 School means an individual attendance center within a school system which provides either elementary, middle, secondary and/or high school education.

002.14 School District means the territory under the jurisdiction of a single public school board as authorized in Chapter 79 of the Revised Statutes of Nebraska.

002.15 School System means a public school district or a nonpublic school or group of nonpublic schools under a governing body organized to provide education in elementary, middle, secondary, and/or high school grades as provided in this Chapter.

002.16 Secondary Grades means those grades designated by the school system as secondary, but not to include any below grade seven.

002.17 Teach as defined in Section 79-101 R.R.S., means and includes, but is not limited to, the following responsibilities: The organization and management of the classroom or the physical area in which the learning experiences of pupils take place; the assessment and diagnosis of the individual educational needs of the pupils; the planning, selection, organizing, prescribing, and directing of the learning experiences of pupils; the planning of teaching strategies and the selection of available materials and equipment to be used; the evaluation and reporting of student progress.

003 Mandatory Requirements for Legal Operation. To be eligible for accreditation or to continue as an accredited school system, the following requirements shall be met when applicable. Failure to comply with Sections 003.01 through 003.11 shall be just cause for the

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Commissioner to initiate proceedings before the Board to terminate accreditation and end legal operation during the school year.

003.01 Teacher and Administrator Certification. The school system shall use only persons certificated pursuant to 92 NAC 21 to be a teacher or administrator. Pursuant to 79-1603 R.R.S., persons conducting religion or prekindergarten classes in nonpublic schools which are not counted as a part of the school's courses for purposes of complying with the requirements of this Chapter are excluded from this requirement. Pursuant to 79-802.01 R.R.S., American Indian language teachers who are approved by the tribe to teach their native language are also excluded from this requirement when conducting native language classes.

003.02 Grade Levels. The school system shall operate, offer instruction in, and give credit in only the grades for which the school system is accredited.

003.03 Required Instruction. Instruction in English, mathematics, science, and social studies shall be available each school year for all grades.

003.04 Required Programs and Procedures. Each public school district shall incorporate multicultural education in all areas of the curriculum of grades kindergarten through twelve, as provided in Section 004.01G. Each public school district shall meet the teacher evaluation requirements as provided in Sections 007.06A through 007.06B. Each public school shall comply with the requirements for enrollment of students contained in 92 NAC 19. Each public school shall meet statutory provisions contained in Sections 004.01B, 004.02B, 005.01B, 005.01E, 008.05B and 008.05C of 92 NAC 10.

003.05 Graduation Requirements. Each high school shall require from grades nine through twelve at least 200 credit hours for graduation, for which at least 80 percent shall be from the core curriculum. The number of credit hours given for a course may be less than the number of instructional units and may be increased up to 25 percent above the number of instructional units.

003.06 School Year. Each school system shall provide at least the following instruction annually between July 1 and June 30 for the grades it offers: (a) for grades up through grade eight, the time equivalent to 1,032 hours, (b) for grades nine through twelve, the time equivalent to 1,080 hours; and (c) for kindergarten, the time equivalent to 400 hours. When a school is dismissed for any reason such as tournaments or contests, parent/teacher conferences, funerals, parades, and school picnics, time shall not be counted in meeting the 400/1,032/1,080 hour school year requirement. Time scheduled for the school lunch period shall not be counted in meeting the school year requirements. Pursuant to the provisions of 79-213 R.R.S., school systems unable to meet the minimums for instructional hours due to

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epidemic sickness, severe storm conditions, or destruction of the school house may request permission from the Board to offer fewer than the minimum hours by submitting an affidavit sworn to by the secretary of the school board and explaining the circumstances resulting in the request.

003.07 Assurance Statement. Each school system shall, by November 1 of each year, submit to the Department an Assurance Statement, as prescribed by the Department, signed by a representative of the school system governing body affirming compliance or specifically noting any noncompliance with the regulations contained in this Chapter.

003.08 Reports. The head administrator of each school district shall submit a report of student success in achieving the state standards referenced in Section 005.02 of this Chapter to the Department on prescribed forms by June 30 of each year. The head administrator of each school system shall submit a Fall Personnel Report and a Curriculum Report to the Department by the due date indicated on the prescribed forms.

003.08A Additions of certificated staff after submission of the Fall Personnel Report shall be reported to the Department at the time of contracting.

003.09 Contracting Districts. School districts that contract under the provisions of state statute with another district or districts to provide all educational services for all students in the secondary grades may be considered accredited but may operate only elementary grades. School districts shall notify the Department upon approval of the patrons of the district for contracting all elementary students and/or all secondary students with other districts. Any school district reopening after contracting all students shall follow the same application procedures as provided for nonpublic schools in Section 015 of this Chapter.

003.10 School Site Review. The State Department of Education staff may conduct periodic on-site visits to school systems to review and determine compliance with the provisions of this Chapter.

003.11 Contested Case Orders. In a contested case, any school system receiving an order entered by the State Board of Education under the Administrative Procedures Act shall comply with the conditions of the order, unless a judicial stay has been entered.

004 Curriculum and Standards

004.01 K-12 Curriculum. **Quality Indicator:** The curriculum is comprehensive, coordinated, and sequential and is directed toward locally approved goals and standards for student learning. The instructional program focuses on achievement and

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provides for the needs of all students including learners with disabilities and high ability learners. It draws upon research, best practice, and reputable theory.

004.01A The instructional program of the school system is based on written purposes or standards and is approved by the local board of education or governing body. These documents are on file in each school building and each certificated staff member is provided a copy.

004.01B By July 1, 2003, each school district either adopts measurable quality academic content standards for reading, writing, mathematics, science, and social studies/history that are the same as those found in Appendices A through D of this Chapter or adopts local content standards approved by the Commissioner as equal to or exceeding in rigor the standards in Appendices A through D of this Chapter. By July 1, 2003, nonpublic schools have local academic content standards for reading, writing, mathematics, science, and social studies/history approved by the local governing body.

004.01C Districts electing not to adopt the state academic content standards submit the local academic content standards to the Commissioner for approval as equal to or exceeding in rigor the state standards according to at least one of the following criteria.

004.01C1 The local standards contain the same content organized in a different way.

004.01C2 The local standards include more components of a content area. An example would be mathematic standards that include vectors, which is a component of algebra, which is not covered in Appendices A through D of this Chapter.

