

TITLE 92- NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 26- REGULATIONS AND PROCEDURES FOR MENTOR TEACHER PROGRAMS

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001 General Provisions

001.01 Scope of This Chapter. This chapter provides the criteria, standards, and procedures for the administration of the Mentor Teacher Program funded by the Education Innovation Fund and also the requirements for approval by the Board of Mentor Teacher Programs established by a district in the local system for purposes of qualifying for Quality Education Incentive Payment *premier quality factors* pursuant to Section 79-758(3)(c) of the Revised Statutes of Nebraska (R.R.S.).

001.01A Local school systems seeking funding for Mentor Teacher Programs under the Education Innovation Fund pursuant to Section 79-761 R.R.S. shall meet all the criteria in Sections 003, 004, 006 and 007 of this Chapter.

001.01B Local school systems seeking Quality Education Incentive payments under Section 79-758 R.R.S. by virtue of having met the “premier quality factor” of providing a mentor teacher program pursuant to Section 79-761 R.R.S. or a mentor teacher program which has been established by a district in the local system and approved by the Board shall meet the requirements of Section 008 of this Chapter.

001.02 Statutory Authority. This chapter is adopted pursuant to Sections 9-812, 79-758(3)(c) and 79-761 R.R.S.:

Section 9-812 R.R.S. which provides in part:

“The Education Innovation Fund shall be allocated in the following manner: Up to ten percent to fund the Mentor Teacher Program pursuant to the Quality Education Accountability Act;” and that “to assist the Council in carrying out its duties, the State Board of Education shall, in consultation with the Council, adopt and promulgate rules and regulations establishing criteria, standards, and procedures regarding the selection and administration of programs funded from the Education Innovation Fund, including the Quality Education Accountability Act.”

Section 79-758 R.R.S. which provides in part:

“(1) Quality education incentive payments shall be provided to local systems, as defined in Section 79-1003, each year the local system meets the qualifications described in this Section. The first two years a local system

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qualifies for quality education incentives, the system shall meet all of the primary quality factors in Subsection (2) of this Section. The third and fourth years a local system qualifies for quality education incentives, the system shall meet all of the primary quality factors in Subsection (2) of this Section and at least two of the premier quality factors in Subsection (3) of this Section. The fifth and sixth years a local system qualifies for quality education incentives, the system shall meet all of the primary quality factors in Subsection (2) of this Section and at least three of the premier quality factors in Subsection (3) of this Section. The seventh year and each year thereafter a local system qualifies for quality education incentives, the system shall meet all of the primary quality factors in Subsection (2) of this Section and at least four of the premier quality factors in Subsection (3) of this Section except as provided in Subsection (4) of this Section.”

Section 79-758(3)(c) R.R.S. which provides that one of the premier quality factors is: “Each first-year teacher in a local system is provided with a mentor participating in the mentor teacher program pursuant to Section 79-761 or a mentor teacher program has been established by a district in the local system and approved by the State Board;”

Section 79-761 R.R.S. which provides:

“The State Board of Education shall develop guidelines for mentor teacher programs in local systems in order to provide ongoing support for individuals entering the teaching profession. Funding for the mentor teacher programs shall be provided to local systems which provide each first-year teacher in the local system with a mentor. The mentor teacher program shall be funded by the Education Innovation Fund pursuant to Subsection (2) of Section 9-812 and shall identify criteria for selecting excellent, experienced, and qualified teachers to be participants. The State Board shall report to the Legislature on or before December 1, 1998, on its progress in implementing this Section.”

002 Definitions. As used in this chapter:

002.01 Academic year shall mean the school year which consists of two consecutive semesters that occur from fall through spring.

002.02 Board shall mean the State Board of Education.

002.03 Commissioner shall mean the State Commissioner of Education.

002.04 Council shall mean the Excellence in Education Council of eleven members appointed by the Governor pursuant to Section 9-812 R.R.S.

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

002.06 Endorsement shall mean an area of specialization indicated on a certificate issued pursuant to 92 NAC 21 signifying that the individual has met specific requirements.

002.07 Field (used as a descriptor of an endorsement) shall mean two or more subjects which, considered as a single area of study, represent a wider and broader scope than that of a subject.

002.08 First-year teacher shall mean individuals entering the K-12 teaching profession in their first year of contracted service in any school, public or private, in this or any other state. Individuals who have only taught as substitute teachers shall not be considered to have had a previous year of contracted service. Individuals whose previous contracted teaching experience is less than one full academic year shall not be considered to have had a previous year of contracted service.

