

COMMITTEE STATEMENT
LB 1228

HEARING DATE: February 2, 1998

COMMITTEE ON: Education

TITLE: LB 1228 (Bohlke, Abboud, Brashear, Bromm, Brown, Elmer, Hilgert Hudkins, Janssen, Dw. Pederson, D. Pederson, C. Peterson, Raikes Schimek Schrock Stuhr, Suttle Thompson Wesely Wickersham, Willhoft) Adopt the Quality Education Accountability Act

ROLL CALL VOTE - FINAL COMMITTEE ACTION

Advanced to General File

Y Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8 Yes Senators Bohlke, Suttle, Beutler, Brashear, Raikes, Stuhr, Willhoft, Wickersham

0 No

0 Present. not voting

0 Absent

PROPONENTS

Senator Ardyce Bohlke

Doug Christensen

Kathleen McCallister

Bevin Brown

John Mackiel

D'Anne Welch

M. L. Smith

Gary Hammack

Aaron Earleywine

Al Inzerello

David Hanold

Phil Schoo

Cliff Dale

Jim Griess

Linda Richards

REPRESENTING

Introducer

Department of Education

State Board of Education

Thedford Public Schools, Thomas County Superintendent

Omaha Public Schools

Self

Odell Public Schools

Greater Nebraska Schools Association

Nebraska Council of School Administrators

Westside Community Schools

Omaha 2000, Greater Omaha Chamber of Commerce

Lincoln Public Schools

Lincoln Public Schools

Nebraska State Education Association

Ralston Board of Education

OPPONENTS

Ross Tegeler

REPRESENTING

Excellence in Education

NEUTRAL

Jef Johnston

REPRESENTING

Gretna Public Schools

Nebraska Assn. for Supervision and Curriculum Development

Donna Flood

ESU #3

Brian Rockey

Lottery Division, Nebraska Department of Revenue

SUMMARY OF PURPOSE AND/OR CHANGES:

Legislative Bill 1228 creates the Quality Education Accountability Act. The three components of the act are quality education incentives, a financial reporting system, and a testing program. The State Board of Education is required to adopt and promulgate rules and regulations to implement the act.

Quality Education Incentives

Quality education incentive payments shall be provided to local systems if the local system:

- a. has adopted academic standards adopted by the State Board;
- b. has an alternative school, class, or educational program available or in operation for all expelled students pursuant to § 79-266(1);
- c. has an approved program for learners with high ability pursuant to § 79-1108; and
- d. at least 60% of the graduating seniors have taken a standard college admissions test and those students have an average score above the statewide average on the exams taken.

Applications will be submitted to the Excellence in Education Council on or before July 1 of each year, using the most recent information and data available. If the criteria are met, the local system shall qualify and receive payments from the Education Innovation Fund on or before September 1. The payments will be \$50 per adjusted formula student or \$100 per adjusted formula student for local systems in the very sparse cost grouping.

Section 9-812 is amended to require the Education Innovation Fund to be allocated first as quality education incentive payments, with any remaining money to be allocated by the Governor through the existing provisions. A duty to carry out this act is also added to the responsibilities of the Excellence in Education Council.

Financial Reporting System

The State Board of Education shall require and provide a financial reporting system for all local systems beginning with the 1999-00 school year. The reporting system shall:

- a. Provide standardized data to the public and the Department in a consistent format that easily explains to taxpayers how education funds are spent and where the funds are generated for the state, each local system, and each attendance center;
- b. Be a computer program that works with accounting packages used by most districts;
- c. Require Class Is to provide data to the high school districts either in a form that may be accessed by the reporting system or that may easily be put into the accounting system,
- d. Account for 100% of all funds; and
- e. Be updated on a periodic basis to meet data needs.

The financial reporting system may be purchased from a private vendor or developed by the department after a cost analysis. The department shall also provide periodic training to district and ESU personnel and to school board members and interested members of the public. The department and each local system shall provide defined financial reports to the media and other interested parties. The state information shall also be available on a statewide public computer information network.

Testing Program

The State Board shall implement a statewide testing program for students in a selected grade in each of the grade

ranges 4-6, 7-9, and 10- 12 each fall semester beginning in 2000 and shall be responsible for the cost of the test materials and scoring. The purpose of the testing is to ensure accountability for student achievement and to measure individual student progress toward academic standards. The test shall be designed to compare achievement on a statewide and national basis and to enable teachers to evaluate performance of students.

A testing package shall be purchased from a recognized testing service and shall have components testing in the areas of mathematics, reading, science, and social studies. A writing test shall also be included in the testing program, but may either be developed within the state by educators with expertise or purchased as a part of the testing package.

All public school districts shall participate, and all students enrolled in the designated grade levels shall be tested, except the State Board shall establish criteria that schools may use to exempt special education students from testing in any or all subject areas. The state board may also adopt alternative tests or means of scoring for special education students and students with limited English proficiency.

The individual scores shall be confidential, shall be reported to the district, and shall not be reported to the department. Aggregate results for each district shall be reported to the department by the testing service and writing test scorers. Districts may also make aggregate data available based on attendance centers.

EXPLANATION OF AMENDMENTS, IF ANY:

The committee amendments strike original provisions and insert new provisions to create the Quality Education Accountability Act. The four components of the act are quality education incentives, a financial reporting system, a testing program, and a mentor teacher program. The State Board of Education is required to adopt and promulgate rules and regulations to implement the act. The Education Innovation Fund provisions are modified to use the funds for the quality education incentives and teacher mentor training.