004.01C3 The local standards cover more content areas in a subject. An example would be mathematic standards that include the content area of fractals, which is the study of repeated patterns, which is not covered in Appendices A through D of this Chapter.

004.01D The school system has written guides, frameworks, or standards for all other areas of the curriculum. The school system also has a written description of the library media and guidance programs.

004.01E Writing experiences are incorporated in all curricular areas K-12.

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004.01F Educational/computer technology is incorporated in the instructional program at the elementary, middle, and secondary levels.

004.01G The instructional program in public schools incorporates multicultural education in all curriculum areas at all grades. Multicultural education includes, but is not limited to, studies relative to the culture, history, and contributions of African Americans, Hispanic Americans, Native Americans, Asian Americans and European Americans with special emphasis on human relations and sensitivity toward all races. The regulation is based on statute and cannot be waived through Section 013.01 of 92 NAC 10.

004.01G1 The district has a statement of philosophy or mission for the multicultural education program. Local program goals address multicultural education.

004.01G2 The district curriculum guides, frameworks, or standards incorporate multicultural education.

004.01G3 The district multicultural education program includes a process for selecting appropriate instructional materials.

004.01G4 The district has a process for provision of staff development in multicultural education including professional development for administrators, teachers, and support staff which is congruent with local district and program goals.

004.01G5 The district has a process for periodic assessment of the multicultural education program. An annual status report is provided to the local board of education.

004.02 Elementary Curriculum. **Quality Indicator:** **The elementary instructional program is based on state or locally approved standards for student learning and helps each student acquire knowledge, skills, and understanding in all subject areas. The instruction is appropriate for the developmental level of the students. Teaching and learning activities and the general environment stimulate, nurture, and encourage involvement in a wide range of learning experiences. The program helps students apply and extend basic skills by integrating topics throughout the curriculum. The schedule is sufficiently flexible to encourage teachers and students to address emergent needs and topics.**

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004.02A The Elementary Instructional Program. The elementary school has a representative weekly schedule for each classroom teacher encompassing experiences in the following subject areas:

004.02A1 Reading and Language Arts. The curriculum includes development and practice of skills and understanding in reading, writing, speaking, and listening. It helps children develop appreciation of literature, creativity, and expression.

004.02A2 Mathematics. The curriculum includes development, practice, and application of numeration, computation, estimation, problem solving, geometry/spatial concepts, measurement and related topics.

004.02A3 Social Studies. The curriculum helps children to develop an understanding of the world and its people. It includes experiences drawn from geography, history, economics, government, citizenship, career awareness, human relations, current affairs, and cultural studies.

004.02A4 Science. The curriculum helps children develop an understanding of science concepts and processes, and includes science as inquiry. It includes experiences drawn from physical science, life science, earth and space science, science and technology, and history and nature of science.

004.02A5 Health. The curriculum helps children develop an understanding of the body systems, nutrition, wellness (including physical activity), and healthy living habits.

004.02A6 Physical Education. The curriculum helps children develop and maintain physical coordination, large and small muscle control, physical fitness, leisure activities, and healthy behaviors.

004.02A7 Visual Arts. The curriculum helps children understand and apply a variety of media, techniques, and processes within a range of subject matter, symbols, and ideas. The curriculum includes reflection upon and assessment of art and study of art in relation to history, culture, and other curricular areas.

004.02A8 Music. The curriculum helps children to sing and play a variety of music, read and notate music, listen to and describe music, and evaluate music. The curriculum includes music in relation to history, culture, and other curricular areas.

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004.02B Kindergarten. Admission to public school kindergarten is on an unqualified basis to all resident children who will reach age 5 by October 15 of the current school year. If allowed by local board policy, children who will reach age 5 between October 16 and February 1 of the current school year may be admitted if the parent or guardian requests such admission and presents an affidavit as provided in 79-214(2) R.R.S. Testing prior to school entrance, if any, is conducted only to identify children with disabilities under 92 NAC 51 or to meet requirements of 79-214(2)R.R.S.

004.02C Pupils in kindergarten through sixth grade do not participate in any kinds of athletic contests between schools within a school system or between school districts except that Class I and nonpublic elementary schools having seventh and eighth grade athletics may include fifth and sixth grade students if the local governing body has a policy regulating participation. Annual field or play days are excluded from this regulation.

004.03 Middle Grades Curriculum. **Quality Indicator: The middle grades instructional program is based upon state or locally approved standards for student learning. It builds upon the content of the elementary grades, extends the depth of learning experiences, and provides exploratory experiences throughout the curriculum. The program incorporates vocational technical education, foreign language, career education, and technology education. The instructional activities and schedule are designed to meet the developmental needs of middle grade learners.**

004.03A Middle Grades Instructional Program. The program in the middle grades includes instruction for each grade each year in the following subject areas. Instruction may be provided through separate courses, integrated blocks of time, and/or through exploratory programs.

004.03A1 Reading. The curriculum includes experiences designed to help students expand, develop and apply reading skills introduced in the elementary grades. It includes reading for both information and enjoyment.

004.03A2 Language Arts. The curriculum includes activities that engage students in using language for a variety of reading, writing, speaking, and listening purposes.

004.03A3 Mathematics. The curriculum includes practice in numeration, computation, estimation, problem solving, geometry/spatial concepts, and measurement. It introduces algebraic and statistical concepts and provides opportunities for students to develop understanding of the structure of mathematics.

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004.03A4 Social Studies. The curriculum includes content and experiences drawn from geography, history, economics, citizenship, government, cultural studies, and current events.

004.03A5 Science. The curriculum includes elements of life, physical, earth and space sciences, science as technology, and history of science. Learning activities emphasize science as inquiry and scientific processes and concepts.

004.03A6 Health. The curriculum includes the study of body systems and those factors which affect health, including natural and man-made threats and individual health choices.

004.03A7 Art. The curriculum includes activities and experiences designed to develop skills in working with a variety of artistic techniques, processes, and media. The curriculum relates art to history and culture and to other curricular areas.

004.03A8 Music. The curriculum includes experiences that involve students in singing and playing musical instruments and provides opportunities for students to pursue individual musical interests and to develop individual talents. It includes the study of a varied repertoire of music and its relation to history and culture.

