

E AND R AMENDMENTS TO LB 705

Introduced by Ballard, 21, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. (1) For fiscal years through fiscal year 2023-24, the  
4 money available to be used for education pursuant to subdivision (3)(b)  
5 of section 9-812 shall be transferred to the Nebraska Education  
6 Improvement Fund.

7           (2) For fiscal years 2024-25 through 2028-29, the money available to  
8 be used for education pursuant to subdivision (3)(b) of section 9-812  
9 shall be transferred as follows:

10           (a) Eight percent to the Behavioral Training Cash Fund;

11           (b) Two percent to the College Pathway Program Cash Fund;

12           (c) Seven percent to the Community College Gap Assistance Program  
13 Fund;

14           (d) Ten percent to the Department of Education Innovative Grant  
15 Fund;

16           (e) Three percent to fund distance education incentives pursuant to  
17 section 79-1337;

18           (f) One percent to the Door to College Scholarship Fund;

19           (g) Eight percent to the Excellence in Teaching Cash Fund;

20           (h) One and one-half percent to the Expanded Learning Opportunity  
21 Grant Fund;

22           (i) One and one-half percent to the Mental Health Training Cash  
23 Fund; and

24           (j) Fifty-eight percent to the Nebraska Opportunity Grant Fund.

25           (3) For fiscal year 2029-30 and each fiscal year thereafter, the  
26 money available to be used for education pursuant to subdivision (3)(b)  
27 of section 9-812 shall be transferred as the Legislature may direct.

1           (4)(a) The Nebraska Education Improvement Fund is created. The fund  
2 shall consist of money transferred pursuant to subsection (1) of this  
3 section and any other funds transferred by the Legislature. The fund  
4 shall be allocated, after actual and necessary administrative expenses,  
5 as provided in this subsection for fiscal years 2016-17 through 2023-24.  
6 A portion of each allocation for fiscal year 2023-24 may be retained by  
7 the agency to which the allocation is made or the agency administering  
8 the fund to which the allocation is made for actual and necessary  
9 expenses incurred by such agency for administration, evaluation, and  
10 technical assistance related to the purposes of the allocation, except  
11 that no amount of the allocation to the Nebraska Opportunity Grant Fund  
12 may be used for such purposes.

13           (b) For fiscal years 2017-18 through 2023-24, an amount equal to ten  
14 percent of the revenue received by the Nebraska Education Improvement  
15 Fund in the prior fiscal year shall be retained in the fund at all times  
16 plus any interest earned during the current fiscal year. The balance of  
17 the fund on July 26, 2024, less three percent of the money received for  
18 the fourth quarter of fiscal year 2023-24, shall be transferred to the  
19 Behavioral Training Cash Fund.

20           (c) For fiscal year 2023-24, the Nebraska Education Improvement Fund  
21 shall be allocated as follows:

22           (i) One percent of the allocated funds to the Expanded Learning  
23 Opportunity Grant Fund to carry out the Expanded Learning Opportunity  
24 Grant Program Act;

25           (ii) Seventeen percent of the allocated funds to the Department of  
26 Education Innovative Grant Fund to be used for competitive innovation  
27 grants pursuant to section 79-1054;

28           (iii) Nine percent of the allocated funds to the Community College  
29 Gap Assistance Program Fund to carry out the community college gap  
30 assistance program;

31           (iv) Eight percent of the allocated funds to the Excellence in

1 Teaching Cash Fund to carry out the Excellence in Teaching Act;  
2 (v) Sixty-two percent of the allocated funds to the Nebraska  
3 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in  
4 conjunction with appropriations from the General Fund; and

5 (vi) Three percent of the allocated funds to fund distance education  
6 incentives pursuant to section 79-1337.

7 (d) For fiscal year 2029-30 and each fiscal year thereafter, the  
8 Nebraska Education Improvement Fund shall be allocated as the Legislature  
9 may direct.

10 (e) Any money in the fund available for investment shall be invested  
11 by the state investment officer pursuant to the Nebraska Capital  
12 Expansion Act and the Nebraska State Funds Investment Act.

13 (5) A portion of each transfer pursuant to subdivisions (2)(c), (e),  
14 (f), (g), (h), and (i) of this section may be retained by the agency  
15 administering the fund to which such transfer is made for actual and  
16 necessary expenses incurred by such agency for administration,  
17 evaluation, and technical assistance related to the purposes of the  
18 transfer.

19 (6)(a) On or before September 20, 2022, and on or before each  
20 September 20 thereafter, (i) any department or agency receiving a  
21 transfer or acting as the administrator for a fund receiving a transfer  
22 pursuant to subsection (2) or (4) of this section, (ii) any recipient or  
23 subsequent recipient of money from any such fund, and (iii) any service  
24 contractor responsible for managing any portion of any such fund or any  
25 money disbursed from any such fund on behalf of any entity shall prepare  
26 and submit an annual report to the Auditor of Public Accounts in a manner  
27 prescribed by the auditor for the immediately preceding July 1 through  
28 June 30 fiscal year detailing information regarding the use of such fund  
29 or such money.

30 (b) The Auditor of Public Accounts shall annually compile a summary  
31 of the annual reports received pursuant to subdivision (6)(a) of this

1 section, any audits related to transfers pursuant to subsection (2) or  
2 (4) of this section conducted by the Auditor of Public Accounts, and any  
3 findings or recommendations related to such transfers into a consolidated  
4 annual report and shall submit such consolidated annual report  
5 electronically to the Legislature on or before January 1, 2023, and on or  
6 before each January 1 thereafter.

7 (c) For purposes of this subsection, recipient, subsequent  
8 recipient, or service contractor means a nonprofit entity that expends  
9 funds transferred pursuant to subsection (2) or (4) of this section to  
10 carry out a state program or function, but does not include an individual  
11 who is a direct beneficiary of such a program or function.

12 (7) On or before December 31, 2027, the Education Committee of the  
13 Legislature shall electronically submit recommendations to the Clerk of  
14 the Legislature regarding how the money used for education from the State  
15 Lottery Operation Trust Fund should be allocated to best advance the  
16 educational priorities of the state for the five-year period beginning  
17 with fiscal year 2029-30.

18 Sec. 2. Sections 2 to 5 of this act shall be known and may be cited  
19 as the Behavioral Intervention Training and Teacher Support Act.

20 Sec. 3. (1)(a) Beginning in school year 2024-25, the Educational  
21 Service Unit Coordinating Council shall (i) ensure annual behavioral  
22 awareness training is available statewide and (ii) develop, implement,  
23 and administer an ongoing statewide teacher support system.

24 (b) Beginning in school year 2026-27, each school district shall  
25 ensure that each administrator, teacher, paraprofessional, school nurse,  
26 and counselor receives behavioral awareness training. Each administrator,  
27 teacher, paraprofessional, school nurse, and counselor who has received  
28 such training shall receive a behavioral awareness training review at  
29 least once every three years. Each school district may offer such  
30 training, or similar training, to any other school employees at the  
31 discretion of the school district. In addition, all school employees

1 shall have a basic awareness of the goals, strategies, and schoolwide  
2 plans included in such training.

3 (c) Behavioral awareness training shall include, but not be limited  
4 to, evidence-based training on a continuum that includes:

5 (i) Recognition of detrimental factors impacting student behavior,  
6 including, but not limited to, signs of trauma;

7 (ii) Positive behavior support and proactive teaching strategies,  
8 including, but not limited to, expectations and boundaries; and

9 (iii) Verbal intervention and de-escalation techniques.

10 (2)(a) On or before July 1, 2025, and on or before July 1 of each  
11 year thereafter, each school district shall submit a behavioral awareness  
12 training report to the Educational Service Unit Coordinating Council.

13 Such report shall include the school district behavioral awareness  
14 training plan and summarize how such plan fulfills the requirements of  
15 this section.

16 (b) On or before December 31, 2025, and each December 31 thereafter,  
17 the Educational Service Unit Coordinating Council shall submit a report  
18 electronically to the Education Committee of the Legislature summarizing  
19 the behavioral awareness training reports received by school districts,  
20 the various trainings provided across the state, the teacher support  
21 system, and a financial report of funding received and expended in  
22 accordance with the Behavioral Intervention Training and Teacher Support  
23 Act.

24 (3)(a) Behavioral awareness training and the teacher support system  
25 required pursuant to this section shall be funded from the Behavioral  
26 Training Cash Fund.

27 (b) Any funding received by a school district for behavioral  
28 awareness training under the Behavioral Intervention Training and Teacher  
29 Support Act shall be considered special grant funds under section  
30 79-1003.

31 Sec. 4. (1) Each school district shall designate one or more school

1 employees as a behavioral awareness point of contact for each school  
2 building or other division as determined by such school district. Each  
3 behavioral awareness point of contact shall be trained in behavioral  
4 awareness and shall have knowledge of community service providers and  
5 other resources that are available for the students and families in such  
6 school district.

7 (2) Each school district shall maintain or have access to a registry  
8 of local mental health and counseling resources. The registry shall  
9 include resource services that can be accessed by families and  
10 individuals outside of school. Each behavioral awareness point of contact  
11 shall coordinate access to support services for students whenever  
12 possible. Except as provided in section 43-2101, if information for an  
13 external support service is provided to an individual student, school  
14 personnel shall notify a parent or guardian of such student in writing  
15 unless such recommendation involves law enforcement or child protective  
16 services. Each school district shall indicate each behavioral awareness  
17 point of contact for such school district on the website of the school  
18 district and in any school directory for the school that the behavioral  
19 awareness point of contact serves.

20 Sec. 5. The Behavioral Training Cash Fund is created. The fund  
21 shall be administered by the State Department of Education, shall consist  
22 of money transferred pursuant to section 1 of this act and any money  
23 transferred by the Legislature, and shall be used for the purposes of  
24 coordinating training and administering the teacher support system in  
25 compliance with the Behavioral Intervention Training and Teacher Support  
26 Act. Any money in the fund available for investment shall be invested by  
27 the state investment officer pursuant to the Nebraska Capital Expansion  
28 Act and the Nebraska State Funds Investment Act.

29 Sec. 6. (1) The State Department of Education shall establish a  
30 mental health training grant program. The department shall award mental  
31 health training grants from any money available in the Mental Health

1 Training Cash Fund. A grantee shall be a school district or an  
2 educational service unit.

3 (2) Each applicant for a mental health training grant shall describe  
4 in the application the training to be provided under the grant on:

5 (a) The skills, resources, and knowledge necessary to assist  
6 students in crisis to connect with appropriate local mental health  
7 services;

8 (b) Mental health resources, including, but not limited to, the  
9 location of local community mental health centers; and

10 (c) Action plans and protocols for referral to such resources.

11 (3) Each application for a mental health training grant shall also  
12 include in the application a description of how the training to be  
13 provided under the grant will prepare recipients of such training to:

14 (a) Safely de-escalate crisis situations;

15 (b) Recognize the signs and symptoms of mental illness, including,  
16 but not limited to, schizophrenia, bipolar disorder, major clinical  
17 depression, and anxiety disorders; and

18 (c) Timely refer a student to available mental health services in  
19 the early stages of the development of a mental disorder to avoid the  
20 need for subsequent behavioral health care and to enhance the  
21 effectiveness of mental health services.

22 (4) The State Board of Education may adopt and promulgate rules and  
23 regulations to carry out this section, including, but not limited to,  
24 application procedures, selection procedures, and annual reporting  
25 procedures.

26 (5) Grants received pursuant to this section shall be considered  
27 special grant funds under section 79-1003.

28 Sec. 7. The Mental Health Training Cash Fund is created. The fund  
29 shall be administered by the State Department of Education and shall  
30 consist of money transferred pursuant to section 1 of this act and any  
31 money transferred by the Legislature. The department shall use money in

1 the fund for mental health training grants pursuant to section 6 of this  
2 act. Any money in the fund available for investment shall be invested by  
3 the state investment officer pursuant to the Nebraska Capital Expansion  
4 Act and the Nebraska State Funds Investment Act.

5 Sec. 8. Sections 8 to 12 of this act shall be known and may be  
6 cited as the College Pathway Program Act.

7 Sec. 9. For purposes of the College Pathway Program Act:

8 (1) Eligible provider means a provider who meets the requirements of  
9 section 10 of this act;

10 (2) Low-income student means a student eligible for free or reduced-  
11 price lunches in high school or a student whose family's taxable income  
12 for the preceding year did not exceed one hundred fifty percent of the  
13 federal poverty level; and

14 (3) Underrepresented student means a student whose race is not  
15 proportionately represented at the institution at which the student is  
16 enrolled or applying for admission as the representation of such race in  
17 the population of Nebraska.

18 Sec. 10. (1) The State Department of Education shall develop and  
19 administer the College Pathway Program to provide grants on or after July  
20 1, 2024, to eligible providers to provide services in accordance with  
21 subsection (2) of this section to underrepresented and low-income  
22 students in high school and postsecondary education.

23 (2) A provider is eligible for a grant pursuant to the College  
24 Pathway Program Act if the provider offers, exclusively to  
25 underrepresented and low-income students, educational services that  
26 provide materials, services, and supports to help a student graduate from  
27 high school, apply for admission to a postsecondary institution, and  
28 complete the requirements to receive an associate degree or a  
29 baccalaureate degree. Such educational services may include:

30 (a) Assistance and tutorials which help students in completing  
31 applications for a college or university, including applying for aid

1 through the Free Application for Federal Student Aid or other  
2 scholarships;

3 (b) Assistance and materials which help students take the  
4 appropriate high school classes in an area or field of study a student is  
5 interested in and any classes necessary for a student to gain acceptance  
6 at a postsecondary institution or complete the requirements and take the  
7 appropriate postsecondary education classes to receive an associate  
8 degree or a baccalaureate degree; and

9 (c) Any other services specified pursuant to rules and regulations  
10 adopted and promulgated by the State Board of Education.