002.09 Fund shall mean the Education Innovation Fund created pursuant to Section 9-812 R.R.S.

002.10 Grade level preparation shall mean the grade levels an individual is prepared to teach as indicated on a teaching certificate.

002.11 Local school system shall mean a Class VI district and the associated Class I districts or a Class II, III, IV, or V district and any affiliated Class I districts or portions of Class I districts. The membership, expenditures, and resources of Class I districts that are affiliated with multiple high school districts will be attributed to local systems based on the percent of the Class I valuation that is affiliated with each high school district.

002.12 Mentor shall mean a permanent certificated teacher (i.e. "tenured"), as defined in 79-824 R.R.S., who has demonstrated the competencies necessary for successful teaching and who initially assists certified persons toward mastery of those competencies.

002.13 Mentor Teacher Program Grant shall mean a grant provided to a local system pursuant to the provisions of Sections 003, 004 and 006 to support an individual(s) entering the teaching profession pursuant to rules and regulations promulgated by the Department under the authority of Section 79-761 R.R.S.

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002.14 Non-profit educational organization shall mean a Nebraska non-profit corporation, duly incorporated and in good standing pursuant to Section 21-1901 R.R.S. et seq., which has a current tax-exempt status pursuant to IRS Code 501(c)(3), and which is organized for educational purposes.

002.15 Supervisor shall mean any individual who performs evaluations, and pursuant to Section 48-801(9) R.R.S., shall mean any employee having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not a merely routine or clerical nature, but requires the use of independent judgment, pursuant to Section 48-801(9) R.R.S.

002.16 Teacher shall mean any certified employee who is regularly employed for the instruction of pupils in the public schools pursuant to Section 79-101 R.R.S.

003 Mentor Teacher Program Requirements. All systems applying for funding pursuant to Section 79-761 R.R.S. and this Chapter shall meet the following requirements:

003.01 All first-year teachers, as defined in Section 002.08, must be provided a mentor and mentoring support from a permanent, certificated teacher. The first-year teacher must be matched with a mentor in compliance with at least one of the following (in order of most to least desirable):

003.01A Match both endorsement field (e.g. social science) *and* grade level preparation (e.g. 7-12 all schools) within the same school district or building.

003.01B Match endorsement field only (e.g. social science) *or* grade level preparation only (e.g. 7-12 all schools) within the same school district or building.

003.01C Match only school district (e.g. ABC Public Schools) *or* building (XYZ Elementary).

003.01D Match endorsement field *or* grade level preparation by using a mentor outside of the school building or district.

003.02 Participation must be voluntary for the mentor.

003.03 The program must include structured or planned contacts between the mentor and first-year teacher.

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003.04 The program must include a written plan for mentoring developed by the mentor and first-year teacher including activities, a timeline, and provisions for mentor preparation and support.

003.05 The program must provide time for the mentor and first-year teacher to meet, observe one another's classroom teaching as well as classroom teaching of other teachers, and to analyze and discuss the teaching of students.

003.06 The program must have a needs assessment component for determining the needs of the first-year teacher.

003.07 The program must have an evaluation component to measure the effectiveness of the mentoring program.

003.08 All funds received by the local school system pursuant to this program must be spent to further the mentor teacher program as provided in Section 006.

003.09 Mentor teachers must meet the criteria in Section 004.

003.10 The applicant system must have a written policy explaining how administrators and the districts in the school system will support the mentor teacher program.

004 Mentor Teacher Qualifications. The following criteria must be used in selecting excellent, experienced, and qualified mentor teachers:

004.01 Mentor teachers must hold a valid Nebraska teaching or administrative certificate.

004.02 Mentor teachers must not be the first-year teacher's supervisor or an administrator in the local school system as defined in Section 79-101 R.R.S.

004.03 Mentor teachers must be regularly employed for the instruction of pupils in the public schools pursuant to Section 79-101 R.R.S. and be permanent, certificated employees (i.e. tenured) as defined in Section 79-824 R.R.S.

005 Mentor Teacher Program Promising Practice Guidelines. Mentor teacher programs may benefit from using any of the following promising practices which are suggested, but not required:

005.01 May use a support team approach for the first-year teacher that could include administrators, mentor teacher program coordinators, district curriculum coordinators, and external consultants.

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005.02 May utilize mentor teachers from within or outside of the local system (e.g. other school systems, educational service units, or professional organization pools).

005.03 May assign first-year teachers more than one mentor, depending upon mentor availability and first-year teacher needs. For example, if a mentor in the first-year teacher's field of endorsement is not available within the building, the first-year teacher may benefit from both a mentor within the building and a mentor outside of the building who is endorsed in the same field as the first-year teacher.