004.03A9 Physical Education. The curriculum includes active involvement in health-related physical fitness activities designed to develop cardiorespiratory endurance, muscular strength and endurance, and flexibility. It encourages students to develop habits of physical exercise through individual and team activities and by emphasizing involvement rather than competition. Practice for and participation in interscholastic activities cannot substitute for any part of physical education.

004.03B Career education is included in the middle grades program.

004.03C No student in grades seven or eight participates in interscholastic athletic contests between schools within a school system or between school systems which exceed four games in football and eight games in other sports.

004.04 Secondary Curriculum. **Quality Indicator:** The secondary instructional program is based upon state or locally approved standards for student learning. It provides breadth and depth of subject areas which enable students to achieve knowledge and

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skills necessary to continue post-secondary education or enter a career field. Instruction builds upon knowledge acquired in previous grades and helps students acquire the learning goals of the school. Schools provide required instructional units on site or through a combination of local and distance learning programs.

004.04A Required High School Program. The high school program consists of courses totaling at least 400 instructional units.

004.04B The instructional program in grades 9-12 includes as a minimum the following subject fields and the number of instructional units shown for each:

004.04B1 Language Arts - 60 instructional units. The curriculum includes written composition, critical reading, interpretation of fiction and non-fiction, oral presentation, and application of listening skills.

004.04B2 Social Science - 40 instructional units. The curriculum includes content drawn from American and world history, geography, economics, civics, government and citizenship and may also include content from other social science areas such as sociology, psychology, and anthropology.

004.04B3 Mathematics - 40 instructional units. The curriculum includes communicating, reasoning, problem solving, numeration, computation, estimation, measurement, geometry, data analysis, probability and statistical concepts, and algebraic concepts

004.04B4 Science - 40 instructional units. The curriculum includes science concepts and processes, science as inquiry, physical science, life science, earth and space science, science and technology, and history and nature of science.

004.04B5 Foreign Language - 20 instructional units or two years of daily classes in the same language. The curriculum includes reading, writing, speaking, and listening skills for communicating in one or more languages other than English, knowledge and understanding of other cultures, and developing insight into the nature of language and culture.

004.04B6 Career and Technical Education - 80 instructional units from any of the following areas: Agriculture Education, Business Education, Career Education, Cooperative Education/Diversified Occupations, Family and Consumer Sciences, Health Occupations, Industrial Technology Education, Marketing Education, and Trade and Industrial Education. Career and Technical Education includes curriculum, work ethics, general employability

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skills, technical skills, occupational specific skills, and applied learning that integrates academic knowledge and vocational skills.

004.04B6a Agriculture Education. The curriculum includes areas such as animal, plant, and soil sciences, agribusiness, agricultural mechanics, horticulture, food science, leadership, natural resources, and environmental science.

004.04B6b Business Education. The curriculum includes areas such as business computations, career awareness and exploration, communications, consumer economics, finance, keyboarding, accounting, business and consumer law, and technology exploration, applications and operations.

004.04B6c Career Education. The curriculum includes skills and information that provide orientation to a variety of career fields.

004.04B6d Cooperative Education/Diversified Occupations. The curriculum includes both school-site occupational instruction and related work-site experience for application of that instruction.

004.04B6e Family and Consumer Sciences. The curriculum includes areas such as the family, interpersonal relationships, parenting, managing multiple roles, human growth and development, consumer resources and management, foods and nutrition, textiles and apparel, and living environments.

004.04B6f Health Occupations. The curriculum includes areas such as career awareness and exploration, career preparation, clinical experiences, and legal, safety, and ethical responsibilities for ancillary, supportive health care personnel.

004.04B6g Industrial Technology Education. The curriculum includes areas such as communications, construction, manufacturing, energy, power, and transportation with an emphasis on the organization, personnel, resources, techniques, systems, and products of industry.

004.04B6h Marketing Education. The curriculum includes areas such as marketing, business management and entrepreneurship, economics and the functions of marketing including financing, pricing,

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promotion, product/service management, distribution, selling, and marketing-information management.

004.04B6i Trade and Industrial Education. The curriculum includes areas such as manufacturing, welding, electronics, automotive technology, construction, and drafting with an emphasis on the preparation of individuals for employment as skilled crafts persons and technicians.

004.04B6j Nonpublic college preparatory schools may substitute additional courses in language arts, foreign language, science, mathematics, and/or social science for up to 40 instructional units in career and technical education.

004.04B7 Personal Health and Physical Fitness - 20 instructional units or two years of daily classes in personal health and physical fitness. The personal health and physical fitness curriculum includes content to emphasize life-long wellness habits. The curriculum emphasizes non-participation in high risk behavior. The physical fitness curriculum includes an active program of health-related physical fitness, including cardiorespiratory endurance, muscular strength and endurance, flexibility, and body composition. Practice for and participation in interscholastic athletic activities are not accepted as a substitute for any part of the personal health and physical fitness requirement.

004.04B8 Visual and Performing Arts - 40 instructional units which include each year instruction in vocal music, instrumental music, and visual arts. It may also include dance and theater. The visual and performing arts curriculum includes performance, interpretation, and evaluation.

004.04B8a Music. The curriculum includes singing and playing a varied repertoire of music, improvising melodies and accompaniments, reading and notating music, listening to and describing music, evaluating music and music performances, recognizing relationships between music and the other disciplines, and the study of music in relation to history and culture.

004.04B8b Visual Arts. The curriculum includes media, techniques, and processes; choice and evaluation of a range of subject matter, symbols, and ideas; assessment of characteristics and merits of student work and the work of others; and the visual arts in relation to other disciplines.

004.04C Local Options for Providing High School Courses.

004.04C1 High schools may meet the instructional unit requirements of Section 004.04B through integrated courses, as defined in Section 002.09, if the school has on file locally a description of the curriculum or course including a list of the goals, an explanation of the subjects included, and the rationale for allocating instructional units to appropriate subject fields in Section 004.04B.

004.04C2 High schools may count instructional units for two courses in a subject field taught in the same classroom at the same time if the courses are primarily individualized wherein all students do independent projects or practice. (Examples: Spanish 3 and 4, Accounting 1 and 2, Art 1 and 2)

004.04C3 Schools may use performance based curriculum or courses as an option in place of any subjects in Section 004.04B if they have a written description of the curricula or course which includes the goals, representative instructional experiences, expected student performance for accomplishment of the goals, and the rationale for allocating instructional units for the course. The written description is approved by the local board of education and is on file in the school. Performance based curriculum provides learning opportunities for students equivalent to or greater than those through the course(s) under Section 04.04B, but may take less than the time required in Section 002.10 for determining instructional units.