11 (3) Eligible providers may apply to the State Department of  
12 Education for a grant on forms and in a manner prescribed by the  
13 department.

14 Sec. 11. (1) On or before December 1, 2024, and each December 1  
15 thereafter, the State Department of Education shall electronically submit  
16 a report to the Clerk of the Legislature regarding the College Pathway  
17 Program Act, including, but not limited to, the recipients of grants and  
18 evaluations of the effectiveness of the grant program.

19 (2) The State Board of Education may adopt and promulgate rules and  
20 regulations to carry out the College Pathway Program Act.

21 Sec. 12. The College Pathway Program Cash Fund is created. The fund  
22 shall be administered by the State Department of Education and shall  
23 consist of money transferred pursuant to section 1 of this act and any  
24 money transferred by the Legislature. The department shall use the fund  
25 to carry out the College Pathway Program Act. Any money in the fund  
26 available for investment shall be invested by the state investment  
27 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
28 State Funds Investment Act.

29 Sec. 13. Section 79-8,132, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 ~~79-8,132~~ Sections 13 to 27 of this act ~~79-8,132 to 79-8,140~~ shall be

1 known and may be cited as the Excellence in Teaching Act and shall  
2 include the Attracting Excellence to Teaching Program, ~~and~~ the Enhancing  
3 Excellence in Teaching Program, and the Career-Readiness and Dual-Credit  
4 Education Grant Program.

5 Sec. 14. (1) On and after July 1, 2024, all powers, duties, and  
6 functions that the State Department of Education had pursuant to the  
7 Excellence in Teaching Act prior to such date are transferred to the  
8 Coordinating Commission for Postsecondary Education.

9 (2) Any financial obligations of the State Department of Education  
10 relating to the Excellence in Teaching Act that remain unpaid as of July  
11 1, 2024, and that are subsequently certified as valid encumbrances to the  
12 accounting division of the Department of Administrative Services pursuant  
13 to sections 81-138.01 to 81-138.04, shall be paid by the commission from  
14 any unexpended balance in the Excellence in Teaching Cash Fund.

15 (3) On and after July 1, 2024, whenever the State Department of  
16 Education is referred to or designated by any contract or other document  
17 in connection with any duties and functions under the Excellence in  
18 Teaching Act, such reference or designation shall apply to the  
19 commission. All contracts entered into by the State Department of  
20 Education prior to July 1, 2024, in connection with any duties and  
21 functions under the Excellence in Teaching Act are hereby recognized,  
22 with the commission succeeding to all rights and obligations under such  
23 contracts. Any cash funds, custodial funds, gifts, trusts, and grants and  
24 any appropriations of funds from prior fiscal years available to satisfy  
25 obligations incurred under such contracts shall be transferred and  
26 appropriated to the commission for the payment of such obligations. All  
27 documents and records transferred, or copies of the same, may be  
28 authenticated or certified by the commission for all legal purposes.

29 (4) No suit, action, or other proceeding, judicial or  
30 administrative, lawfully commenced prior to July 1, 2024, or which could  
31 have been commenced prior to such date, by or against the State

1 Department of Education, the Commissioner of Education, or any employee  
2 of the State Department of Education, in relation to the discharge of  
3 duties under the Excellence in Teaching Act, shall abate by reason of the  
4 transfer of duties and functions under the Excellence in Teaching Act  
5 from the State Department of Education to the commission.

6 (5) On July 1, 2024, all documents and records of the State  
7 Department of Education pertaining to duties and functions under the  
8 Excellence in Teaching Act shall be transferred to the commission and  
9 shall become the property of the commission.

10 Sec. 15. Section 79-8,133, Revised Statutes Cumulative Supplement,  
11 2022, is amended to read:

12 ~~79-8,133~~ The Attracting Excellence to Teaching Program is created.  
13 For purposes of the Attracting Excellence to Teaching Program:

14 (1) Commission means the Coordinating Commission for Postsecondary  
15 ~~Department means the State Department of Education;~~

16 (2) Eligible institution means a not-for-profit college or  
17 university which (a) is located in Nebraska, (b) is accredited by an  
18 accrediting agency recognized by the United States Department of  
19 Education as determined to be acceptable by the State Board of Education,  
20 (c) has a teacher education program, and (d) if a privately funded  
21 college or university, has not opted out of the program pursuant to rules  
22 and regulations;

23 (3) Eligible student means an individual who (a) is a full-time  
24 student, (b) is enrolled in an eligible institution in an undergraduate  
25 or a graduate teacher education program working toward his or her initial  
26 certificate to teach in Nebraska, (c) if enrolled at a state-funded  
27 eligible institution, is a resident student as described in section  
28 85-502 or, if enrolled in a privately funded eligible institution, would  
29 be deemed a resident student if enrolled in a state-funded eligible  
30 institution, and (d) ~~for applicants applying for the first time on or~~  
31 ~~after April 23, 2009,~~ is a student majoring in a shortage area, ~~and~~ (e)

1 ~~for applicants applying to receive a loan during fiscal year 2011-12 or~~  
2 ~~2012-13, is a student who previously received a loan pursuant to the~~  
3 ~~Attracting Excellence to Teaching Program in the fiscal year immediately~~  
4 ~~preceding the fiscal year in which the new loan would be received;~~

5 (4) Full-time student means, in the aggregate, the equivalent of a  
6 student who in a twelve-month period is enrolled in twenty-four semester  
7 credit hours for undergraduate students or eighteen semester credit hours  
8 for graduate students of classroom, laboratory, clinical, practicum, or  
9 independent study course work;

10 (5) Majoring in a shortage area means pursuing a degree which will  
11 allow an individual to be properly endorsed to teach in a shortage area;

12 (6) Shortage area means a secular field of teaching for which there  
13 is a shortage, as determined by the State Department of Education  
14 ~~department~~, of properly endorsed teachers at the time the borrower first  
15 receives funds pursuant to the program; and

16 (7) Teacher education program means a program of study approved by  
17 the State Board of Education pursuant to subdivision (5)(g) of section  
18 79-318.

19 Sec. 16. Section 79-8,134, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 ~~79-8,134~~ The purposes of the Attracting Excellence to Teaching  
22 Program are to:

23 (1) Attract outstanding students to major in shortage areas at the  
24 teacher education programs of Nebraska's postsecondary educational  
25 institutions;

26 (2) Retain resident students and graduates as teachers in the  
27 accredited school districts, educational service units, and private  
28 schools or approved private schools of Nebraska; and

29 (3) Establish a loan contract that requires a borrower to obtain  
30 employment as a teacher in this state after graduation.

31 Sec. 17. Section 79-8,135, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 ~~79-8,135~~ (1) The commission ~~department~~ shall administer the  
3 Attracting Excellence to Teaching Program either directly or by  
4 contracting with public or private entities.

5 (2) To be eligible for the program, an eligible student shall:

6 (a) Graduate in the top quarter of his or her high school class or  
7 have a minimum cumulative grade-point average of 3.0 on a four-point  
8 scale in an eligible institution;

9 (b) Agree to complete a teacher education program at an eligible  
10 institution and, ~~for applicants applying for the first time on or after~~  
11 ~~April 23, 2009,~~ to complete the major on which the applicant's  
12 eligibility is based; and

13 (c) Commit to teach in an accredited or approved public or private  
14 school in Nebraska upon (i) successful completion of the teacher  
15 education program for which the applicant is applying to the Attracting  
16 Excellence to Teaching Program and (ii) becoming certified pursuant to  
17 sections 79-806 to 79-815.

18 (3) Except as otherwise provided in this subsection, eligible  
19 ~~Eligible~~ students may apply on an annual basis for loans in an amount of  
20 not more than three thousand dollars per year. A loan recipient may also  
21 apply on a one-time basis for a loan to cover the cost of taking each  
22 test required to meet the basic skills competency requirement in section  
23 79-809. Loans awarded to individual students shall not exceed a  
24 cumulative period exceeding five consecutive years. Loans shall only be  
25 awarded through an eligible institution. Loans shall be funded pursuant  
26 to section 24 of this act ~~79-8,137.05~~.

27 Sec. 18. Section 79-8,137, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29 ~~79-8,137~~ (1)(a) Prior to receiving any money from a loan pursuant to  
30 the Attracting Excellence to Teaching Program, an eligible student shall  
31 enter into a contract with the commission ~~department~~. Such contract shall

1 be exempt from the requirements of sections 73-501 to 73-510.

2 (b) For eligible students who applied for the first time prior to  
3 April 23, 2009, the contract shall require that if (i) the borrower is  
4 not employed as a teacher in Nebraska for a time period equal to the  
5 number of years required for loan forgiveness pursuant to subsection (2)  
6 of this section and is not enrolled as a full-time student in a graduate  
7 program within six months after obtaining an undergraduate degree for  
8 which a loan from the program was obtained or (ii) the borrower does not  
9 complete the requirements for graduation within five consecutive years  
10 after receiving the initial loan under the program, then the loan must be  
11 repaid, with interest at the rate fixed pursuant to section 45-103  
12 accruing as of the date the borrower signed the contract, and an  
13 appropriate penalty as determined by the commission ~~department~~ may be  
14 assessed. If a borrower fails to remain enrolled at an eligible  
15 institution or otherwise fails to meet the requirements of an eligible  
16 student, repayment of the loan shall commence within six months after  
17 such change in eligibility. The commission ~~State Board of Education~~ may  
18 by rules and regulations provide for exceptions to the conditions of  
19 repayment pursuant to this subdivision based upon mitigating  
20 circumstances.

21 (c) For eligible students who apply for the first time on or after  
22 April 23, 2009, the contract shall require that if (i) the borrower is  
23 not employed as a full-time teacher teaching in an approved or accredited  
24 school in Nebraska and teaching at least a portion of the time in the  
25 shortage area for which the loan was received for a time period equal to  
26 the number of years required for loan forgiveness pursuant to subsection  
27 (3) of this section or is not enrolled as a full-time student in a  
28 graduate program within six months after obtaining an undergraduate  
29 degree for which a loan from the program was obtained or (ii) the  
30 borrower does not complete the requirements for graduation within five  
31 consecutive years after receiving the initial loan under the program,

1 then the loan shall be repaid with interest at the rate fixed pursuant to  
2 section 45-103 accruing as of the date the borrower signed the contract  
3 and actual collection costs as determined by the commission ~~department~~.  
4 If a borrower fails to remain enrolled at an eligible institution or  
5 otherwise fails to continue to be an eligible student, repayment of the  
6 loan shall commence within six months after such change in eligibility.  
7 The commission ~~State Board of Education~~ may by rule and regulation  
8 provide for exceptions to the conditions of repayment pursuant to this  
9 subdivision based upon mitigating circumstances.

10 (2) If the borrower applied for the first time prior to April 23,  
11 2009, and (a) successfully completes the teacher education program and  
12 becomes certified pursuant to sections 79-806 to 79-815, (b) becomes  
13 employed as a teacher in this state within six months of becoming  
14 certified, and (c) otherwise meets the requirements of the contract,  
15 payments shall be suspended for the number of years that the borrower is  
16 required to remain employed as a teacher in this state under the  
17 contract. For each year that the borrower teaches in Nebraska pursuant to  
18 the contract, payments shall be forgiven in an amount equal to the amount  
19 borrowed for one year, except that if the borrower teaches in a school  
20 district that is in a local system classified as very sparse as defined  
21 in section 79-1003 or teaches in a school district in which at least  
22 forty percent of the students are poverty students as defined in section  
23 79-1003, payments shall be forgiven each year in an amount equal to the  
24 amount borrowed for two years.

25 (3)(a) If the borrower applies for the first time on or after April  
26 23, 2009, and (i) successfully completes the teacher education program  
27 and major for which the borrower is receiving a forgivable loan pursuant  
28 to the program and becomes certified pursuant to sections 79-806 to  
29 79-815 with an endorsement in the shortage area for which the loan was  
30 received, (ii) becomes employed as a full-time teacher teaching at least  
31 a portion of the time in the shortage area for which the loan was

1 received in an approved or accredited school in this state within six  
2 months of becoming certified, and (iii) otherwise meets the requirements  
3 of the contract, payments shall be suspended for the number of years that  
4 the borrower is required to remain employed as a teacher in this state  
5 under the contract.

6 (b) Beginning after the first two years of teaching full-time in  
7 Nebraska following graduation for the degree for which the loan was  
8 received, for each year that the borrower teaches full-time in Nebraska  
9 pursuant to the contract, the loan shall be forgiven in an amount equal  
10 to three thousand dollars, except that if the borrower teaches full-time  
11 in a school district that is in a local system classified as very sparse  
12 as defined in section 79-1003, teaches in a school building that provides  
13 free meals to all students pursuant to the community eligibility  
14 provision, teaches in a school building in which at least forty percent  
15 of the formula students are poverty students as defined in section  
16 79-1003, or teaches in an accredited or approved private school in  
17 Nebraska in which at least forty percent of the enrolled students  
18 qualified for free lunches as determined by the most recent data  
19 available from the commission department, payments shall be forgiven each  
20 year in an amount equal to six thousand dollars.

21 (4) Beginning on August 1, 2022, if the borrower provides service as  
22 a pre-service teacher intern for a full academic semester as part of a  
23 clinical experience within an accredited or approved public, private,  
24 denominational, or parochial school in Nebraska and subsequently passes  
25 all related semester requirements, then the loan shall be forgiven in an  
26 amount equal to one thousand dollars for such borrower.

