

**NEBRASKA DEPARTMENT  
OF EDUCATION**

# **RULE 10**

**REGULATIONS AND PROCEDURES FOR THE ACCREDITATION  
OF SCHOOLS**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,  
CHAPTER 10**

**PROPOSED HEARING DRAFT  
to add Subsection 003.12 to require  
a recitation of the Pledge of Allegiance  
May 2, 2012**

**State of Nebraska  
Department of Education  
301 Centennial Mall South  
Lincoln, Nebraska 68509**



TITLE 92  
CHAPTER 10

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 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 004.01F. 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, 005.01D, 005.03 through 005.03C, 008.05B, 008.05C, and 011.01E of 92 NAC 10. Each school system shall meet statutory provisions contained in Sections 004.02A3, 004.03A4, and 004.04B2.

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.

003.05A By the 2014-15 school year, school districts shall adopt and implement graduation requirements that meet the highest level of rigor of the standards as specified in the state standards set forth in the appendices of this Chapter, including, but not limited to the following:

TITLE 92  
CHAPTER 10

003.05A1 Language Arts. Forty credit hours of Language Arts with course content that includes composition, verbal communication, literature, research skills, and technical reading and writing.

003.05A2 Mathematics. Thirty credit hours of mathematics with course content that includes algebraic, geometric, data analysis, and probability concepts.

003.05A3 Science. Thirty credit hours of science with course content that includes biological, earth/space, and physical science concepts with corresponding science inquiry skills and laboratory experience.

003.05A4 Social Studies/History. Thirty credit hours of social studies/history with course content that includes civics/government, geography, United States and world history, and economic concepts.

003.05B School systems may adopt a policy allowing high school credit to be awarded to students enrolled in a middle grades course if the course content and requirements are equivalent to a course offered in the high school.

003.05C As required in 92 NAC 18, school systems accept the academic credit earned at Interim Program Schools and issue diplomas to students transferring from Interim Program Schools who have met the requirements for graduation from their own accredited high school.

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 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.

TITLE 92  
CHAPTER 10

003.08 Reports. For the school years through 2009-10 for mathematics and through 2010-11 for science, the head administrator of each school district shall submit electronically, via the Nebraska Student and Staff Record System (NSSRS) portal a report of student success in achieving the state standards referenced in Section 005.02 of this Chapter to the Department 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 each school year.<sup>1</sup>

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.

003.12 Each public school district shall require each such district's schools to establish a period of time during the school day, when a majority of pupils is scheduled to be present, during which pupils will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States of America, in grades kindergarten through twelve. Pupil participation in the recitation of the Pledge of Allegiance shall be voluntary. Pupils not participating in the recitation of the Pledge shall be permitted to silently stand or remain seated but shall be required to respect the rights of those pupils electing to participate.

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

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<sup>1</sup> Changes to the current wording of subsection 003.08 (Reports) are pending approval.