004.04C4 Instructional units may be counted each year for two courses taught in alternating years in up to four subject fields, as listed in Section 004.04B, provided schedules verifying alternating courses are kept on file in the school system. As an example, a high school that alternates a course that generates 10 instructional units in chemistry with a course that generated 10 instructional units in physics the previous year may count 20 instructional units each year.

004.04D Multi-site and Distance Learning Options for Providing High School Courses. Up to a total of 200 instructional units of the total 400 instructional unit requirement for the high school may be provided through one or more of the following course options:

004.04D1 Synchronous Course Option: Synchronous courses are those multi-site or distance learning courses in which the teacher and student(s) are

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simultaneously present; can both see and hear one another; and questions may be answered and instructional accommodations made immediately. This includes:

004.04D1a **Teacher Sharing.** Instructional units provided through contractual or cooperative arrangements with other school systems, educational service units, and/or postsecondary institutions in which either the teacher(s) or student(s) move to be located at the same site to provide classroom instruction may be counted in meeting a portion of the instructional unit requirement provided: (a) each course is taught by a teacher holding a valid Nebraska Teaching Certificate; (b) each course is shown on the high school class schedule along with the name of the teacher; (c) at least one high school student is enrolled and participating in each course; and (d) each course is made available to all students at the school's expense. A copy of the written agreement with the cooperating school/agency is on file in the school.

004.04D1b **Interactive Audio-Visual Options.** Up to 100 of the allowable 200 multi-site or distance learning instructional units may be met through synchronous interactive audio-visual instruction provided: (a) each course is taught by a teacher holding a valid Nebraska Teaching Certificate; (b) each course is shown on the high school class schedule along with the name of the teacher; (c) at least one high school student is enrolled and participating in the course; (d) each course is made available to all students at the school's expense; and (e) a teacher holding a valid Nebraska Teaching Certificate monitors student progress and general appropriateness of the course and is present in the classroom while the course is being taught unless:

004.04D1b(1) The off-site interactive teacher holds a valid Nebraska Teaching Certificate and a district employee is present in the receiving classroom, or

004.04D1b(2) The off-site interactive teacher holds a valid Nebraska Teaching Certificate, maintains two-way audio and video communication with the distance learning classroom, and has a direct telephone connection with a supervising adult in the school.

004.04D2 **Asynchronous Course Options:** Asynchronous courses are those multi-site or distance learning courses in which communication between

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teacher and student is delayed, as are the cases, for example, with written correspondence courses and many computer-delivered courses. This includes:

004.04D2a University of Nebraska Independent Study High School Options. Up to 50 of the allowable 200 distance learning multi-site instructional units may be met through the use of courses taught by teachers of the University of Nebraska Independent Study High School provided that (a) each course is shown on the high school class schedule; (b) at least one high school student is enrolled and participating in the course; (c) each course is made available to all students at the school's expense; and (d) a teacher holding a valid Nebraska Teaching Certificate is present during the assigned period (one teacher may supervise more than one course) to monitor and assist with instruction.

004.04D2b Other Distance Learning Technology Options. Up to 30 of the allowable 200 distance learning multi-site instructional units may be met through courses delivered by other methods of distance technology provided that each course is reviewed in advance and recommended for school use by a committee of at least one local teacher and one local school administrator and is approved by the local governing body, and the written review and statement of approval are on file in the school system; and provided (a) each course is shown on the high school class schedule; (b) at least one high school student is enrolled and participating in each course; (c) each course is made available to all students at the school's expense; (d) a teacher holding a valid Nebraska Teaching Certificate is present during the assigned period (one teacher may supervise more than one course) to monitor and assist with instruction; and (e) each student enrolled in such a course is assigned to a local teacher holding a Nebraska Teaching Certificate who monitors student progress and general appropriateness of the course.

004.04E Secondary Schools With Grades Seven and Eight. Secondary schools including grades seven and eight provide an instructional program for those grades in accordance with Sections 004.03A through 004.03C.

004.04F New Schools. A school adding high school grades shall provide at least one-fourth of the total instructional unit requirements and one-fourth of the individual subject matter requirements for each grade that it offers.

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005 Statewide System for Assessment of Student Learning and for Reporting the Performance of School Districts.

005.01 Quality Indicator: Assessment procedures and results assist teachers in planning and providing appropriate instruction for all students. Assessment results also provide information for monitoring program success, and for reporting to parents, policy makers, and the community. The information assists schools in establishing and achieving improvement goals.

005.01A The school district has a local assessment plan which includes a schedule and procedures for assessing success in achieving state standards in Appendices A through D of this Chapter or local standards approved by the Commissioner as equal to or exceeding in rigor the state standards pursuant to Section 004.01C. The local district assessment plan is submitted to the Department according to the schedule in Appendix E of this Chapter. Nonpublic schools have an assessment plan which includes a schedule and procedures for assessing success in achieving their academic content standards.

005.01B The school system assesses students according to procedures in the local assessment plan and meets the assessment schedule in Appendix E of this Chapter. The assessment includes use of criterion-referenced assessments and a standardized norm-referenced assessment.

005.01C Whole grade norm-referenced assessment begins no earlier than grade two and is conducted annually in at least one grade in each of the following two levels: grades 4-6; grades 7-9. A standardized norm-referenced assessment instrument or a standardized criterion-referenced assessment instrument is administered at least once in the high school grades.

005.01D At the end of each school year through 2003-04, the school district submits to the Department a collection of local assessments and procedures for assuring quality of the assessments. The collection is submitted according to the schedule in Appendix E of this Chapter.

005.01E The school district participates annually in a statewide writing assessment according to the schedule in Appendix E of this Chapter.

005.02 Each school district reports student success in achieving the state standards in Appendices A through D of this Chapter or local content standards approved by the Department, on a building basis, to the residents of the district and to the Department.

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Nonpublic school systems report to the head administrator or governing board. The reports are provided according to the schedule in Appendix E of this Chapter.