27 Sec. 19. Section 79-8,137.01, Revised Statutes Cumulative  
28 Supplement, 2022, is amended to read:

29 ~~79-8,137.01~~ The Enhancing Excellence in Teaching Program is created.  
30 For purposes of the Enhancing Excellence in Teaching Program:

31 (1) Approval to teach postsecondary courses by a Nebraska

1 postsecondary educational institution means official documentation issued  
2 by a Nebraska postsecondary educational institution declaring that an  
3 individual has met the graduate degree or course requirements necessary  
4 to teach courses in a specific subject or subjects offered by the  
5 Nebraska postsecondary educational institution for postsecondary degree  
6 credit;

7 (2) Commission ~~(1) Department~~ means the Coordinating Commission for  
8 Postsecondary State Department of Education;

9 (3) ~~(2)~~ Eligible graduate program means (a) a program of study  
10 offered by an eligible institution which results in obtaining a graduate  
11 degree, (b) or a graduate course of study leading to an endorsement in a  
12 shortage area specified by the State Department Board of Education, or  
13 (c) a graduate course of study leading to approval to teach postsecondary  
14 courses by a Nebraska postsecondary educational institution;

15 (4) ~~(3)~~ Eligible institution means a not-for-profit college or  
16 university which (a) is located in Nebraska, (b) is accredited by an  
17 accrediting agency recognized by the United States Department of  
18 Education as determined to be acceptable by the State Board of Education,  
19 (c) has a teacher education program, and (d) if a privately funded  
20 college or university, has not opted out of the Enhancing Excellence in  
21 Teaching Program pursuant to rules and regulations;

22 (5) ~~(4)~~ Eligible student means an individual who (a) is a  
23 certificated teacher employed to teach in an approved or accredited  
24 school in Nebraska, (b) is enrolled in an eligible graduate program, (c)  
25 if enrolled at a state-funded eligible institution, is a resident student  
26 as described in section 85-502 or, if enrolled in a privately funded  
27 eligible institution, would be deemed a resident student if enrolled in a  
28 state-funded eligible institution, ~~(d)(i) (d)~~ is majoring in a shortage  
29 area, curriculum and instruction, a subject area in which the individual  
30 already holds a secular teaching endorsement, or a subject area that will  
31 result in an additional secular teaching endorsement or (ii) is applying

1 for approval to teach postsecondary courses by a Nebraska postsecondary  
2 educational institution, which the superintendent of the school district  
3 or head administrator of the private, denominational, or parochial school  
4 employing the individual believes will be beneficial to the students of  
5 such school district or school as evidenced by a statement signed by the  
6 superintendent or head administrator, and (e) is applying for a loan  
7 pursuant to the Enhancing Excellence in Teaching Program to be received  
8 at a time other than during fiscal year 2011-12 or 2012-13;

9 (6) ~~(5)~~ Majoring in a shortage area or subject area means pursuing a  
10 degree or course of study which will allow an individual to be properly  
11 endorsed to teach in such shortage area or subject area; ~~and~~

12 (7) Nebraska postsecondary educational institution means any  
13 Nebraska public postsecondary institution as defined in section 85-2403  
14 and any private, nonprofit postsecondary institution with a principal  
15 facility in Nebraska that is exempt from the Private Postsecondary Career  
16 School Act; and

17 (8) ~~(6)~~ Shortage area means a secular field of teaching or  
18 endorsement area for which there is a shortage, as determined by the  
19 State Department of Education ~~department~~, of properly endorsed teachers  
20 at the time the borrower first receives funds pursuant to the Enhancing  
21 Excellence in Teaching Program.

22 Sec. 20. Section 79-8,137.02, Revised Statutes Cumulative  
23 Supplement, 2022, is amended to read:

24 ~~79-8,137.02~~ The purposes of the Enhancing Excellence in Teaching  
25 Program are to:

26 (1) Retain teachers in the accredited school districts, educational  
27 service units, and private schools or approved private schools of  
28 Nebraska;

29 (2) Improve the skills of existing teachers in Nebraska through the  
30 graduate education or endorsement programs of Nebraska's postsecondary  
31 educational institutions; and

1 (3) Establish a loan contract that requires a borrower to continue  
2 employment as a teacher in this state after graduation from an eligible  
3 graduate or endorsement program.

4 Sec. 21. Section 79-8,137.03, Revised Statutes Cumulative  
5 Supplement, 2022, is amended to read:

6 ~~79-8,137.03~~ (1) The commission ~~department~~ shall administer the  
7 Enhancing Excellence in Teaching Program either directly or by  
8 contracting with public or private entities.

9 (2) To be eligible for the program, an eligible student shall:

10 (a) Agree to complete an eligible graduate program at an eligible  
11 institution and to complete the program on which the applicant's  
12 eligibility is based as determined by the State Department of Education  
13 ~~department~~; and

14 (b) Commit to teach in an accredited or approved public or private  
15 school in Nebraska upon successful completion of the eligible graduate  
16 program for which the applicant is applying to the Enhancing Excellence  
17 in Teaching Program and to maintaining certification pursuant to sections  
18 79-806 to 79-815.

19 (3) Eligible students may apply on an annual basis for loans in an  
20 amount of not more than one hundred seventy-five dollars per credit hour.  
21 Loans awarded to individual students shall not exceed a cumulative period  
22 exceeding five consecutive years. Loans shall only be awarded through the  
23 commission ~~department~~. Loans shall be funded pursuant to section 24 of  
24 this act ~~79-8,137.05~~.

25 Sec. 22. Section 79-8,137.04, Revised Statutes Cumulative  
26 Supplement, 2022, is amended to read:

27 ~~79-8,137.04~~ (1) Prior to receiving any money from a loan pursuant to  
28 the Enhancing Excellence in Teaching Program, an eligible student shall  
29 enter into a contract with the commission ~~department~~. Such contract shall  
30 be exempt from the requirements of sections 73-501 to 73-510. The  
31 contract shall require that if (a) the borrower is not employed as a

1 full-time teacher teaching in an approved or accredited school in  
2 Nebraska for a time period equal to the number of years required for loan  
3 forgiveness pursuant to subsection (2) of this section or (b) the  
4 borrower does not complete the requirements for graduation, for the  
5 additional secular teaching endorsement, or for the approval to teach  
6 postsecondary courses by a Nebraska postsecondary educational institution  
7 within five consecutive years after receiving the initial loan under the  
8 program, then the loan shall be repaid, with interest at the rate fixed  
9 pursuant to section 45-103 accruing as of the date the borrower signed  
10 the contract and actual collection costs as determined by the commission  
11 ~~department~~. If a borrower fails to remain enrolled at an eligible  
12 institution or otherwise fails to meet the requirements of an eligible  
13 student, repayment of the loan shall commence within six months after  
14 such change in eligibility. The commission ~~State Board of Education~~ may  
15 by rules and regulations provide for exceptions to the conditions of  
16 repayment pursuant to this subsection based upon mitigating  
17 circumstances.

18 (2)(a) If the borrower (i) successfully completes the eligible  
19 graduate program for which the borrower is receiving a forgivable loan  
20 pursuant to the Enhancing Excellence in Teaching Program and maintains  
21 certification pursuant to sections 79-806 to 79-815, (ii) maintains  
22 employment as a teacher in an approved or accredited school in this  
23 state, and (iii) otherwise meets the requirements of the contract,  
24 payments shall be suspended for the number of years that the borrower is  
25 required to remain employed as a teacher in this state under the  
26 contract.

27 (b) For recipients who received funds for the first time prior to  
28 July 1, 2016, beginning after the first two years of teaching full-time  
29 in Nebraska following graduation for the degree for which the loan was  
30 received, for each year that the borrower teaches full-time in Nebraska  
31 pursuant to the contract, the loan shall be forgiven in an amount equal

1 to three thousand dollars, except that if the borrower teaches full-time  
2 in a school district that is in a local system classified as very sparse  
3 as defined in section 79-1003, teaches in a school building that provides  
4 free meals to all students pursuant to the community eligibility  
5 provision, teaches in a school building in which at least forty percent  
6 of the students are poverty students as defined in section 79-1003, or  
7 teaches in an accredited or approved private school in Nebraska in which  
8 at least forty percent of the enrolled students qualified for free  
9 lunches as determined by the most recent data available from the State  
10 Department of Education department, payments shall be forgiven each year  
11 in an amount equal to six thousand dollars.

12 (c) For recipients who received funds for the first time on or after  
13 July 1, 2016, beginning after the first two years of teaching full-time  
14 in Nebraska following completion of the eligible graduate program for  
15 which the loan was received, for each year that the borrower teaches  
16 full-time in Nebraska pursuant to the contract, the loan shall be  
17 forgiven in an amount equal to one thousand five hundred dollars, except  
18 that if the borrower teaches full-time in a school district that is in a  
19 local system classified as very sparse as defined in section 79-1003,  
20 teaches in a school building in which at least forty percent of the  
21 students are poverty students as defined in section 79-1003, teaches in a  
22 school building that provides free meals to all students pursuant to the  
23 community eligibility provision, or teaches in an accredited private  
24 school or educational service unit or an approved private school in  
25 Nebraska in which at least forty percent of the enrolled students  
26 qualified for free lunches as determined by the most recent data  
27 available from the State Department of Education department, payments  
28 shall be forgiven each year in an amount equal to one thousand five  
29 hundred dollars for the first year of loan forgiveness and three thousand  
30 dollars for each year of loan forgiveness thereafter.

31 Sec. 23. (1) The Career-Readiness and Dual-Credit Education Grant

1 Program is established. The program shall be administered by the  
2 Coordinating Commission for Postsecondary Education. The commission, in  
3 consultation with the State Department of Education, the Department of  
4 Labor, and any advisory committee established by the commission for such  
5 purpose, shall:

6 (a) Create and establish teacher education pathways enabling the  
7 instruction of dual-credit courses and career and technical education  
8 courses;

9 (b) Correlate and prioritize teacher education pathways with  
10 Nebraska workforce demand;

11 (c) Establish a grant program beginning on or after July 1, 2024, to  
12 distribute money from the Excellence in Teaching Cash Fund to teachers  
13 enrolled in education pathways leading to qualification to teach dual-  
14 credit courses and career and technical education courses;

15 (d) Establish a directory of available teacher education pathways in  
16 Nebraska identified by sequence and location; and

17 (e) On December 31, 2025, and each December 31 thereafter,  
18 electronically submit an annual report on grants awarded pursuant to the  
19 Career-Readiness and Dual-Credit Education Grant Program to the Clerk of  
20 the Legislature. The report shall include, but not be limited to, the  
21 number and amount of grants awarded, the postsecondary educational  
22 institutions attended by grant recipients, and information regarding the  
23 completion of instructor requirements to teach dual-credit courses and  
24 career and technical education courses.

25 (2) The Coordinating Commission for Postsecondary Education may  
26 adopt and promulgate rules and regulations to carry out the Career-  
27 Readiness and Dual-Credit Education Grant Program.

28 Sec. 24. Section 79-8,137.05, Revised Statutes Cumulative  
29 Supplement, 2022, is amended to read:

30 ~~79-8,137.05~~ (1) The Excellence in Teaching Cash Fund is created. The  
31 fund shall consist of transfers ~~appropriations~~ by the Legislature,

1 transfers pursuant to section 1 of this act 9-812, and loan repayments,  
2 penalties, and interest payments received in the course of administering  
3 the Attracting Excellence to Teaching Program and the Enhancing  
4 Excellence in Teaching Program.

5 ~~(2)~~ (2)(a) For all fiscal years beginning on and after July 1, 2024,  
6 the commission shall allocate on an annual basis up to two hundred fifty  
7 thousand dollars of the funds transferred pursuant to section 1 of this  
8 act for grants to teachers pursuant to the Career-Readiness and Dual-  
9 Credit Education Grant Program.

10 (b) Of the funds remaining in the Excellence in Teaching Cash Fund  
11 after the distribution pursuant to subdivision (a) of this subsection,  
12 for ~~For~~ all fiscal years, the commission ~~department~~ shall allocate on an  
13 annual basis up to four hundred thousand dollars in the aggregate of the  
14 funds to be distributed for the Attracting Excellence to Teaching Program  
15 to all eligible institutions according to the distribution formula as  
16 determined by rule and regulation. The eligible institutions shall act as  
17 agents of the commission ~~department~~ in the distribution of the funds for  
18 the Attracting Excellence to Teaching Program to eligible students. The  
19 commission ~~department~~ shall allocate on an annual basis up to eight  
20 hundred thousand dollars of the remaining available funds to be  
21 distributed to eligible students for the Enhancing Excellence in Teaching  
22 Program. Funding amounts granted in excess of one million two hundred  
23 thousand dollars shall be evenly divided for distribution between the two  
24 programs.

25 (3) Any money in the Excellence in Teaching Cash Fund available for  
26 investment shall be invested by the state investment officer pursuant to  
27 the Nebraska Capital Expansion Act and the Nebraska State Funds  
28 Investment Act.

29 Sec. 25. Section 79-8,138, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 ~~79-8,138~~ The commission ~~department~~ has the administrative

1 responsibility to track borrowers and to develop repayment tracking and  
2 collection mechanisms for the Attracting Excellence to Teaching Program  
3 and the Enhancing Excellence in Teaching Program. The commission  
4 ~~department~~ may contract for such services. When a loan has been forgiven  
5 pursuant to section ~~18 79-8,137~~ or 22 of this act 79-8,137.04, the amount  
6 forgiven may be taxable income to the borrower and the commission  
7 ~~department~~ shall provide notification of the amount forgiven to the  
8 borrower, the Department of Revenue, and the United States Internal  
9 Revenue Service if required by the Internal Revenue Code.

