

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB1306

Hearing Date: Tuesday January 30, 2024
Committee On: Education
Introducer: Education
One Liner: Eliminate the Professional Practices Commission and provide, change, and eliminate provisions relating to standards for and conduct of teachers and administrators

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Dave Murman
Brian Maher
Jonathan Hunzeker

Representing:

Opening Presenter
Nebraska Department of Education
Nebraska State Education Association, Nebraska
Council of School Administrators

Opponents:

Brian Hof
Judi Roach
Tom Seib

Representing:

Professional Practices Commission
Nebraska Professional Practices Commission
Nebraska Professional Practices Commission

Neutral:

Loan Eby

Representing:

Self

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Bill Summary:

LB 1306 eliminates the Professional Practices Commission.

Alleged violations of standards of professional ethics and practices would be heard by an employed hearing officer where the hearing officer would make a recommendation to the Board of Education.



Section-by-Section Summary:

SECTION 1

Certificates and permits for teaching, special services, or administration are issued by the commissioner upon application, requiring the applicant's social security number.

The commissioner may endorse additional qualifications on the certificate or permit during its term, provided the applicant meets requirements and pays a nonrefundable fee, and a Certification Fund is created, funded by fees, to cover certification costs and related activities, with investment managed according to relevant state acts.

SECTION 2

Defines:

Board = State Board of Education

Commissioner = Commissioner of Education

SECTION 3

The board is mandated to establish professional practice standards for teachers and administrators, covering ethical conduct, competency, professional service continuation, and contractual obligations, with the authority to revoke or suspend certificates for just cause. Violations of established standards, commission of an immoral act, or felony conviction under state laws are deemed just cause for revocation or suspension, leading to immediate termination of employment, notification to the concerned school authorities, and recording the action in the State Board of Education's records.

SECTION 4

The revocation of a teacher's or administrator's certificate automatically revokes all Nebraska certificates held by the individual, while a suspended certificate is automatically reinstated at the end of the suspension unless it expired during that period, in which case the holder can apply for a new certificate by meeting current certification requirements.

If a certificate is revoked, the individual may apply for a new one after the board-specified ineligibility period, meeting the certification requirements at the time of application.

SECTION 5

The board has the authority to employ hearing officers to conduct hearings and provide recommendations on alleged violations of professional ethics and practices by certificate holders, and the commissioner may employ individuals to investigate and prosecute such cases, expeditiously addressing legally sufficient complaints and initiating adjudication or reaching agreements for appropriate sanctions.

SECTION 6

In the execution of its duties outlined in sections 79-859 to 79-870, the board is empowered to subpoena witnesses, administer oaths, and the commissioner has the authority to issue subpoenas, including subpoena duces tecum, compelling witnesses to testify and produce relevant documents, with the board retaining the discretion to modify or quash any subpoena issued by the commissioner.



Dave Murman, Chairperson



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