005.03 Student Assistance. Each school has a student assistance process of its own design to provide problem solving and intervention strategies.

006 Media and Technology Resources

006.01 Quality Indicator: The library/media/technology program provides a wide range of accessible print and electronic resources that expand opportunity for learning, contribute to information literacy, support the local curriculum, and enhance and enrich learning experiences for all students.

006.01A Each school has a library media area(s) which is available to students during the entire school day. All library media resources are properly cataloged, marked, and shelved according to a standard classification system. Each school has at least one set of encyclopedia available in either print or electronic format with copyright dates in the past five years.

006.01B Each elementary school acquires a minimum of 25 new library media resources in print format, exclusive of textbooks and encyclopedia, of different titles, per teacher per year, up to 150 titles during one year. The minimum number of new titles in print format is 75 if library media resources are also available through electronic format. Each middle and high school acquires a minimum of 150 titles each year in either print or in full text electronic format.

006.01C Each middle level school subscribes to at least ten periodicals either in print or in full text electronic format.

006.01D Each secondary school subscribes to at least 25 periodicals in print or in full text electronic format.

007 Instructional Staff

007.01 Elementary Staff. Quality Indicator: Instructional staff members have appropriate training and preparation to work with elementary school children. They are knowledgeable of principles of child growth and development, the scope of the elementary school curriculum, and cross-disciplinary instructional strategies. They establish a positive and supportive learning environment for all students.

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007.01A Computed on a full-time equivalency basis, a minimum of 95 percent of the teachers in the elementary grades are assigned to areas for which they hold certificates having appropriate endorsements pursuant to 92 NAC 24.

007.01B Pre-kindergarten programs operated by public schools are coordinated by a staff member who holds a Nebraska Teaching Certificate with at least 9 college credit hours in early childhood education.

007.02 Middle Grades Staff. **Quality Indicator: Staff members at the middle grades are knowledgeable of the growth and development of middle grades students. They have knowledge of the curriculum content for which they are responsible and they use teaching strategies that engage students actively in learning, that build upon elementary content and skills, and that help students understand and apply content across subject areas.**

007.02A Computed on a full-time equivalency, at least 90 percent of the teachers in middle grades hold one of the following endorsements or meet the provisions of Sections 007.02A1a or 007.02A4:

007.02A1 In grades seven and eight, any middle grades endorsement or an appropriate secondary endorsement.

007.02A1a Teachers holding an elementary endorsement may teach in grades seven and eight if they acquire six credit hours per year toward the middle grades endorsement or participate in staff development in accordance with a local mission and plan for education of middle grade students.

007.02A2 In grades four through six, an elementary endorsement or any middle grades endorsement.

007.02A3 In grade nine, an appropriate secondary endorsement or any middle grades endorsement.

007.02A4 Teachers not holding an appropriate endorsement may be assigned to the middle grades if they acquire six credit hours per year toward a middle grades endorsement.

007.02A5 Secondary teachers assigned to integrated courses or curriculum in grades seven through nine are considered appropriately endorsed if they hold an endorsement for any of the subjects or fields included in the course.

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007.03 Secondary Staff. Quality Indicator: Instructional staff members in the secondary grades have specialized preparation in a subject area or field and knowledge of the developmental level of students. Staff members use strategies that help students become actively involved in the learning process through in-depth study of subjects and through experiences that use and apply knowledge, skills, and understanding across the curricular areas.

007.03A At least 80 percent of the instructional units offered in secondary grades during the regular school term are assigned to teachers who hold certificates having appropriate endorsements issued pursuant to 92 NAC 24. If 92 NAC 24 does not provide an endorsement designated for a particular course or subject area, any teacher holding a regular certificate may instruct such course without penalty to the school system. Teachers holding a subject endorsement are considered appropriately endorsed for any other subject within the broad field if they annually acquire, prior to the opening of school, six credit hours toward the subject endorsement or the broad field endorsement.

007.03A1 Teachers assigned to integrated courses or curriculum in accordance with Sections 002.09 and 004.04C1 are considered appropriately endorsed if they hold an endorsement for any of the subjects or fields included in the course.

007.03B Secondary schools including grades seven and eight may assign the teachers as provided in Section 007.02A.

007.04 Media/Technology Staff. Quality Indicator: The library/media/technology programs and services are an integral part of the instructional program. Library/media staff provide leadership and assistance in selection, provision, and use of library/media resources. Technology staff and services are available locally or in collaboration with other agencies to provide support, maintenance, consultation, and training for meaningful use of technology resources.

007.04A Each K-12 school system and each secondary school system has a person holding a Nebraska Teaching Certificate with an endorsement appropriate for library science or educational media specialist, or meeting Section 007.04B, assigned on at least a one-half time basis to provide library media services to the school system.

007.04A1 Each school building having an enrollment of from 70 to 249 students has a person holding a valid Nebraska Teaching Certificate with an appropriate endorsement for library science or educational media specialist

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assigned on at least a one-fifth time basis or has a library media paraprofessional assigned on at least a one-half time basis under the supervision of a certificated staff member.

007.04A2 Each school building having an enrollment of at least 250 students has a person holding a Nebraska Teaching Certificate with an appropriate endorsement for library science or educational media specialist assigned on at least a one-half time basis, or has such person assigned on a one-fourth time basis and a full-time library media paraprofessional also assigned. Buildings with 500 or more students have at least a full-time educational media specialist or a one-half time educational media specialist and a full-time library media paraprofessional. Buildings with 750 or more students have a full-time educational media specialist.

007.04B Until September 1, 2006, a school system may assign a person holding a Nebraska Teaching Certificate with no endorsement appropriate for library science or educational media specialist to fulfill the requirements for Sections 007.04A, 007.04A1, and 007.04A2 if such person acquires at least six credit hours each year toward an appropriate endorsement pursuant to 92 NAC 24. Persons employed by a Nebraska school prior to July 1, 1989, to provide library media services and who hold a Nebraska Special Services Certificate with an endorsement appropriate for library media services may fulfill the requirements of these regulations

007.05 Guidance Staff. **Quality Indicator:** **A comprehensive, developmental, K-12 guidance and counseling program assists all students in learning skills needed for academic success and for personal, social, and career development. The guidance program includes planned classroom and group activities, counseling services responsive to individuals and small groups, and assistance to students in academic planning and placement. The school and community work cooperatively to provide appropriate support for students, families, and teachers**

Guidance and counseling programs are directed by professional staff with appropriate endorsements in guidance and counseling. Professional staff are assigned based upon local needs determined through a formal process documenting the needs

007.05A Each K-12 and each secondary school system assigns at least a one-half time equivalency person to conduct a guidance and counseling program. The level of assignment is determined by the local school system and the person assigned holds a guidance and counseling endorsement appropriate for the level(s) assigned. When enrollment in a school system exceeds 400, the system assigns at least one full-time equivalency appropriately endorsed person.