10 Sec. 26. Section 79-8,139, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 ~~79-8,139~~ (1) Each eligible institution shall file an annual report  
13 with the commission ~~department~~ for the Attracting Excellence to Teaching  
14 Program and the Enhancing Excellence in Teaching Program for any fiscal  
15 year in which the eligible institution receives funding to distribute to  
16 students pursuant to either or both of such programs containing such  
17 information as required by rule and regulation. On or before December 31  
18 of each even-numbered year, the commission ~~department~~ shall submit a  
19 report to the Governor, the Clerk of the Legislature, and the Education  
20 Committee of the Legislature on the status of the programs, the status of  
21 the borrowers, and the impact of the programs on the number of teachers  
22 in shortage areas in Nebraska and on the number of teachers receiving  
23 graduate degrees in teaching endorsement areas in Nebraska or receiving  
24 approval to teach postsecondary courses by a Nebraska postsecondary  
25 educational institution. The report submitted to the Clerk of the  
26 Legislature and the committee shall be submitted electronically. Each  
27 report shall include information on an institution-by-institution basis,  
28 the status of borrowers, and a financial statement with a description of  
29 the activity of the Excellence in Teaching Cash Fund.

30 (2) Any report pursuant to this section which includes information  
31 about borrowers shall exclude confidential information or any other

1 information which specifically identifies a borrower.

2 Sec. 27. Section 79-8,140, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 ~~79-8,140~~ The State Board of Education may adopt and promulgate rules  
5 and regulations to determine teacher shortage areas. The commission may  
6 adopt and promulgate rules and regulations and to carry out the  
7 Excellence in Teaching Act.

8 Sec. 28. Sections 28 to 38 of this act shall be known and may be  
9 cited as the Door to College Scholarship Act.

10 Sec. 29. For purposes of the Door to College Scholarship Act:

11 (1) Award means a grant of money under the act by the commission in  
12 the form of a Door to College Scholarship to an eligible student for  
13 educational expenses;

14 (2) Award year means the period beginning on July 1 through the  
15 following June 30;

16 (3) Commission means the Coordinating Commission for Postsecondary  
17 Education;

18 (4) Educational expenses means student costs for tuition, mandatory  
19 fees, other education-related fees, room and board, books, and other  
20 costs related to a student's education;

21 (5) Eligible postsecondary educational institution means a public or  
22 private postsecondary educational institution:

23 (a) Located in Nebraska;

24 (b) Primarily engaged in the instruction of students;

25 (c) Satisfying state statutory requirements relating to the approval  
26 and licensure of schools, colleges, and universities and maintaining  
27 accreditation by an accrediting organization recognized by the United  
28 States Department of Education;

29 (d) Offering courses of instruction in regularly scheduled classes  
30 to regularly enrolled undergraduate students who reside in Nebraska and  
31 have received a high school diploma or the equivalent; and

1       (e) Which has adopted, and has available for inspection, award  
2 refund and repayment policies;

3       (6) Eligible student means an undergraduate student who:

4       (a) Graduated from high school from an accredited education program  
5 at a youth rehabilitation and treatment center operated and utilized in  
6 compliance with state law or graduated from an approved or accredited  
7 public, private, denominational, or parochial school within one year  
8 after being discharged from a youth rehabilitation and treatment center  
9 operated and utilized in compliance with state law;

10       (b) Is enrolled in an eligible postsecondary educational  
11 institution;

12       (c) Has applied for federal financial aid through the Free  
13 Application for Federal Student Aid for the applicable award year;

14       (d) Is a resident student who is domiciled in Nebraska as provided  
15 by section 85-502; and

16       (e) Complies with all other provisions of the Door to College  
17 Scholarship Act and any rules and regulations adopted and promulgated  
18 pursuant to the act;

19       (7) Full-time status means enrollment in at least twenty-four  
20 semester credit hours, thirty-six quarter credit hours, or nine hundred  
21 clock hours per award year;

22       (8) Part-time status means enrollment in at least twelve semester  
23 credit hours, eighteen quarter credit hours, or four hundred fifty clock  
24 hours per award year; and

25       (9) Undergraduate student means an individual who has not earned a  
26 first baccalaureate or professional degree and is enrolled in a  
27 postsecondary educational program which leads to, or is creditable  
28 toward, a first baccalaureate degree, associate degree, certificate,  
29 diploma, or the equivalent.

30       Sec. 30. The commission shall, as provided in the Door to College  
31 Scholarship Act, provide for awards to be made directly to eligible

1 students beginning with the 2024-25 school year. An award shall not  
2 exceed a maximum of five thousand dollars annually to an eligible student  
3 with a full-time status and shall be prorated for eligible students with  
4 a part-time status. The commission may adjust the value of awards  
5 annually to make awards to all eligible applicants who apply by the  
6 application deadline set by the commission.

7       Sec. 31. (1) Eligible postsecondary educational institutions,  
8 acting as agents of the commission, shall:

9           (a) Receive and process applications for awards under the Door to  
10 College Scholarship Act;

11           (b) Determine eligibility of students based on criteria set forth in  
12 the act; and

13           (c) No later than the application deadline set by the commission,  
14 make recommendations to the commission for awards to eligible students,  
15 including the name and social security number of each eligible student.

16       (2) An award under the Door to College Scholarship Act shall not be  
17 used by a postsecondary educational institution to reduce institutional  
18 scholarships, grants, or tuition or fee waivers that a student would  
19 otherwise be eligible to receive if such student did not receive an award  
20 under the act.

21       Sec. 32. (1) Within thirty days after receiving recommendations  
22 pursuant to section 31 of this act, the commission shall review the  
23 recommended awards for compliance with the Door to College Scholarship  
24 Act and any rules and regulations adopted and promulgated pursuant to the  
25 act and notify each eligible postsecondary educational institution of the  
26 approval or disapproval of recommended awards.

27       (2) The commission shall distribute to each eligible postsecondary  
28 educational institution the total award amount approved for eligible  
29 students at such institution. The eligible postsecondary educational  
30 institution shall act as an agent of the commission to disburse the  
31 awards directly to eligible students during the award year.

1           Sec. 33. An award may be granted to an eligible student for  
2 attendance at an eligible postsecondary educational institution if:

3           (1) The eligible student is accepted for enrollment as follows:

4           (a) In the case of an eligible student beginning the first year in  
5 attendance at an eligible postsecondary educational institution, such  
6 eligible student has satisfied requirements for admission and has  
7 enrolled or indicated an intent to enroll in an eligible postsecondary  
8 educational institution; or

9           (b) In the case of an eligible student enrolled in an eligible  
10 postsecondary educational institution following the successful completion  
11 of the student's first year in attendance, such eligible student  
12 continues to meet the requirements of the Door to College Scholarship Act  
13 and has maintained the minimum standards of performance as required by  
14 the eligible postsecondary educational institution in which the eligible  
15 student is enrolled;

16           (2) The eligible student receiving such award certifies that the  
17 award will be used only for educational expenses; and

18           (3) The eligible student has complied with the act and any rules and  
19 regulations adopted and promulgated pursuant to the act.

20           Sec. 34. (1) A recipient of an award shall:

21           (a) Attend all required courses regularly;

22           (b) Meet with an assigned advisor at regular intervals to discuss  
23 academic progress and to develop a job-search plan; and

24           (c) Maintain good academic standing at the eligible postsecondary  
25 educational institution without any disciplinary action by such  
26 institution.

27           (2) An award may be terminated if such person fails to meet the  
28 requirements of this section.

29           Sec. 35. If an award recipient discontinues attendance before the  
30 end of the award year or the award is terminated pursuant to section 34  
31 of this act, the award recipient shall remit any award balance allowable

1 to the eligible postsecondary educational institution in accordance with  
2 such institution's withdrawal policy. The institution shall remit such  
3 award balance to the commission in accordance with such institution's  
4 refund policy.

5 Sec. 36. (1) The commission shall:

6 (a) Supervise the issuance of public information concerning the Door  
7 to College Scholarship Act; and

8 (b) Establish a reasonable and fair appeal procedure for students  
9 adversely affected by the actions of the commission or an eligible  
10 postsecondary educational institution in the distribution of funds or  
11 granting or termination of awards pursuant to the act.

12 (2) The commission may adopt and promulgate rules and regulations  
13 necessary to carry out the act.

14 Sec. 37. The Door to College Scholarship Act does not grant any  
15 authority to the commission to:

16 (1) Control or influence the policies of any eligible postsecondary  
17 educational institution because such institution accepts students who  
18 receive awards; or

19 (2) Require any eligible postsecondary educational institution to  
20 enroll any student receiving an award or, once admitted, to permit  
21 continued enrollment in such institution by any student receiving an  
22 award.

23 Sec. 38. The Door to College Scholarship Fund is created. The  
24 commission shall administer the fund, which shall consist of amounts  
25 transferred from the State Lottery Operation Trust Fund pursuant to  
26 section 1 of this act prior to July 1, 2029, as well as any money  
27 transferred by the Legislature and gifts, grants, or bequests from any  
28 source, including federal, state, public, and private sources. All  
29 amounts accruing to the Door to College Scholarship Fund shall be used to  
30 carry out the Door to College Scholarship Act. Any money in the fund  
31 available for investment shall be invested by the state investment

1 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
2 State Funds Investment Act.

3 Sec. 39. Sections 39 to 42 of this act shall be known and may be  
4 cited as the Extraordinary Increase in Special Education Expenditures  
5 Act.

6 Sec. 40. The Legislature finds that:

7 (1) The cost to educate students with special needs has increased in  
8 recent years;

9 (2) Special education expenditures can be unpredictable for school  
10 districts, particularly for school districts with small student  
11 populations, and can change dramatically from year to year as students  
12 with varying needs join or leave the school district;

13 (3) School districts may have difficulty covering large unexpected  
14 special education expenditures; and

15 (4) Assisting school districts upfront with large, unexpected  
16 special education expenditures allows such school districts to more  
17 easily meet the needs of all students.

18 Sec. 41. (1) On or before January 15 of each school fiscal year, a  
19 school district with expected special education expenditures that total  
20 (a) at least fifty thousand dollars annually or (b) one-half percent or  
21 more of such school district's annual budget, whichever is greater, may  
22 submit an application as prescribed by the State Department of Education  
23 to the department for a payment from the Extraordinary Increase in  
24 Special Education Expenditures Fund to cover an extraordinary increase in  
25 special education expenditures pursuant to the requirements of this  
26 section. Such application shall include the special education  
27 expenditures of the applicant school district as of the immediately  
28 preceding December 31 for the school fiscal year in which the application  
29 is submitted.

30 (2) The department shall divide the special education expenditures  
31 for the school fiscal year immediately preceding the school fiscal year

1 in which an application is submitted by two and multiply the result by  
2 one hundred seven percent for each applicant school district.

3 (3) Each applicant school district shall qualify for a maximum  
4 payment equal to the difference of the special education expenditures for  
5 the current school fiscal year submitted pursuant to subsection (1) of  
6 this section minus the amount calculated pursuant to subsection (2) of  
7 this section for such school district for such school fiscal year.

8 (4) The department shall make a payment to each applicant school  
9 district on or before January 31 for the school fiscal year in which the  
10 application is submitted. Such payment shall equal the maximum payment  
11 determined pursuant to subsection (3) of this section, except that if the  
12 sum of all maximum payments for applicant school districts for such  
13 school fiscal year exceeds the available balance in the Extraordinary  
14 Increase in Special Education Expenditures Fund, each payment shall be  
15 reduced proportionally so that the sum of all payments for applicant  
16 school districts for such school fiscal year equals the available balance  
17 in the fund.

18 Sec. 42. (1) The Extraordinary Increase in Special Education  
19 Expenditures Fund is created. The fund shall be administered by the State  
20 Department of Education and shall consist of money transferred by the  
21 Legislature. Any money in the fund available for investment shall be  
22 invested by the state investment officer pursuant to the Nebraska Capital  
23 Expansion Act and the Nebraska State Funds Investment Act.

24 (2) The department shall make a payment to each qualifying applicant  
25 school district from the Extraordinary Increase in Special Education  
26 Expenditures Fund pursuant to section 41 of this act for an extraordinary  
27 increase in special education expenditures. The department shall  
28 reimburse the fund for each such payment from the appropriation for  
29 special education and support services reimbursements pursuant to section  
30 79-1142 in the school fiscal year immediately following the school fiscal  
31 year in which each such payment was made.

1           (3) It is the intent of the Legislature to transfer two million five  
2 hundred thousand dollars from the Education Future Fund to the  
3 Extraordinary Increase in Special Education Expenditures Fund for fiscal  
4 year 2023-24 to carry out the Extraordinary Increase in Special Education  
5 Expenditures Act. It is the intent of the Legislature that the  
6 Extraordinary Increase in Special Education Expenditures Fund maintain a  
7 minimum balance at the start of each fiscal year of two million five  
8 hundred thousand dollars and that the Legislature make transfers from the  
9 Education Future Fund to the Extraordinary Increase in Special Education  
10 Expenditures Fund annually to maintain such balance.

11           Sec. 43. Sections 43 to 50 of this act shall be known and may be  
12 cited as the Nebraska Teacher Recruitment and Retention Act.

13           Sec. 44. The purpose of the Nebraska Teacher Recruitment and  
14 Retention Act is to provide financial incentives to recruit and retain  
15 teachers in Nebraska classrooms.

16           Sec. 45. For purposes of the Nebraska Teacher Recruitment and  
17 Retention Act:

18           (1) Department means the State Department of Education;

19           (2) Grant means a grant for teacher recruitment and retention  
20 payments under the Nebraska Teacher Recruitment and Retention Act; and

21           (3) Teacher means a person who holds a valid certificate to teach in  
22 Nebraska issued by the Commissioner of Education and is employed in  
23 Nebraska for the instruction of students in elementary or high school  
24 grades.

25           Sec. 46. (1) A teacher may apply to the department for a grant. The  
26 department shall not prioritize a grant based upon the school where the  
27 applicant teaches.