Quality Education Incentives

Quality education incentive payments shall be provided to local system each year the local system meets the qualifications. 'Me first 2 years a system qualifies, the system shall meet all of the primary quality factors. The 3rd and 4th years, the system shall meet all of the primary factors and at least 2 of the premier quality factors. The 5th and 6th year, the local system shall meet all of the primary factors and at least 3 of the premier factors. The 7th year and each year thereafter a local system shall meet all of the primary factors and all of the premier factors.

The primary quality factors are:

- a. Adoption of state academic standards or standards approved by the State Board as being more rigorous;
- b. An alternative school, class, or educational program is available or in operation for all expelled students pursuant to § 79-266(1) or there is a policy to have such a program available if any students are expelled;
- C. Each district has a program for learners with high ability approved under § 79-1108 or there is a policy to have a program available if any students are identified; and
- d. At least 60% of the graduating seniors have taken a standard college admissions test and the average most recent score is above the statewide average on any exam taken by at least 25% of the graduating seniors.

The premier factors are:

- a. At least I teacher certified by the National Board for Professional Teaching Standards;
- b. At least 36% of the certificated teachers in the local system have advanced degrees;

- c. Each district participates in the mentor teacher program and provides a mentor for each first-year teacher or has a policy to participate and provide mentors if any first-year teachers are hired; and
- d. The high school district improves the annual percentage dropout rate from the prior year or maintains a dropout rate of 4% or lower.

If at least 40% of the formula students qualify for the poverty factor pursuant to § 79-1007.01 and meets all of the qualifications except that the average test scores are not above the statewide average, the local system shall receive payments equal to \$50 per formula student multiplied by 2 times the percentage of seniors who scored above the statewide average on any test is divided by the number of seniors who have taken a standard college admissions test.

Applications will be submitted to the Excellence in Education Council on or before July 1 of each year, using the most recent information and data available. If the criteria are met, the local system shall qualify and receive payments from the Education Innovation Fund on or before September 1. The payments will be \$50 per adjusted formula student or \$100 per adjusted formula student for local systems in the very sparse cost grouping. If the unobligated balance in the fund is less than the amount calculated, each system shall receive a pro rata amount.

The incentive payments shall only be used for the purposes set forth for major competitive grants from the Education Innovation Fund. The payments shall be made to the high school district, which shall determine how the payments will be used after consultation with all Class I districts in the system. Payments may be transferred to Class I's. Payments shall not be included as formula resources. The Excellence in Education Council may audit the use of quality education incentive payments.

Financial Reporting System

The State Board of Education shall require and provide a financial reporting system for all local systems beginning with the 1999-00 school year. The reporting system shall:

- a. Provide for standardization and uniformity in the classification of all receipts and expenditures;
- b. Report all receipts and disbursements to the public and the State Department of Education in a consistent format that easily explains to taxpayers how education funds are spent and where the funds are generated for the state, each local system, and each attendance center;
- c. Be adaptable to changing requests for information;
- d. Be provided in an electronic format;
- e. Provide for the inclusion of Class I data with the primary high school district in a manner which allows for analysis of the Class I and the primary high school district separately and as an aggregate;
- f. Provide for electronic filing of reports with the department and the Auditor;
- g. Provide for electronic access to reports; and
- h. Maintain compatibility with existing accounting systems.

The department shall by rule and regulation prescribe the format and content of financial reports which are to be filed or made available to the patrons of each system.

The system may be purchased from a private vendor or developed by the department after a cost analysis. The department shall also provide periodic training to district and ESU personnel and to school board members and interested members of the public. The department and each local system shall provide defined financial reports to the media and other interested parties. The state information shall also be available on a statewide public computer information network. Districts may also provide additional financial reports and data generated by the

financial reporting system.

Testing Program

The State Board shall implement a statewide testing program for students in a selected grade in each of the grade ranges 4-6, 7-9, and 10- 12 each fall semester beginning in 2000 and shall be responsible for the cost of the test materials and scoring. The testing program shall consist of one test purchased from a recognized testing service which testes students in the areas of mathematics, reading, science, and social studies, plus one writing test, either developed within the state by educators with expertise in writing assessment or purchased as a part of the test for the other specified subjects.

The purpose of the testing program are:

- a. Evaluate whether or not students have acquired skills and knowledge to meet or exceed state academic standards;
- b. Measure progress of students toward meeting state academic standards;
- C. Provide information for analysis of standards and consideration of new standards;
- d. Allow comparisons between the achievement between local systems; and
- e. Allow comparisons between Nebraska students in other states.

All public school districts shall participate, and all students in the designated grade levels shall be tested, except the State Board shall establish criteria that may exempt special education students from testing in any or all subject areas. The state board may also adopt alternative tests or scoring for special education students and students with limited English proficiency.

The individual scores shall be confidential, shall be reported to the district, And shall not be reported to the department. Aggregate results for each district shall be reported to the department by the testing service and writing test scorers. Districts may also make aggregate data available based on attendance centers.

Mentor Teacher Program

The state board shall develop a mentor teacher program to for individuals entering teaching. The state board shall conduct a comprehensive study of the needs of new teachers and how those needs can be met through a program of orientation and mentor support. The state board also shall develop and coordinated mentor teacher training to be funded by the Education Innovation Fund and shall develop criteria for selection excellent, experienced, and qualified teachers to be participants. The state board shall report to the Legislature on or before December 1, 1998.

Education Innovation Fund

Section 9-812 is amended to require the Education Innovation Fund to be allocated first (up to 10%) to mentor teacher training and next to quality education incentive payments, Aith any remaining money to be allocated by the Governor through the existing provisions. A duty to carry out this act is also added to he responsibilities of the Excellence in Education Council. Obsolete language is also deleted from the section.

Ardyce Bohlke, Chairperson