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007.05B School systems having a total of 300 or more students in the middle grades, secondary grades, or high school grades assign at least a one-half time appropriately endorsed person to provide guidance and counseling for the level. When the total enrollment in any of those levels reaches 450, one full-time equivalent appropriately endorsed person is assigned. Thereafter, an additional one-half time appropriately endorsed person is assigned for each 225 students at any of those levels.

007.05C School districts having 300 or more students in the elementary grades have guidance programs or services available for the elementary students. The procedures and time allotment are determined by the local school district

007.05D Until September 1, 2006, a person holding a Nebraska Teaching Certificate with no endorsement appropriate for guidance and counseling may be assigned to fulfill the requirements of Sections 007.05A and 007.05B if such person acquires at least six credit hours each year toward an endorsement appropriate for guidance and counseling pursuant to 92 NAC 24. Persons employed by a Nebraska school prior to July 1, 1989, to provide guidance and counseling services and who hold a Nebraska Special Services Certificate with an endorsement appropriate for guidance and counseling services may fulfill the requirements of this regulation.

007.05E In nonpublic schools, clergy holding a Nebraska teaching or administrative certificate may be assigned to fulfill the requirement of Sections 007.05A and 007.05B.

007.06 Teacher Evaluation. **Quality Indicator: The primary purpose of teacher evaluation is to improve the quality of instruction. The procedures are clear, equitable, and systematic.**

007.06A The school district has a written board policy for the evaluation of teachers. The policy is approved by the Department as required by 79-318 (5)(h) R.R.S. Sections 007.06A through 007.06B are based on statute and cannot be waived under the provisions of Section 013 of 92 NAC 10.

007.06A1 The policy is implemented by written procedures that include:

007.06A1a Annual written communication of the evaluation process to those being evaluated;

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007.06A1b A description of the duration and frequency of observations and written evaluations for probationary and permanent teachers;

007.06A1c Specific district-defined evaluation criteria, which include, at a minimum:

007.06A1c(1) Instructional performance,

007.06A1c(2) Classroom organization and management, and

007.06A1c(3) Personal and professional conduct.

007.06A1d Provision for written communication and documentation to the evaluated teacher specifying all noted deficiencies, specific means for the correction of the noted deficiency, and an adequate timeline for implementing the concrete suggestions for improvement;

007.06A1e Provision for the teacher to offer a written response to the evaluation; and

007.06A1f A description of the district plan for training evaluators.

007.06A2 In the event a district changes its policies or procedures for teacher evaluation, it shall submit the revised policies and procedures to the Department for approval. If the Department finds the policies and procedures in compliance with the requirements of Sections 007.06A through 007.06A1f, of this Chapter, it notifies the district in writing that such policies and procedures are approved. Such approval shall remain in effect until there is a change in the policies or procedures by the district, or the amendment of state law or regulations relating to such approval. In the event the Department does not find the revised policies and procedures of the district in compliance with the provisions of this Chapter, the Department will notify the district in writing. The district may resubmit amended policies and procedures or may appeal such decision to the State Board pursuant to the procedures set forth in 92 NAC 61.

007.06B All evaluators possess a valid Nebraska Administrative Certificate and are trained to use the evaluation system used in the district.

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007.07 Staff Development. **Quality Indicator: Staff development supports instructional improvement, the local school improvement plan, and accomplishment of school and/or school system goals.**

007.07A The school system annually conducts or arranges staff development sessions. Each teacher participates in at least ten hours of staff development activities each year.

008 Administrative Staff.

008.01 **Quality Indicator: Building administrators provide leadership to curriculum, instruction, assessment, and school improvement. They guide staff and students in achieving goals and fulfill other functions supportive of quality learning.**

008.02 Elementary Administration.

008.02A Each elementary school has a principal assigned who holds a Nebraska Administrative and Supervisory Certificate with an endorsement appropriate for serving as an elementary principal or for superintendent. When the number of full-time equivalency teachers supervised by a principal in one or more school systems reaches 10, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time when the number of full-time equivalency teachers reaches 20 or more.

008.02B An elementary principal who is the head administrator of a school system meets with the board of education or governing body at least four times each year to provide leadership in the development of school goals, policies, budgets, instructional programs, staff evaluation, and other administrative and instructional matters.

008.03 Middle Grades Administration.

008.03A Each middle grades school has a principal who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for middle grades principal, elementary principal, secondary principal or for superintendent.

008.03A1 Middle grades schools having only grades four through six have a principal holding an endorsement for elementary principal, middle grades principal, or superintendent.

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008.03A2 Middle grades schools having only grades seven through nine have a principal holding an endorsement for middle grades principal, secondary principal, or superintendent.

008.03B When the number of full-time equivalency teachers supervised by the principal reaches 10, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time when the number of full-time equivalency teachers reaches 20 or more.

008.04 Secondary School Administration.

008.04A Each secondary school has a principal assigned who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for serving as a secondary principal or for superintendent. When the number of full-time equivalency teachers reaches 10 or more, the principal is assigned at least one-half time for administration and supervision. The principal is assigned full-time for administration and supervision when the number of full-time equivalency teachers reaches 20 or more.

008.05 School System Administration. **Quality Indicator: The school administration exercises leadership in the development and implementation of school goals and policies. Administrators demonstrate leadership in management and operation of the school system and in the improvement of curriculum and instruction.**

008.05A Each K-12 and each secondary school system having grades ten through twelve has a head administrator who holds a Nebraska Administrative and Supervisory Certificate with an endorsement for serving as a superintendent. Nonpublic systems may share an area or diocesan head administrator.

008.05B Any person assigned to administrative and/or supervisory duties holds a Nebraska Administrative and Supervisory Certificate with an appropriate endorsement for the position held.