28           (2) A teacher is eligible to apply for:

29           (a) A retention one grant of two thousand five hundred dollars if  
30 the teacher has signed a contract to complete such teacher's second  
31 complete school year of full-time employment as a teacher at a Nebraska

1 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

2 (b) A retention two grant of two thousand five hundred dollars if  
3 the teacher has signed a contract to complete such teacher's fourth  
4 complete school year of full-time employment as a teacher at a Nebraska  
5 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

6 (c) A retention three grant of two thousand five hundred dollars if  
7 the teacher has signed a contract to complete such teacher's sixth  
8 complete school year of full-time employment as a teacher at a Nebraska  
9 school in school year 2023-24, 2024-25, 2025-26, or 2026-27; and

10 (d)(i) A high-need retention grant of five thousand dollars if on or  
11 after the operative date of this section a teacher:

12 (A) Obtains an endorsement in special education, mathematics,  
13 science, technology, or dual credit; and

14 (B) Signs a contract to complete a school year of full-time  
15 employment as a teacher at a Nebraska school in school year 2024-25,  
16 2025-26, or 2026-27.

17 (ii) A teacher shall only be eligible to receive one high-need  
18 retention grant.

19 Sec. 47. It is the intent of the Legislature to encourage  
20 individual schools and school districts to adopt policies incentivizing  
21 teacher recruitment and retention through policies similar to the  
22 Nebraska Teacher Recruitment and Retention Act. Teachers at schools not  
23 adopting a recruitment and retention policy shall not be prohibited from  
24 receiving a grant under the Nebraska Teacher Recruitment and Retention  
25 Act.

26 Sec. 48. It is the intent of the Legislature to use funds from the  
27 Education Future Fund to carry out the Nebraska Teacher Recruitment and  
28 Retention Act.

29 Sec. 49. The State Board of Education may adopt and promulgate  
30 rules and regulations to carry out the Nebraska Teacher Recruitment and  
31 Retention Act.

1           Sec. 50. The Nebraska Teacher Recruitment and Retention Act  
2 terminates on January 1, 2028.

3           Sec. 51. (1) For purposes of this section:

4           (a) Board means the State Board of Education;

5           (b) Department means the State Department of Education; and

6           (c) Program means the Nebraska Paraprofessional to Teacher Program.

7           (2)(a) The department shall create and administer the Nebraska  
8 Paraprofessional to Teacher Program. The purpose of the program is to  
9 help recruit and increase the number of teachers throughout the state by  
10 utilizing individuals employed as a paraprofessional or paraeducator at a  
11 school in this state through an alternative paraprofessional  
12 certification process.

13           (b) The department may work with standard institutions of higher  
14 education as defined in section 79-807, the Department of Labor, and  
15 other entities the State Department of Education deems necessary to  
16 develop and implement the program.

17           (3) The program shall provide services and supports to assist  
18 paraprofessionals and paraeducators in this state in obtaining a  
19 certificate to teach through training opportunities and grants to  
20 paraprofessionals or paraeducators for educational expenses required to  
21 obtain a certificate to teach.

22           (4) Subject to available funds, beginning in fiscal year 2023-24, a  
23 paraprofessional or paraeducator in this state may apply to the  
24 department on a form and in a manner prescribed by the department for a  
25 grant to fund educational expenses related to training or education  
26 required to obtain a certificate to teach in this state. Such educational  
27 expenses shall include tuition, books, and other required materials for a  
28 class or training. A grant shall not exceed three thousand dollars. The  
29 department shall give priority to applications in order of filing.

30           (5) The Paraprofessional to Teacher Program Fund is created. The  
31 fund shall be administered by the department to carry out the program.

1 The fund shall consist of money transferred by the Legislature and any  
2 gifts, grants, bequests, donations, or other contributions from public or  
3 private sources. Any money in the fund available for investment shall be  
4 invested by the state investment officer pursuant to the Nebraska Capital  
5 Expansion Act and the Nebraska State Funds Investment Act.

6 (6) It is the intent of the Legislature to transfer one million  
7 dollars for fiscal year 2023-24 and each fiscal year thereafter from the  
8 Education Future Fund to the Paraprofessional to Teacher Program Fund for  
9 the purposes of carrying out the program.

10 (7) The board may adopt and promulgate rules and regulations to  
11 carry out the program.

12 Sec. 52. Section 9-812, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 9-812 (1) All money received from the operation of lottery games  
15 conducted pursuant to the State Lottery Act in Nebraska shall be credited  
16 to the State Lottery Operation Trust Fund, which fund is hereby created.  
17 All payments of the costs of establishing and maintaining the lottery  
18 games shall be made from the State Lottery Operation Cash Fund. In  
19 accordance with legislative appropriations, money for payments for  
20 expenses of the division shall be transferred from the State Lottery  
21 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund  
22 is hereby created. All money necessary for the payment of lottery prizes  
23 shall be transferred from the State Lottery Operation Trust Fund to the  
24 State Lottery Prize Trust Fund, which fund is hereby created. The amount  
25 used for the payment of lottery prizes shall not be less than forty  
26 percent of the dollar amount of the lottery tickets which have been sold.

27 (2) A portion of the dollar amount of the lottery tickets which have  
28 been sold on an annualized basis shall be transferred from the State  
29 Lottery Operation Trust Fund ~~to the Education Innovation Fund, the~~  
30 ~~Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,~~  
31 ~~the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and~~

1 ~~the Compulsive Gamblers Assistance Fund~~ as provided in subsection (3) of  
2 this section. The dollar amount transferred pursuant to this subsection  
3 shall equal the greater of (a) the dollar amount transferred ~~to the funds~~  
4 in fiscal year 2002-03 or (b) any amount which constitutes at least  
5 twenty-two percent and no more than twenty-five percent of the dollar  
6 amount of the lottery tickets which have been sold on an annualized  
7 basis. To the extent that funds are available, the Tax Commissioner and  
8 director may authorize a transfer exceeding twenty-five percent of the  
9 dollar amount of the lottery tickets sold on an annualized basis.

10 (3) Of the money available to be transferred as provided in this  
11 subsection ~~to the Education Innovation Fund, the Nebraska Opportunity~~  
12 ~~Grant Fund, the Nebraska Education Improvement Fund, the Nebraska~~  
13 ~~Environmental Trust Fund, the Nebraska State Fair Board, and the~~  
14 ~~Compulsive Gamblers Assistance Fund:~~

15 (a) The first five hundred thousand dollars shall be transferred to  
16 the Compulsive Gamblers Assistance Fund to be used as provided in section  
17 9-1006;

18 (b) Forty-four ~~Beginning July 1, 2016, forty-four~~ and one-half  
19 percent of the money remaining after the payment of prizes and operating  
20 expenses and the initial transfer to the Compulsive Gamblers Assistance  
21 Fund shall be used for education and transferred pursuant to section 1 of  
22 this act ~~the Nebraska Education Improvement Fund;~~

23 (c) Forty-four and one-half percent of the money remaining after the  
24 payment of prizes and operating expenses and the initial transfer to the  
25 Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska  
26 Environmental Trust Fund to be used as provided in the Nebraska  
27 Environmental Trust Act;

28 (d) Ten percent of the money remaining after the payment of prizes  
29 and operating expenses and the initial transfer to the Compulsive  
30 Gamblers Assistance Fund shall be transferred to the Nebraska State Fair  
31 Board if the most populous city within the county in which the fair is

1 located provides matching funds equivalent to ten percent of the funds  
2 available for transfer. Such matching funds may be obtained from the city  
3 and any other private or public entity, except that no portion of such  
4 matching funds shall be provided by the state. If the Nebraska State Fair  
5 ceases operations, ten percent of the money remaining after the payment  
6 of prizes and operating expenses and the initial transfer to the  
7 Compulsive Gamblers Assistance Fund shall be transferred to the General  
8 Fund; and

9 (e) One percent of the money remaining after the payment of prizes  
10 and operating expenses and the initial transfer to the Compulsive  
11 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers  
12 Assistance Fund to be used as provided in section 9-1006.

13 ~~(4) The Nebraska Education Improvement Fund is created. The fund~~  
14 ~~shall consist of money transferred pursuant to subsection (3) of this~~  
15 ~~section, money transferred pursuant to section 85-1920, and any other~~  
16 ~~funds appropriated by the Legislature. The fund shall be allocated, after~~  
17 ~~actual and necessary administrative expenses, as provided in this section~~  
18 ~~for fiscal years 2016-17 through 2023-24. A portion of each allocation~~  
19 ~~may be retained by the agency to which the allocation is made or the~~  
20 ~~agency administering the fund to which the allocation is made for actual~~  
21 ~~and necessary expenses incurred by such agency for administration,~~  
22 ~~evaluation, and technical assistance related to the purposes of the~~  
23 ~~allocation, except that no amount of the allocation to the Nebraska~~  
24 ~~Opportunity Grant Fund may be used for such purposes. On or before~~  
25 ~~December 31, 2022, the Education Committee of the Legislature shall~~  
26 ~~electronically submit recommendations to the Clerk of the Legislature~~  
27 ~~regarding how the fund should be allocated to best advance the~~  
28 ~~educational priorities of the state for the five-year period beginning~~  
29 ~~with fiscal year 2024-25. For fiscal year 2016-17, an amount equal to ten~~  
30 ~~percent of the revenue allocated to the Education Innovation Fund and to~~  
31 ~~the Nebraska Opportunity Grant Fund for fiscal year 2015-16 shall be~~

1 ~~retained in the Nebraska Education Improvement Fund.~~

2 ~~For fiscal years 2017-18 through 2023-24, an amount equal to ten~~  
3 ~~percent of the revenue received by the Nebraska Education Improvement~~  
4 ~~Fund in the prior fiscal year shall be retained in the fund at all times~~  
5 ~~plus any interest earned during the current fiscal year.~~

6 ~~For fiscal years 2016-17 through 2023-24, the remainder of the fund~~  
7 ~~shall be allocated as follows:~~

8 ~~(a) One percent of the allocated funds to the Expanded Learning~~  
9 ~~Opportunity Grant Fund to carry out the Expanded Learning Opportunity~~  
10 ~~Grant Program Act;~~

11 ~~(b) Seventeen percent of the allocated funds to the Department of~~  
12 ~~Education Innovative Grant Fund to be used for competitive innovation~~  
13 ~~grants pursuant to section 79-1054;~~

14 ~~(c) Nine percent of the allocated funds to the Community College Gap~~  
15 ~~Assistance Program Fund to carry out the community college gap assistance~~  
16 ~~program;~~

17 ~~(d) Eight percent of the allocated funds to the Excellence in~~  
18 ~~Teaching Cash Fund to carry out the Excellence in Teaching Act;~~

19 ~~(e) Sixty-two percent of the allocated funds to the Nebraska~~  
20 ~~Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in~~  
21 ~~conjunction with appropriations from the General Fund; and~~

22 ~~(f) Three percent of the allocated funds to fund distance education~~  
23 ~~incentives pursuant to section 79-1337.~~

24 ~~(5)(a) On or before September 20, 2022, and on or before each~~  
25 ~~September 20 thereafter, (i) any department or agency receiving a~~  
26 ~~transfer or acting as the administrator for a fund receiving a transfer~~  
27 ~~pursuant to subsection (4) of this section, (ii) any recipient or~~  
28 ~~subsequent recipient of money from any such fund, and (iii) any service~~  
29 ~~contractor responsible for managing any portion of any such fund or any~~  
30 ~~money disbursed from any such fund on behalf of any entity shall prepare~~  
31 ~~and submit an annual report to the Auditor of Public Accounts in a manner~~

1 ~~prescribed by the auditor for the immediately preceding July 1 through~~  
2 ~~June 30 fiscal year detailing information regarding the use of such fund~~  
3 ~~or such money.~~

4 ~~(b) The Auditor of Public Accounts shall annually compile a summary~~  
5 ~~of the annual reports received pursuant to subdivision (5)(a) of this~~  
6 ~~section, any audits related to transfers pursuant to subsection (4) of~~  
7 ~~this section conducted by the Auditor of Public Accounts, and any~~  
8 ~~findings or recommendations related to such transfers into a consolidated~~  
9 ~~annual report and shall submit such consolidated annual report~~  
10 ~~electronically to the Legislature on or before January 1, 2023, and on or~~  
11 ~~before each January 1 thereafter.~~

12 ~~(c) For purposes of this subsection, recipient, subsequent~~  
13 ~~recipient, or service contractor means a nonprofit entity that expends~~  
14 ~~funds transferred pursuant to subsection (4) of this section to carry out~~  
15 ~~a state program or function, but does not include an individual who is a~~  
16 ~~direct beneficiary of such a program or function.~~

17 ~~(4) (6) Any money in the State Lottery Operation Trust Fund, the~~  
18 ~~State Lottery Operation Cash Fund, or the State Lottery Prize Trust Fund,~~  
19 ~~or the Nebraska Education Improvement Fund available for investment shall~~  
20 ~~be invested by the state investment officer pursuant to the Nebraska~~  
21 ~~Capital Expansion Act and the Nebraska State Funds Investment Act.~~

22 ~~(5) (7) Unclaimed prize money on a winning lottery ticket shall be~~  
23 ~~retained for a period of time prescribed by rules and regulations. If no~~  
24 ~~claim is made within such period, the prize money shall be used at the~~  
25 ~~discretion of the Tax Commissioner for any of the purposes prescribed in~~  
26 ~~this section.~~

27 Sec. 53. Section 9-836.01, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 9-836.01 The division may endorse and sell for profit tangible  
30 personal property related to the lottery. Any money received as profit by  
31 the division pursuant to this section shall be remitted to the State

1 Treasurer for credit to the State Lottery Operation Trust Fund to be  
2 distributed to the ~~Nebraska Opportunity Grant Fund, the Nebraska~~  
3 ~~Education Improvement Fund, the Nebraska Environmental Trust Fund, and~~  
4 ~~the Compulsive Gamblers Assistance Fund~~ pursuant to the requirements of  
5 section 9-812.