005.04 May include orientation and training for first-year teachers. Training for mentors is allowable only if associated expenses are the responsibility of the local system or other entities.

005.05 May include a coordinator of the mentor teacher program responsible for initial matches, periodic checks of the suitability of the matches as well as the progress/benefits of the mentoring relationship and activities.

005.06 May include benefits or incentives for mentors for their services to the mentor teacher program including, but not limited to, the following:

005.06A Release time.

005.06B Stipends for mentoring activities conducted outside of the normal contracted teaching day.

005.06C College credit.

005.06D Professional growth points.

005.06E Classroom materials.

005.07 May include benefits or incentives for first-year teachers for their participation in the mentor teacher program including, but not limited to, the following:

005.07A Release time.

005.07B Stipends for mentor teacher program training attended outside of the normal contracted teaching year.

005.07C Professional growth points.

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005.08 May design mentor teacher programs which:

005.08A Are differentiated in design to accommodate a variety of learners.

005.08B Are focused on improved student learning.

005.08C Address first-year teacher needs based on individual needs assessment. Examples of first-year teacher needs may include more information or guidance with the following: building/district policy and procedures orientation, assessment of student learning, evaluation of student work, classroom management, classroom discipline, instructional techniques, design of instruction appropriate to individual differences, student motivation, techniques for assisting students with personal problems, time management, classroom observation and the provision or reception of feedback regarding such observation, development or enhancement of curricular content expertise, course work planning, adaptation of plans to limited instructional resources, and methods to enhance positive relationships with parents of students.

005.08D Address mentor needs based on needs assessment.

005.09 May include, but are not limited to, the following mentoring activities:

005.09A Meetings between mentors and first-year teachers.

005.09B Classroom observations with accompanying feedback.

005.09C Discussion groups related to first-year teaching experiences.

005.09D On-site and off-site training for first-year teachers.

005.09E Provision of supplementary materials related to the mentoring needs of first-year teachers such as those listed in 005.08C.

005.10 May include documentation of services provided by the mentor teacher program including, but not limited to, the following: logs of mentor/first-year teacher contacts including such information as date, time, topics discussed, concerns of first-year teacher, concerns as a mentor, perception of the role of the mentor for that contact (e.g. responder, colleague, initiator).

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006 Mentor Teacher Program Grant Funds. The following provisions apply to the mentor teacher program grant:

006.01 Special Grant Fund. A mentor teacher program grant is considered a special grant fund and, therefore, school systems receiving mentor teacher program grant funds will be eligible for exclusion/additional budget authority under the provisions of Section 79-1003 R.R.S. et seq., the Tax Equity and Educational Opportunities Support Act.

006.02 Use of Funds. Fifty percent (50%) of the mentor teacher program grant funds received by the local school system must be used to pay stipends to mentors. The remaining portion of the mentor teacher program grant may be used for:

006.02A Substitute teacher salaries to enable release time for mentors or first-year teachers in conjunction with mentor program activities.

006.02B Professional development materials (e.g. books, journals, video and audio tapes) intended to increase the first-year teacher's knowledge, skills or abilities.

006.02C Mileage reimbursement to mentors and first-year teachers for travel to and from mentor teacher program activities.

006.02D Workshops to enhance first-year teacher teaching skills.

006.02E Salaries for coordinators of mentor teacher programs per Section 005.05.

006.03 Restrictions on the Use of Grant Funds. The following uses of grant funds are not allowed:

006.03A Salaries/benefits for permanent staff whose duties are unrelated to grant activities.

006.03B Furniture.

006.03C Equipment and/or computer hardware.

006.03D Buildings, building modification, or physical structures.

006.03E Payment to consultants or staff to develop proposals.

006.03F Supplanting of federal funds.

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006.03G Training/workshops for mentors.

006.03H Stipends or salaries/benefits for public school district administrators.

006.03I Any expenses for goods or services which are unrelated to the mentoring of first-year teachers by mentor teachers.

006.04 Duration of Funding. Mentor teacher program grants are funded on a one-year basis and may be applied for every year the local school system has qualifying teachers and a qualifying mentor program, as provided in Sections 003 and 004.

006.05 Funding of Projects.

006.05A Mentor teacher program grants will be funded in two payments. The final disbursement shall be based on actual expenditures.

006.05B Mentor teacher program grant amounts shall be based upon the number of first-year teachers employed by the local systems at the time of application. If the unobligated balance in the mentor teacher program fund at the time of the application deadline is less than the amount calculated for mentor teacher program grants due to qualified local systems, each qualified local system shall receive a pro rata amount such that the total amount of mentor teacher program grants equals the unobligated balance in the mentor teacher program fund as of the grant application deadline.