008.05C A copy of the certificate or permit of each staff member who is required to have a certificate is on file in the school or school system's administrative office. Upon initial employment or acquisition of a new certificate, the certificate or permit is registered by the head administrator of the school system in accordance with 79-804(1) R.R.S.

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008.05D Two or more school systems may jointly contract with a person holding a Nebraska Administrative and Supervisory Certificate with the appropriate endorsement to fulfill administrative responsibilities.

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009 School Improvement.

009.01 Quality Indicator: A systematic on-going process guides planning, implementation, and evaluation and renewal of school improvement activities to meet local and statewide goals and priorities. The school improvement process focuses on improving student learning. The process includes a periodic review by visiting educators who provide consultation to the local school/community in continued accomplishment of plans and goals.

009.01A The school system develops and implements a school improvement process to promote quality learning for all students. This process includes procedures and strategies to address quality learning, equity, and accountability. In public schools, the process incorporates multicultural education as described in 004.01G. In all school systems, the school improvement process includes the following activities at least once within each five years.

009.01A1 Review and update of a mission or vision statement.

009.01A2 Collection and analysis of data about student performance, demographics, learning climate, and former high school students.

009.01A3 Selection of improvement goals. At least one goal is directed toward improving student performance.

009.01A4 Development and implementation of a plan which includes procedures, strategies, or actions to achieve goals.

009.01A5 Evaluation of progress toward improvement goals.

009.01B The school improvement process includes a visitation by a team of external representatives to review progress and provide written recommendations. A copy of the written recommendations is provided to the Department. The external team visits are conducted at least once each five years.

010 Accountability Reporting.

010.01 Quality Indicator: The school system demonstrates accountability to the residents of the school community. School staff periodically assess and report student progress toward accomplishment of academic content standards. Results are used to plan and make needed changes to improve instruction for all students.

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010.01A The school system annually prepares a written report which includes at least student academic performance as required in Section 005.02, school system demographics, school improvement goals and progress and, in the case of public schools, financial information. School systems report the information in accordance with the policy in 010.01B.

010.01B The school system has a written policy for annually preparing and distributing the performance report(s) required in Section 010.01A to the residents of the district or, in the case of nonpublic schools, to the appropriate body. The policy assures that individual test scores are kept confidential. If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance are provided for those grades.

011 School Environment.

011.01 Quality Indicator: The school facilities and the general environment are safe, orderly, and supportive of quality learning for all students. A positive atmosphere for learning supports and reflects the work of students.

011.01A Each school system maintains safe, healthful, and sanitary conditions within the school building(s) and on the school grounds and meets fire, safety, and health codes.

011.01B Each school system has a safety and security plan for the schools in the system. The plan addresses the safety and security of students, staff, and visitors. The plan is approved by the local governing body.

011.01C Each school system has a school safety and security committee which includes representatives of faculty, parents, and the community. The committee meets at least annually to prepare and/or review safety and security plans and procedures, including emergency plans and procedures.

011.01D The school system's safety and security plan(s) are reviewed annually by one or more persons not on the local school system safety committee and not an employee of the school system. This review will include a visit to school buildings to analyze plans, policies, procedures, and practices and provide recommendations. Any recommendations made as a result of the analysis are forwarded to the head administrator and to the school safety and security committee to be considered in making revisions to the plan.

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012 School System Governance.

012.01 Quality Indicator: The board governs through orderly procedures which focus efforts of the school upon quality learning, result in equitable opportunities for learning for all students, and insure accountability to the local community.

012.01A The governing body has a written set of policies for the school system. These policies are accessible in each school building.

012.01B The school system has a written policy which assures that each school will meet the statutory requirement of at least 400 hours for kindergarten, at least 1,032 hours for students up through grade eight, and at least 1,080 hours for students in grades nine through twelve. The policy(ies) or regulations stipulate the conditions for which individual students may be excused from the regular school day.

012.01C The ratio of pupils to certificated staff members, computed on a full-time equivalency basis, in each school does not exceed 25 to 1.

013 Waivers and Plans.

013.01 School systems, in order to better meet local goals, may submit a request for a waiver of one or more regulations found in Sections 004 through 012.01C of this Chapter. Section 003 and sections identified in Section 003.04 of 92 NAC 10 are based on statute and may not be waived. The waiver request must include at least the following:

013.01A A copy of the local improvement plan developed in accordance with Section 009.01A. The plan shall contain local improvement objectives and shall address quality learning, equity, and accountability.

013.01B A description of the program or process to be substituted for the regulation to be waived.

013.01C An explanation indicating how the local program or process will provide equivalent or improved opportunities for students and will accomplish the quality indicator.

013.01D If appropriate, how resources would be reallocated or used differently to provide programs or services.

013.01E Length of time for the requested waiver, not to exceed three years.

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013.01F Procedures for providing an annual progress report to the Board.

013.02 The Commissioner will submit the waiver request to the Board with his or her recommendations. The Board may approve the requested waiver if the components of the plan substituted for the waived provisions will promote quality learning, equity, and/or accountability. The Board shall reject the waiver if, in its opinion, the plan and requested waivers would not provide improvement in quality learning, equity, and/or accountability.

013.03 At the end of the waived time period, school systems may request and be granted Board approval of the same waiver for a period of up to three additional years if it can be demonstrated that the system is meeting the objectives for which the waiver was granted.

013.04 The Board recognizes the need for public special purpose school systems, such as schools operated expressly for students with disabilities or schools operating within the confines of correctional facilities. If such a school system can demonstrate that a requirement of this Chapter is not educationally necessary or appropriate for the students in attendance, or is in conflict with state or federal laws or regulations governing facilities operation, the Board may waive such requirement.

013.05 Public school districts which exist in unique circumstances due to population sparsity, geographic barriers, or other similar factors may submit a request to the State Board of Education for a modification of this Chapter to better meet the need of the students. Schools seeking such modification shall submit: (1) an explanation of the unique circumstances leading to this request, (2) proposed modifications to better meet the needs of the students in the school, (3) an explanation of how the modifications will provide quality learning, equity, and accountability, (4) a copy of the local improvement plan developed in accordance with Section 009.01A, and (5) procedures for annually reporting to the Commissioner. Upon approval by the Board, the modifications shall remain in effect unless changed by a revision of this Rule or change in status of the school district.