6 Sec. 54. Section 79-101, Revised Statutes Cumulative Supplement,  
7 2022, is amended to read:

8 79-101 For purposes of Chapter 79:

9 (1) School district means the territory under the jurisdiction of a  
10 single school board authorized by Chapter 79;

11 (2) School means a school under the jurisdiction of a school board  
12 authorized by Chapter 79;

13 (3) Legal voter means a registered voter as defined in section  
14 32-115 who is domiciled in a precinct or ward in which he or she is  
15 registered to vote and which precinct or ward lies in whole or in part  
16 within the boundaries of a school district for which the registered voter  
17 chooses to exercise his or her right to vote at a school district  
18 election;

19 (4) Prekindergarten programs means all early childhood programs  
20 provided for children who have not reached the age of five by the date  
21 provided in section 79-214 for kindergarten entrance;

22 (5) Elementary grades means grades kindergarten through eight,  
23 inclusive;

24 (6) High school grades means all grades above the eighth grade;

25 (7) School year means (a) for elementary grades other than  
26 kindergarten, the time equivalent to at least one thousand thirty-two  
27 instructional hours and (b) for high school grades, the time equivalent  
28 to at least one thousand eighty instructional hours;

29 (8) Instructional hour means a period of time, at least sixty  
30 minutes, which is actually used for the instruction of students;

31 (9) Teacher means any certified employee who is regularly employed

1 for the instruction of pupils in the public schools;

2 (10) Administrator means any certified employee such as  
3 superintendent, assistant superintendent, principal, assistant principal,  
4 school nurse, or other supervisory or administrative personnel who do not  
5 have as a primary duty the instruction of pupils in the public schools;

6 (11) School board means the governing body of any school district.  
7 Board of education has the same meaning as school board;

8 (12) Teach means and includes, but is not limited to, the following  
9 responsibilities: (a) The organization and management of the classroom or  
10 the physical area in which the learning experiences of pupils take place;  
11 (b) the assessment and diagnosis of the individual educational needs of  
12 the pupils; (c) the planning, selecting, organizing, prescribing, and  
13 directing of the learning experiences of pupils; (d) the planning of  
14 teaching strategies and the selection of available materials and  
15 equipment to be used; and (e) the evaluation and reporting of student  
16 progress;

17 (13) Permanent school fund means the fund described in section  
18 79-1035.01;

19 (14) Temporary school fund means the fund described in section  
20 79-1035.02;

21 (15) School lands means the lands described in section 79-1035.03.  
22 Educational lands has the same meaning as school lands;

23 (16) Community eligibility provision means the alternative to  
24 household applications for free and reduced-price meals in high-poverty  
25 schools enacted in section 104(a) of the federal Healthy, Hunger-Free  
26 Kids Act of 2010, section 11(a)(1) of the Richard B. Russell National  
27 School Lunch Act, 42 U.S.C. 1759a(a)(1), as such act and section existed  
28 on January 1, 2015, and administered by the United States Department of  
29 Agriculture; and

30 (17) Certificate, certificated, or certified, when referring to an  
31 individual holding a certificate to teach, administer, or provide special

1 services, also includes an individual who holds a permit issued by the  
2 Commissioner of Education pursuant to sections 79-806 to 79-815 or an  
3 alternative certificate to teach issued pursuant to section 87 of this  
4 act.

5 The State Board of Education may adopt and promulgate rules and  
6 regulations to define school day and other appropriate units of the  
7 school calendar.

8 Sec. 55. Section 79-238, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

10 79-238 (1)(a) (1) Except as provided in this section and sections  
11 79-235.01 and 79-240, the school board of the option school district  
12 shall adopt by resolution specific capacity standards for acceptance and  
13 rejection of applications ~~and for providing transportation for option~~  
14 ~~students.~~

15 (b) Capacity for special education services operated by an option  
16 school district shall be determined on a case-by-case basis. If an  
17 application for option enrollment received by a school district indicates  
18 that the student has an individualized education program under the  
19 federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et  
20 seq., or has been diagnosed with a disability as defined in section  
21 79-1118.01, such application shall be evaluated by the director of  
22 special education services of the school district or the director's  
23 designee who shall determine if the school district and the appropriate  
24 class, grade level, or school building in such school district has the  
25 capacity to provide the applicant the appropriate services and  
26 accommodations.

27 (c) For all other students, standards ~~Standards~~ may include the  
28 capacity of a program, class, grade level, or school building ~~or the~~  
29 ~~availability of appropriate special education programs operated by the~~  
30 ~~option school district. Capacity~~ For a school district that is not a  
31 ~~member of a learning community, capacity~~ shall be determined by setting a

1 maximum number of option students that a district will accept in any  
2 program, class, grade level, or school building, based upon available  
3 staff, facilities, projected enrollment of resident students, and  
4 projected number of students with which the option school district will  
5 contract based on existing contractual arrangements, ~~and availability of~~  
6 ~~appropriate special education programs.~~

7 (d) To facilitate option enrollment ~~within a learning community,~~  
8 ~~member~~ school districts shall annually (a) establish, publish, and report  
9 the a maximum capacity for each school building under such district's  
10 control pursuant to procedures, criteria, and deadlines established by  
11 the State Department of Education learning community coordinating council  
12 ~~and (b) provide a copy of the standards for acceptance and rejection of~~  
13 ~~applications and transportation policies for option students to the~~  
14 ~~learning community coordinating council.~~ Except as otherwise provided in  
15 this section, a the school board of the option school district may by  
16 resolution, prior to October 15 of each school year, declare a program, a  
17 class, or a school unavailable to option students for the next school  
18 year due to lack of capacity. Standards shall not include previous  
19 academic achievement, athletic or other extracurricular ability,  
20 disabilities, proficiency in the English language, or previous  
21 disciplinary proceedings except as provided in section 79-266.01. False  
22 or substantively misleading information submitted by a parent or guardian  
23 on an application to an option school district may be cause for the  
24 option school district to reject a previously accepted application if the  
25 rejection occurs prior to the student's attendance as an option student.

26 (2) The school board of every school district shall also adopt  
27 specific standards and conditions for acceptance or rejection of a  
28 request for release of a resident or option student submitting an  
29 application to an option school district after March 15 under subsection  
30 (1) of section 79-237. Standards shall not include that a request  
31 occurred after the deadline set forth in this subsection.

1           (3) Any option school district that is not a member of a learning  
2 community shall give first priority for enrollment to siblings of option  
3 students, except that the option school district shall not be required to  
4 accept the sibling of an option student if the district is at capacity  
5 except as provided in subsection (1) of section 79-240.

6           (4) Any option school district that is in a learning community shall  
7 give first priority for enrollment to siblings of option students  
8 enrolled in the option school district, second priority for enrollment to  
9 students who have previously been enrolled in the option school district  
10 as an open enrollment student, third priority for enrollment to students  
11 who reside in the learning community and who contribute to the  
12 socioeconomic diversity of enrollment at the school building to which the  
13 student will be assigned pursuant to section 79-235, and final priority  
14 for enrollment to other students who reside in the learning community.  
15 The option school district shall not be required to accept a student  
16 meeting the priority criteria in this section if the district is at  
17 capacity as determined pursuant to subsection (1) of this section except  
18 as provided in section 79-235.01 or 79-240. For purposes of the  
19 enrollment option program, a student who contributes to the socioeconomic  
20 diversity of enrollment at a school building within a learning community  
21 means (a) a student who does not qualify for free or reduced-price  
22 lunches when, based upon the certification pursuant to section 79-2120,  
23 the school building the student will be assigned to attend either has  
24 more students qualifying for free or reduced-price lunches than the  
25 average percentage of such students in all school buildings in the  
26 learning community or provides free meals to all students pursuant to the  
27 community eligibility provision or (b) a student who qualifies for free  
28 or reduced-price lunches based on information collected voluntarily from  
29 parents and guardians pursuant to section 79-237 when, based upon the  
30 certification pursuant to section 79-2120, the school building the  
31 student will be assigned to attend has fewer students qualifying for free

1 or reduced-price lunches than the average percentage of such students in  
2 all school buildings in the learning community and does not provide free  
3 meals to all students pursuant to the community eligibility provision.

4 Sec. 56. Section 79-239, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 79-239 (1) If an application is rejected by the option school  
7 district or if the resident school district rejects a request for release  
8 under subsection (1) of section 79-237, the rejecting school district  
9 shall provide written notification to the parent or guardian stating (a)  
10 the specific reasons for the rejection including, for students with an  
11 individualized education program under the federal Individuals with  
12 Disabilities Education Act, 20 U.S.C. 1400 et seq., or with a diagnosed  
13 disability as defined in section 79-1118.01, a description of services  
14 and accommodations required that the school district does not have the  
15 capacity to provide, and (b) the process for appealing such rejection to  
16 the State Board of Education. Such notification shall be sent by  
17 certified mail.

18 (2) The parent or legal guardian may appeal a rejection to the State  
19 Board of Education by filing a written request, together with a copy of  
20 the rejection notice, with the State Board of Education. Such request and  
21 copy of the notice must be received by the board within thirty days after  
22 the date the notification of the rejection was received by the parent or  
23 legal guardian. Such hearing shall be held in accordance with the  
24 Administrative Procedure Act and shall determine whether the procedures  
25 of sections 79-234 to 79-241 have been followed.

26 (3)(a) Beginning July 1, 2024, and on or before July 1 of each year  
27 thereafter, each school district shall provide to the State Department of  
28 Education, on forms prescribed by the department, information relating to  
29 all applications rejected by the option school district. Such information  
30 shall include, but not be limited to, (a) the number of applications  
31 rejected in each public school in such district, (b) an explanation why

1 each application was rejected, (c) whether each application for option  
2 enrollment indicated that the student had an individualized education  
3 program under the federal Individuals with Disabilities Education Act, 20  
4 U.S.C. 1400 et seq., or had been diagnosed with a disability as defined  
5 in section 79-1118.01, and (d) whether information regarding the  
6 requirements of subsection (4) of section 79-238 was provided to the  
7 applicant.

8 (b) The State Department of Education shall annually compile the  
9 information received pursuant to this subsection and provide a report on  
10 such information electronically to the Legislature beginning on September  
11 1, 2024, and on or before September 1 of each year thereafter. The State  
12 Board of Education may adopt and promulgate rules and regulations to  
13 carry out this subsection.

14 Sec. 57. Section 79-244, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 79-244 The enrollment option program does not preclude a school  
17 district from contracting with other school districts, educational  
18 service units, or other state-approved entities for the provision of  
19 services. ~~A child with a disability receiving services from another~~  
20 ~~district pursuant to contract due to lack of appropriate programming in~~  
21 ~~his or her resident school district is not eligible to transfer as an~~  
22 ~~option student into the district currently providing services but is~~  
23 ~~eligible to transfer as an option student into any other district which~~  
24 ~~accepts option students and has an appropriate program.~~

25 Sec. 58. Section 79-254, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 79-254 Sections 79-254 to 79-294 and sections 59, 60, and 61 of this  
28 act shall be known and may be cited as the Student Discipline Act.

29 Sec. 59. (1) On or before July 1, 2025, the State Department of  
30 Education shall develop and adopt a model policy relating to behavioral  
31 intervention, behavioral management, classroom management, and removal of

1 a student from a classroom in school. The model policy shall include  
2 appropriate training for school employees on behavioral intervention,  
3 behavioral management, classroom management, and removal of a student  
4 from a classroom in schools and how frequently such training shall be  
5 required.

6 (2) On or before August 1, 2025, each school district shall develop  
7 and adopt a policy consistent with or comparable to the model policy  
8 developed by the State Department of Education pursuant to subsection (1)  
9 of this section, which shall be a requirement for accreditation in  
10 accordance with section 79-703. Such policy shall be filed with the  
11 Commissioner of Education. The policy developed and adopted by a school  
12 district pursuant to this subsection shall be included with any  
13 notifications required under the Student Discipline Act.

14 (3)(a) Beginning in school year 2026-27, each school district shall  
15 ensure that any school employee who has behavioral management  
16 responsibilities participates in behavioral awareness and intervention  
17 training consistent with the school district policy developed and adopted  
18 in accordance with subsection (2) of this section. Such training shall be  
19 provided by the school district or such school district's educational  
20 service unit.

21 (b) Each school district shall, either independently, or through the  
22 educational service unit of which such school district is a member,  
23 develop and provide behavioral awareness and intervention training to  
24 employees from such school who have behavioral management  
25 responsibilities. If such training is provided by the educational service  
26 unit, such training shall be available to any educational service unit  
27 employee and any member school district employee that works in a school  
28 and has behavioral management responsibilities. Such training shall be  
29 consistent with the model policy developed by the State Department of  
30 Education pursuant to subsection (1) of this section.

31 (4) The State Board of Education may adopt and promulgate rules and

1 regulations to carry out this section.

2       Sec. 60. (1) Except as provided in subsection (2) of this section,  
3 an elementary school shall not suspend a student in pre-kindergarten  
4 through second grade. Each school district shall develop a policy to  
5 implement this section which shall include disciplinary measures inside  
6 the school as an alternative to suspension.

7       (2) An elementary school may suspend a student in pre-kindergarten  
8 through second grade if such student brings a deadly weapon as defined in  
9 section 28-109 on school grounds, in a vehicle owned, leased, or  
10 contracted by a school being used for a school purpose or in a vehicle  
11 being driven for a school purpose by a school employee or his or her  
12 designee, or at a school-sponsored activity or athletic event.

13       Sec. 61. Any student who is suspended shall be given an opportunity  
14 to complete any classwork and homework missed during the period of  
15 suspension, including, but not limited to, examinations. Each school  
16 district shall develop and adopt guidelines that provide any such student  
17 with the opportunity to complete classwork and homework. Such guidelines  
18 shall not require the student to attend the school district's alternative  
19 programs for expelled students in order to complete classwork and  
20 homework. The guidelines shall be provided to the student and a parent or  
21 guardian at the time of suspension.