006.05C The funding cycle and fiscal year for mentor teacher program grants will be September 1 through August 31.

006.06 Contracting for Services. While only individual school systems are eligible to receive mentor teacher program grants, school systems may contract, as allowed by law, with third parties such as educational service units, postsecondary institutions, and private parties to administer mentor teacher programs.

006.07 Cooperatives. Cooperatives of school systems may pool grant resources to provide mentoring services to first-year teachers.

006.08 Fiscal Agents. Mentor teacher program grant funds shall be paid to the high school district of the school system. The high school district of the school system or an educational service unit shall act as the fiscal agent for mentor teacher program grants. The high school district or the educational service unit, as fiscal agent, shall be responsible for reporting and auditing mentor teacher program grant expenses.

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007 Mentor Teacher Program Application and Grant Process

007.01 Initial Application. The application shall identify the applicant system, the names of first-year teachers, and a brief description of the mentor teacher program to be conducted. Proposals for mentor teacher programs must incorporate the provisions of Sections 003, 004 and 006. The Council shall develop forms that it will require for use by applicants. The Council may develop such general guidelines for submitting applications as it deems appropriate.

007.02 Assurances. A statement of assurances by grant recipients of compliance with applicable state and federal non-discrimination laws and regulations shall be required for all grant applications.

007.03 Grant Approval Document. The complete terms of the grants shall be contained in a written contract which shall be signed by authorized representatives of the grant recipient, including evidence of approval by the applicant's governing board (if applicable), and a designated representative of the Council.

007.04 Public Records. Project proposals are public records. The Council and Department shall each receive a copy of all materials developed using grant funds and such copies shall be public records. The State of Nebraska retains the right to the copyright of any materials produced under a grant unless otherwise specified in the grant. The Council and Department reserve the right to reproduce and distribute any materials produced in whole or in part with grant funds.

007.05 Reports. Final reports may be required by the Council, as specified in the grant approval document. Recipients of mentor teacher grants shall be required to provide, upon request, such data relating to the funded programs and initiatives as the Council or Department deem necessary.

007.06 Audits. All grants from the Education Innovation Fund may require an annual audit by an independent auditor in accordance with the appropriate auditing standards for that entity (i.e. governmental, non-profit educational organizations) and any additional auditing criteria specified in the grant award. The State of Nebraska shall have access to the financial records for funded projects of all grantees for a period of five complete fiscal years, as defined in 006.05C, after the conclusion of the project period. The Council may audit the use of mentor teacher program grant payments at the discretion of the Council.

007.07 Terminations of Grants. Terminations of grants, by grant recipients, and/or the Council before the completion of the grant period requires written notice to the other parties to the grant and the return of unexpended and unencumbered funds effective on the date of the receipt of the termination notice.

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007.07A The authorized applicant representative, as designated by the grant recipient on the initial application or as amended in writing, may terminate a grant at any time. Such a termination request must be in writing and will become effective when received by the Executive Director of the Council.

007.07B A grant may be terminated by the Council when the Council determines that the grant activities are outside the approved application, conditions of the grant award notification are not met, there is fraud or fiscal mismanagement, or there is lack of adequate funding. In the event the Council proposes to terminate the grant funding, it shall provide the authorized applicant representative of the grant recipient with written notice of the reasons for such action and an opportunity for hearing. Any such hearing shall be conducted by the Council using the procedures for hearing that the Board has adopted pursuant to 92 NAC 61, except that all filings with and references to the Board shall be with and before the Council. All requests for hearings must be filed with the Executive Director of the Council within 30 days of the authorized applicant representative's receipt of the proposal to terminate. If no such request for a hearing is filed, the Council may take final action to terminate the grant at the next regularly scheduled Council meeting without further proceedings before the Council.

007.07C There is no appeal of any action of the Council to the State Board of Education.

008 "Premier Quality Factor" Mentor Teacher Program Requirements for Quality Education Incentive Payments Under Section 79-758 R.R.S. A local system will be found to have met the requirements for the Quality Education Incentive Payment program, pursuant to Section 79-758(3)(c) R.R.S. if the system meets one of the following requirements:

008.01 A local system, at the time of application for Quality Education Incentive Payments, has been determined by the Council as eligible for funding for the mentor teacher program under this Chapter; or,

008.02 A local system has a mentor teacher program established by a district in the local system which is approved by the Board. In considering the granting of approval, the Board shall require that such a program include all the requirements of Sections 003 and 004 of the Chapter as determined by such information as the Department may require to be submitted by such systems.