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014 Loss of Accreditation.

014.01 Quality Indicator: Schools comply fully and continuously with all accreditation requirements in order to provide for all students the learning opportunities described herein. Schools experiencing unfulfilled requirements make concerted efforts to achieve compliance or to provide alternative programs generating equivalent or improved programs and services. Schools not fulfilling accreditation requirements deprive students of opportunities for learning and may be subject to probation or loss of accreditation.

014.02 Section 003 of this Chapter lists requirements that must be met at all times by school systems as a condition of accreditation. Failure to meet those provisions may result in the Board terminating the legal operation of the school system during the school year. Noncompliance with other regulations in this Chapter will result in the assessment of violations which, if not corrected, will result in a recommendation to the Board for probation or loss of accreditation.

014.03 Violations. In determining the future accreditation status of a school system, each failure to meet a numbered regulation other than those contained in Section 003 constitutes a separate violation.

014.04 Reporting Violations. A school system shall report any existing violations to the Department on its annual Statement of Assurance.

014.05 Correction of Violations. A school system will have until February 1 to correct violations or to prepare a written plan for correction of a violation that existed at the time of submission of the Statement of Assurance. Written evidence of the correction of the violations or a written plan developed in accordance with Section 014.05A must be submitted to the Department.

014.05A School systems having an uncorrected violation may submit a written plan to the Department by February 1 for correcting the violation before the following school year. Such plans may be approved by the Board if evidence provided indicates that the violation occurred after August 1, and the violation could not reasonably be corrected immediately before or during the current school year. Written evidence of the correction must be submitted to the Department by the following September 1.

014.06 Effect of Violations on Public School Systems. All public school systems are required by state statute to be accredited. If, after consultation with school officials, the Commissioner determines that public school systems have any uncorrected violations, he or she shall make the applicable following recommendations to the Board:

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014.06A A PUBLIC SCHOOL SYSTEM having an uncorrected violation of a requirement with no written plan under Section 014.05A shall be recommended for ACCREDITATION ON PROBATION for the following school year.

014.06B A PUBLIC SCHOOL SYSTEM having a written plan under Section 014.05A and having the same uncorrected violation after September 1 shall be recommended for ACCREDITATION ON PROBATION for the current school year.

014.06C A PUBLIC SCHOOL SYSTEM ON PROBATION continuing to have the same uncorrected violation after February 1 shall be recommended for NONACCREDITATION for the following school year and shall be subject to loss of authority to operate and reassignment of territory to other school districts.

014.07 Effect of Violations on Nonpublic School Systems. Nonpublic schools may operate either as accredited or approved school systems. If, after consultation with school officials, the Commissioner determines that nonpublic school systems have any uncorrected violations, he or she shall make the applicable following recommendations to the Board:

014.07A An ACCREDITED NONPUBLIC SCHOOL SYSTEM having a plan under Section 014.05A and having the same uncorrected violation after September 1 of a requirement shall be recommended for ACCREDITATION ON PROBATION for the current school year.

014.07B An ACCREDITED NONPUBLIC SCHOOL SYSTEM having an uncorrected violation of a requirement and having no written plan under Section 014.05A shall be recommended for ACCREDITATION ON PROBATION for the following school year.

014.07C An ACCREDITED NONPUBLIC SCHOOL SYSTEM ON PROBATION having an uncorrected violation after February 1 of a requirement shall be recommended for APPROVAL for the following school year.

014.08 Provisions for Notice and Hearing.

014.08A When the Commissioner makes a recommendation to the Board for a school system to be placed on probation or for denial or revocation of accreditation or approval, notice of the recommendation and of the right to request a hearing shall be given to the school system by certified mail sent at least 30 calendar days prior to the date of the Board meeting at which the recommendation is to be considered. Copies will be sent to the superintendent, head administrator, or head teacher of the school

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system, and to the presiding officer of the governing body, if known. This notice shall specify the basis for the recommendation.

014.08B If the school system notifies the Commissioner at least seven days prior to the date the recommendation is to be considered by the Board that it requests a hearing, the Board shall schedule a hearing date.

014.08C All hearings arising under this Chapter shall be conducted in accordance with the hearing procedures of 92 NAC 61, including provisions of that Chapter relating to evidence. Any action taken or recommended by the Commissioner adverse to the school system may be the subject of a petition by such school system under 92 NAC 61, in which case all the provisions of 92 NAC 61 shall apply to such appeal.

014.09 Action by the Board. Upon review of the Commissioner's recommendation, and following any hearing, the Board shall make a determination of the future accreditation status of the system and shall inform the system in writing of its determination.

015 Procedures for Nonpublic Schools Applying for Initial Accreditation or Adding Grades to Previously Accredited Schools.

015.01 The Nebraska Department of Education recognizes the contribution made by the nonpublic schools to the state system of education by extending alternatives and opportunities to the citizens of the state. Nonpublic schools seeking accreditation shall submit an Intent to Apply form to the Department by July 1 prior to the school year of the application process.

015.02 By November 1, each applicant nonpublic school shall submit to the Department a report documenting compliance with this Chapter.

015.03 By March 1, each applicant nonpublic school shall be visited by a representative of the Department or a designee to verify the school's compliance with the provisions of this Chapter. Reports of such visitations shall be reviewed by the State Accreditation Committee, which shall make recommendations to the Commissioner relative to accreditation for the following school year.

015.04 Upon favorable review by the State Accreditation Committee, the Commissioner will make a recommendation to the State Board of Education that the applicant nonpublic school be granted accreditation.

015.05 Upon favorable action by the Board, accreditation is granted for one school year from each July 1 through the following June 30. Renewal is granted based upon the school's compliance with this Chapter during the prior school year.

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015.06 When an approved nonpublic school is added to an accredited school system, the approved school shall follow the procedures for applying for initial accreditation as provided in this Chapter.

015.07 Accredited nonpublic schools intending to add new grades shall submit such intent to the Department by May 1 prior to the year in which the new grades will operate. If it is determined through visitation or reporting that the intended new grades can comply with the provisions of this Chapter, the Commissioner will submit a recommendation to the Board that the school be granted conditional accreditation to add new grades. Schools having conditional accreditation to add new grades shall follow procedures established in Sections 015.02 through 015.05 for obtaining accreditation.