22       Sec. 62. Section 79-256, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24       79-256 For purposes of the Student Discipline Act, unless the  
25 context otherwise requires:

26       (1) Long-term suspension means the exclusion of a student from  
27 attendance in all schools within the system for a period exceeding five  
28 school days but less than twenty school days;

29       (2) Expulsion means exclusion from attendance in all schools within  
30 the system in accordance with section 79-283;

31       (3) Mandatory reassignment means the involuntary transfer of a

1 student to another school ~~in connection with any disciplinary action~~; and  
2 (4) Short-term suspension means the exclusion of a student from  
3 attendance in all schools within the system for a period not to exceed  
4 five school days.

5 Sec. 63. Section 79-263, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 79-263 (1) Except as provided in section 60 of this act, each Each  
8 school district shall adopt a policy requiring the expulsion from school  
9 for a period of not less than one year of any student who is determined  
10 to have knowingly and intentionally possessed, used, or transmitted a  
11 firearm on school grounds, in a vehicle owned, leased, or contracted by a  
12 school being used for a school purpose or in a vehicle being driven for a  
13 school purpose by a school employee or his or her designee, or at a  
14 school-sponsored activity or athletic event. For purposes of this  
15 section, firearm means a firearm as defined in 18 U.S.C. 921. The policy  
16 shall authorize the superintendent or the school board or board of  
17 education to modify the expulsion requirement on an individual basis.

18 (2) Each school district shall provide annually to the State  
19 Department of Education:

20 (a) An assurance that the school district has in effect the policy  
21 required by subsection (1) of this section; and

22 (b) A description of the circumstances surrounding any expulsions  
23 imposed under the policy required by subsection (1) of this section,  
24 including:

25 (i) The name of the school concerned;

26 (ii) The number of students expelled from the school; and

27 (iii) The types of weapons concerned.

28 Sec. 64. Section 79-265, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 79-265 (1) Except as provided in section 60 of this act, the The  
31 principal may deny any student the right to attend school or to take part

1 in any school function for a period of up to five school days on the  
2 following grounds:

3 (a) Conduct constituting grounds for expulsion as set out in the  
4 Student Discipline Act; or

5 (b) Any other violation of rules and standards of behavior adopted  
6 under the act.

7 (2) Such short-term suspension shall be made only after the  
8 principal has made an investigation of the alleged conduct or violation  
9 and has determined that such suspension is necessary to help any student,  
10 to further school purposes, or to prevent an interference with school  
11 purposes.

12 (3) Before such short-term suspension takes effect, the student  
13 shall be given oral or written notice of the charges against him or her,  
14 an explanation of the evidence the authorities have, and an opportunity  
15 to present his or her version.

16 (4) Within twenty-four hours or such additional time as is  
17 reasonably necessary, not to exceed an additional forty-eight hours,  
18 following such suspension, the principal shall send a written statement  
19 to the student and his or her parent or guardian describing the student's  
20 conduct, misconduct, or violation of the rule or standard and the reasons  
21 for the action taken. The principal shall make a reasonable effort to  
22 hold a conference with the parent or guardian before or at the time the  
23 student returns to school and shall document such effort in writing.

24 ~~(5) Any student who is suspended pursuant to this section may be~~  
25 ~~given an opportunity to complete any classwork, including, but not~~  
26 ~~limited to, examinations, missed during the period of suspension. Each~~  
27 ~~public school district shall develop and adopt guidelines stating the~~  
28 ~~criteria school officials shall use in determining whether and to what~~  
29 ~~extent such opportunity for completion will be granted to suspended~~  
30 ~~students. The guidelines shall be provided to the student and parent or~~  
31 ~~guardian at the time of suspension.~~

1           Sec. 65. Section 79-266, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           79-266 (1) Beginning July 1, 1997, each school district shall have  
4 an alternative school, class, or educational program or the procedures of  
5 subsection (2) of this section available or in operation for all expelled  
6 students.

7           Any two or more school boards or boards of education may join  
8 together in providing alternative schools, classes, or educational  
9 programs. Any district may by agreement with another district send its  
10 suspended or expelled students to any alternative school, class, or  
11 educational program already in operation by such other district. An  
12 educational program may include, but shall not be limited to,  
13 individually prescribed educational and counseling programs or a  
14 community-centered classroom with experiences for the student as an  
15 observer or aide in governmental functions, as an on-the-job trainee, or  
16 as a participant in specialized tutorial experiences. Such programs shall  
17 include an individualized learning program to enable the student to  
18 continue academic work for credit toward graduation. The State Department  
19 of Education shall adopt and promulgate rules and regulations relating to  
20 alternative schools, classes, and educational programs.

21           (2) If a district does not provide an alternative school, class, or  
22 educational program for expelled students, the district shall follow the  
23 procedures in this subsection prior to expelling a student unless the  
24 expulsion was required by subsection (4) of section 79-283: A conference  
25 shall be called by a school administrator and held to assist the district  
26 in the development of a plan with the participation of a parent or legal  
27 guardian, the student, a school representative, and a representative of  
28 either a community organization with a mission of assisting young people  
29 or a representative of an agency involved with juvenile justice. The plan  
30 shall be in writing and adopted by a school administrator and presented  
31 to the student and the parent or legal guardian. The plan shall (a)

1 specify guidelines and consequences for behaviors which have been  
2 identified as preventing the student from achieving the desired benefits  
3 from the educational opportunities provided, (b) identify educational  
4 objectives that must be achieved in order to receive credits toward  
5 graduation, (c) specify the financial resources and community programs  
6 available to meet both the educational and behavioral objectives  
7 identified, and (d) require the student to attend monthly reviews in  
8 order to assess the student's progress toward meeting the specified goals  
9 and objectives.

10 (3) A school district that has expelled a student may suspend the  
11 enforcement of such expulsion unless the expulsion was required by  
12 subsection (4) of section 79-283. The suspension may be for a period not  
13 to exceed the length of the expulsion. As a condition of such suspended  
14 action, the school district may require participation in a plan pursuant  
15 to subsection (2) of this section or assign the student to a school,  
16 class, or educational program which the school district deems  
17 appropriate.

18 At the conclusion of such suspension period, the school district  
19 shall (a) reinstate any student who has satisfactorily participated in a  
20 plan pursuant to subsection (2) of this section or the school, class, or  
21 educational program to which such student has been assigned and permit  
22 the student to return to the school of former attendance or to attend  
23 other programs offered by the district or (b) if the student's conduct  
24 has been unsatisfactory, enforce the remainder of the expulsion action.

25 If the student is reinstated, the district may also take action to  
26 expunge the record of the expulsion action.

27 (4) At the conclusion of an expulsion, a school district shall  
28 reinstate the student and accept nonduplicative, grade-appropriate  
29 credits earned by the student during the term of expulsion from any  
30 Nebraska accredited institution or institution accredited by one of the  
31 six regional accrediting bodies in the United States.

1           Sec. 66. Section 79-267, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           79-267 Except as provided in section 60 of this act, the The  
4 following student conduct shall constitute grounds for long-term  
5 suspension, expulsion, or mandatory reassignment, subject to the  
6 procedural provisions of the Student Discipline Act, when such activity  
7 occurs on school grounds, in a vehicle owned, leased, or contracted by a  
8 school being used for a school purpose or in a vehicle being driven for a  
9 school purpose by a school employee or by his or her designee, or at a  
10 school-sponsored activity or athletic event:

11           (1) Use of violence, force, coercion, threat, intimidation, or  
12 similar conduct in a manner that constitutes a substantial interference  
13 with school purposes;

14           (2) Willfully causing or attempting to cause substantial damage to  
15 property, stealing or attempting to steal property of substantial value,  
16 or repeated damage or theft involving property;

17           (3) Causing or attempting to cause personal injury to a school  
18 employee, to a school volunteer, or to any student. Personal injury  
19 caused by accident, self-defense, or other action undertaken on the  
20 reasonable belief that it was necessary to protect some other person  
21 shall not constitute a violation of this subdivision;

22           (4) Threatening or intimidating any student for the purpose of or  
23 with the intent of obtaining money or anything of value from such  
24 student;

25           (5) Knowingly possessing, handling, or transmitting any object or  
26 material that is ordinarily or generally considered a weapon;

27           (6) Engaging in the unlawful possession, selling, dispensing, or use  
28 of a controlled substance or an imitation controlled substance, as  
29 defined in section 28-401, a substance represented to be a controlled  
30 substance, or alcoholic liquor as defined in section 53-103.02 or being  
31 under the influence of a controlled substance or alcoholic liquor;

1 (7) Public indecency as defined in section 28-806, except that this  
2 subdivision shall apply only to students at least twelve years of age but  
3 less than nineteen years of age;

4 (8) Engaging in bullying as defined in section 79-2,137;

5 (9) Sexually assaulting or attempting to sexually assault any person  
6 if a complaint has been filed by a prosecutor in a court of competent  
7 jurisdiction alleging that the student has sexually assaulted or  
8 attempted to sexually assault any person, including sexual assaults or  
9 attempted sexual assaults which occur off school grounds not at a school  
10 function, activity, or event. For purposes of this subdivision, sexual  
11 assault means sexual assault in the first degree as defined in section  
12 28-319, sexual assault in the second degree as defined in section 28-320,  
13 sexual assault of a child in the second or third degree as defined in  
14 section 28-320.01, or sexual assault of a child in the first degree as  
15 defined in section 28-319.01, as such sections now provide or may  
16 hereafter from time to time be amended;

17 (10) Engaging in any other activity forbidden by the laws of the  
18 State of Nebraska which activity constitutes a danger to other students  
19 or interferes with school purposes; or

20 (11) A repeated violation of any rules and standards validly  
21 established pursuant to section 79-262 if such violations constitute a  
22 substantial interference with school purposes.

23 It is the intent of the Legislature that alternatives to suspension  
24 or expulsion be imposed against a student who is truant, tardy, or  
25 otherwise absent from required school activities.

26 Sec. 67. Section 79-268, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 79-268 If a principal makes a decision to discipline a student by  
29 long-term suspension, expulsion, or mandatory reassignment, the following  
30 procedures shall be followed:

31 (1) The decision as to recommend discipline shall be made within two

1 school days after learning of the alleged student misconduct. On the date  
2 of the decision, a written charge and a summary of the evidence  
3 supporting such charge shall be filed with the superintendent. The school  
4 shall, within two school days after the decision, send written notice by  
5 registered or certified mail to the student and his or her parent or  
6 guardian informing them of the rights established under the Student  
7 Discipline Act;

8 (2) Such written notice shall include the following:

9 (a) The rule or standard of conduct allegedly violated and the acts  
10 of the student alleged to constitute a cause for long-term suspension,  
11 expulsion, or mandatory reassignment, including a summary of the evidence  
12 to be presented against the student;

13 (b) The penalty, if any, which the principal has recommended in the  
14 charge and any other penalty to which the student may be subject;

15 (c) A statement that, before long-term suspension, expulsion, or  
16 mandatory reassignment ~~for disciplinary purposes~~ can be invoked, the  
17 student has a right to a hearing, upon request, and that if the student  
18 is suspended pending the outcome of the hearing, the student may complete  
19 classwork and homework, including, but not limited to, examinations,  
20 missed during the period of suspension pursuant to district guidelines  
21 which shall not require the student to attend the school district's  
22 alternative programs for expelled students in order to complete classwork  
23 or homework on the specified charges;

24 (d) A description of the hearing procedures provided by the act,  
25 along with procedures for appealing any decision rendered at the hearing;

26 (e) A statement that the principal, legal counsel for the school,  
27 the student, the student's parent, or the student's representative or  
28 guardian has the right (i) to examine the student's academic and  
29 disciplinary records and any affidavits to be used at the hearing  
30 concerning the alleged misconduct and (ii) to know the identity of the  
31 witnesses to appear at the hearing and the substance of their testimony;

1 and

2 (f) A form on which the student, the student's parent, or the  
3 student's guardian may request a hearing, to be signed by such parties  
4 and delivered to the principal or superintendent in person or by  
5 registered or certified mail to the address provided on such form, as  
6 prescribed in sections 79-271 and 79-272;~~and~~

7 (3) When a notice of intent to discipline a student by long-term  
8 suspension, expulsion, or mandatory reassignment is filed with the  
9 superintendent, the student may be suspended by the principal until the  
10 date the long-term suspension, expulsion, or mandatory reassignment takes  
11 effect ~~if no hearing is requested or, if a hearing is requested, the date~~  
12 ~~the hearing examiner makes the report of his or her findings and a~~  
13 ~~recommendation of the action to be taken to the superintendent, if the~~  
14 principal determines that the student must be suspended immediately to  
15 prevent or substantially reduce the risk of (a) interference with an  
16 educational function or school purpose or (b) a personal injury to the  
17 student himself or herself, other students, school employees, or school  
18 volunteers; and -

19 (4) For purposes of this section, mandatory reassignment, regardless  
20 of its implementation date, shall be subject to the procedures of this  
21 section.

22 The Student Discipline Act does not preclude the student or the  
23 student's parent, guardian, or representative from discussing and  
24 settling the matter with appropriate school personnel prior to the time  
25 the long-term suspension, expulsion, or mandatory reassignment takes  
26 effect ~~hearing stage.~~

27 Sec. 68. Section 79-269, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 79-269 (1)(a) (1) ~~(1)~~ If a hearing is requested within five school days  
30 after receipt of the notice as provided in section 79-268, the  
31 superintendent shall recommend appointment of ~~appoint~~ a hearing examiner

1 within two school days after receipt of the hearing request.

2 (b) The student or the student's parent or guardian may request  
3 designation of a hearing examiner other than the hearing examiner  
4 recommended by the superintendent if notice of the request is given to  
5 the superintendent within two school days after receipt of the  
6 superintendent's recommended appointment. Upon receiving such request,  
7 the superintendent shall provide one alternative hearing examiner who is  
8 not an employee of the school district or otherwise currently under  
9 contract with the school district and whose impartiality may not  
10 otherwise be reasonably questioned. The superintendent may also provide  
11 an additional list of hearing examiners that may include hearing  
12 examiners employed by or under contract with the school district. The  
13 student or the student's parent or guardian shall, within five school  
14 days, select a hearing examiner to conduct the hearing who was  
15 recommended, provided as an alternative hearing examiner, or included on  
16 an additional list, if any, pursuant to this subdivision and shall notify  
17 the superintendent in writing of the selection. The superintendent shall  
18 appoint the selected hearing examiner upon receipt of such notice.

19 (c) For purposes of this subsection, individuals whose impartiality  
20 may be reasonably questioned shall include, but not be limited to,  
21 individuals who:

22 (i) Have a personal bias or prejudice concerning a party;

23 (ii) Have personal knowledge of evidentiary facts concerning the  
24 proceeding;

25 (iii) Have served as legal counsel to the school district; or

26 (iv) Have a spouse who is an employee of, or is under contract with,  
27 the school district.

28 (d) For purposes of this section a qualified hearing examiner shall  
29 be an individual who has knowledge of the Student Discipline Act,  
30 training in the requirements of the act, or experience conducting student  
31 hearings.

1           (e) The hearing examiner ~~who~~ shall, within two school days after  
2 being appointed, give written notice to the principal, the student, and  
3 the student's parent or guardian of the time and place for the hearing.

4           (2) The hearing examiner shall be any person designated pursuant to  
5 subsection (1) of this section ~~by the school district's superintendent,~~  
6 ~~school board or board of education, or counsel,~~ if such person (a) has  
7 not brought the charges against the student, (b) shall not be a witness  
8 at the hearing, and (c) has no involvement in the charge. Expenses and  
9 fees of any hearing examiner, in connection with the hearing, shall be  
10 paid by the school board.

11           (3) The hearing shall be held ~~scheduled~~ within a period of five  
12 school days after appointment of the hearing examiner ~~it is requested,~~  
13 but such time may be changed by the hearing examiner for good cause with  
14 consent of the parties. No hearing shall be held upon less than two  
15 school days' actual notice to the principal, the student, and the  
16 student's parent or guardian, except with the consent of all the parties.

17           (4) The principal or legal counsel for the school, the student, and  
18 the student's parent, guardian, or representative have the right to  
19 receive a copy of all ~~examine the~~ records and written statements referred  
20 to in the Student Discipline Act as well as the statement of any witness  
21 in the possession of the school board or board of education no later than  
22 forty-eight hours ~~at a reasonable time~~ prior to the hearing.

23           Sec. 69. Section 79-272, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           79-272 If a hearing is requested under sections 79-268 and 79-269  
26 more than five school days but not more than thirty calendar days  
27 following the actual receipt of written notice, the hearing examiner  
28 shall be appointed and the hearing ~~shall be~~ held pursuant to the  
29 requirements of section 79-269 but the imposed punishment shall continue  
30 in effect pending final determination.

31           Sec. 70. Section 79-276, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 79-276 At a hearing requested under sections 79-268 and 79-269, the  
3 principal shall present to the hearing examiner statements, in affidavit  
4 form, of any person having information about the student's conduct and  
5 the student's records but not unless such statements and records have  
6 been provided ~~made available~~ to the student or the student's parent,  
7 guardian, or representative at least forty-eight hours prior to the  
8 hearing. The information contained in such records shall be explained and  
9 interpreted, prior to or at the hearing, to the student, parent,  
10 guardian, or representative, upon request, by appropriate school  
11 personnel.

12 Sec. 71. Section 79-278, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 79-278 (1) The student, the student's parent, guardian, or  
15 representative, the principal, or the hearing examiner may ask witnesses  
16 to testify at the hearing requested under sections 79-268 and 79-269.  
17 Such testimony shall be under oath, and the hearing examiner shall be  
18 authorized to administer the oath. The hearing examiner shall make  
19 reasonable effort to assist the student or the student's parent,  
20 guardian, or representative in obtaining the attendance of witnesses. The  
21 school district shall make available those witnesses who have knowledge  
22 of or were involved in the alleged misconduct and subsequent discipline  
23 of the student if such witnesses are requested by the student or the  
24 student's parent, guardian, or representative and such witnesses are  
25 employees or under contract with the school district.

26 (2) The student, the student's parent, guardian, or representative,  
27 the principal, or the hearing examiner has the right to question any  
28 witness giving information at the hearing.

29 Sec. 72. Section 79-282, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 79-282 (1) After a hearing requested under sections 79-268 and

1 79-269, a report shall be made by the hearing examiner of his or her  
2 findings and a recommendation of the action to be taken, which report  
3 shall be made to the superintendent and the student or the student's  
4 parent or guardian within ten calendar days after the hearing and shall  
5 explain, in terms of the needs of both the student and the school board,  
6 the reasons for the particular action recommended. Such recommendation  
7 may range from no action, through the entire field of counseling, to  
8 long-term suspension, expulsion, mandatory reassignment, or an  
9 alternative educational placement under section 79-266.

10 (2) A review shall be made of the hearing examiner's report by the  
11 superintendent, who may change, revoke, or impose the sanction  
12 recommended by the hearing examiner but shall not impose a sanction more  
13 severe than that recommended by the hearing examiner. The superintendent  
14 shall notify the student or the student's parent or guardian of the  
15 superintendent's determination within five school days after receipt of  
16 the hearing examiner's report.

17 (3) The findings and recommendations of the hearing examiner, the  
18 determination by the superintendent, and any determination on appeal to  
19 the governing body, shall be made solely on the basis of the evidence  
20 presented at the hearing or, in addition, on any evidence presented on  
21 appeal.

22 Sec. 73. Section 79-283, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 79-283 (1) Written notice of the findings and recommendations of the  
25 hearing examiner and the determination of the superintendent under  
26 section 79-282 shall be made by certified or registered mail or by  
27 personal delivery to the student or the student's parent or guardian.  
28 Upon receipt of such written notice by the student, parent, or guardian,  
29 the determination of the superintendent shall take immediate effect  
30 unless the student or the student's parent or guardian appeals the  
31 written notice of determination of the superintendent pursuant to section

1 79-285.

2 (2) Except as provided in subsections (3) and (4) of this section,  
3 the expulsion of a student shall be for a period not to exceed the  
4 remainder of the semester in which it took effect unless the misconduct  
5 occurred (a) within ten school days prior to the end of the first  
6 semester, in which case the expulsion shall remain in effect through the  
7 second semester, or (b) within ten school days prior to the end of the  
8 second semester, in which case the expulsion shall remain in effect for  
9 summer school and the first semester of the following school year subject  
10 to the provisions of subsection (5) of this section. Such action may be  
11 modified or terminated by the school district at any time during the  
12 expulsion period. For purposes of this subsection, if the misconduct  
13 occurred prior to the last ten school days of the first semester and the  
14 expulsion takes effect in the second semester because the recommendation  
15 for expulsion was appealed to a hearing examiner or the school board or  
16 board of education, the length of the expulsion shall not exceed the  
17 number of days it would have been in effect had the appeal not been made.

18 (3) The expulsion of a student for (a) the knowing and intentional  
19 use of force in causing or attempting to cause personal injury to a  
20 school employee, school volunteer, or student except as provided in  
21 subdivision (3) of section 79-267 or (b) the knowing and intentional  
22 possession, use, or transmission of a dangerous weapon, other than a  
23 firearm, shall be for a period not to exceed the remainder of the school  
24 year in which it took effect if the misconduct occurs during the first  
25 semester. If the expulsion takes place during the second semester, the  
26 expulsion shall remain in effect for summer school and may remain in  
27 effect for the first semester of the following school year. Such action  
28 may be modified or terminated by the school district at any time during  
29 the expulsion period.

30 (4) The expulsion of a student for the knowing and intentional  
31 possession, use, or transmission of a firearm, which for purposes of this

1 section means a firearm as defined in 18 U.S.C. 921 as of January 1,  
2 1995, shall be for a period as provided by the school district policy  
3 adopted pursuant to section 79-263. This subsection shall not apply to  
4 (a) the issuance of firearms to or possession of firearms by members of  
5 the Reserve Officers Training Corps when training or (b) firearms which  
6 may lawfully be possessed by the person receiving instruction under the  
7 immediate supervision of an adult instructor who may lawfully possess  
8 firearms.

9 (5) Any expulsion that will remain in effect during the first  
10 semester of the following school year shall be automatically scheduled  
11 for review before the beginning of the school year. The review shall be  
12 conducted by the hearing examiner after the hearing examiner has given  
13 notice of the review to the student and the student's parent or guardian.  
14 This review shall be limited to newly discovered evidence or evidence of  
15 changes in the student's circumstances occurring since the original  
16 hearing. This review may lead to a recommendation by the hearing examiner  
17 that the student be readmitted for the upcoming school year. If the  
18 school board or board of education or a committee of such board took the  
19 final action to expel the student, the student may be readmitted only by  
20 action of the board. Otherwise the student may be readmitted by action of  
21 the superintendent.

22 Sec. 74. Section 79-287, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 79-287 The final action of the board under section 79-286 shall be  
25 taken within three calendar days after the hearing and be evidenced by  
26 personally delivering or mailing by certified mail a copy of the board's  
27 decision to the student and his or her parent or guardian within three  
28 calendar days after the final action.

29 Sec. 75. Section 79-2,136, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31 79-2,136 (1) Each school board shall allow the part-time enrollment

1 of students, for all courses selected by the students, who are residents  
2 of the school district pursuant to subsections (1) and (2) of section  
3 79-215 and who are also enrolled in a private, denominational, or  
4 parochial school or in a school which elects pursuant to section 79-1601  
5 not to meet accreditation or approval requirements and shall establish  
6 policies and procedures for such part-time enrollment. Such policies and  
7 procedures may include provisions permitting the part-time enrollment of  
8 such students who are not residents of such school districts to the  
9 extent permitted pursuant to section 79-215 and may require part-time  
10 students to follow school policies that apply to other students at any  
11 time the part-time student is present on school grounds or at a school-  
12 sponsored activity or athletic event. Part-time enrollment shall not  
13 entitle a student to transportation or transportation reimbursements  
14 pursuant to section 79-611. ~~Nothing in this section shall be construed to~~  
15 ~~exempt any student from the compulsory attendance provisions of sections~~  
16 ~~79-201 to 79-207.~~

17 (2) Each school board shall establish policies and procedures to  
18 allow any student who is a resident of the school district pursuant to  
19 subsection (1) or (2) of section 79-215 and who is enrolled in a school  
20 which elects pursuant to section 79-1601 not to meet accreditation or  
21 approval requirements to participate in any extracurricular activities as  
22 defined in section 79-2,126, including, but not limited to, interschool  
23 competitions, to the same extent and subject to the same requirements,  
24 conditions, and procedures as a student enrolled in a public school  
25 governed by such board, except that any school which elects pursuant to  
26 section 79-1601 not to meet accreditation or approval requirements shall  
27 set the standards for satisfactory academic performance for a student  
28 from the school to participate in extracurricular activities pursuant to  
29 this subsection and shall provide assurances of compliance with such  
30 academic standards.

31 (3) School board policies and procedures adopted pursuant to

1 subsection (2) of this section (a) shall require any student  
2 participating in extracurricular activities pursuant to such subsection  
3 to be enrolled in no more and no less than five credit hours offered by  
4 the school district in any semester, (b) shall not allow any preference  
5 in the selection of a student for participation in an extracurricular  
6 activity based on such student's status as a full-time student in the  
7 school district, and (c) may require any student participating in  
8 extracurricular activities pursuant to such subsection to follow school  
9 policies that apply to other students when present on school grounds or  
10 at a school-sponsored activity or athletic event. Participation in  
11 extracurricular activities pursuant to subsection (2) of this section  
12 shall not entitle a student to transportation, except to and from  
13 practices and events to the same extent as public school students  
14 participating in such activities, or transportation reimbursement  
15 pursuant to section 79-611.

16 (4) Nothing in this section shall be construed to exempt any student  
17 from the compulsory attendance provisions of sections 79-201 to 79-210.

18 Sec. 76. Section 79-2,144, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20 79-2,144 The state school security director appointed pursuant to  
21 section 79-2,143 shall be responsible for providing leadership and  
22 support for safety and security for the public schools. Duties of the  
23 director include, but are not limited to:

24 (1) Collecting safety and security plans, required pursuant to rules  
25 and regulations of the State Department of Education relating to  
26 accreditation of schools, and other school security information from each  
27 school system in Nebraska. School districts shall provide the state  
28 school security director with the safety and security plans of the school  
29 district and any other security information requested by the director,  
30 but any plans or information submitted by a school district may be  
31 withheld by the department pursuant to subdivision (9) of section

1 84-712.05;

2 (2) Recommending minimum standards for school security on or before  
3 January 1, 2016, to the State Board of Education;

4 (3) Conducting an assessment of the security of each public school  
5 building, which assessment shall be completed by August 31, 2019;

6 (4) Identifying deficiencies in school security based on the minimum  
7 standards adopted by the State Board of Education and making  
8 recommendations to school boards for remedying such deficiencies;

9 (5) Establishing security awareness and preparedness tools and  
10 training programs for public school staff;

11 (6) Establishing research-based model instructional programs for  
12 staff, students, and parents to address the underlying causes for violent  
13 attacks on schools;

14 (7) Overseeing behavioral and mental health training, with a focus  
15 on suicide awareness and prevention ~~training~~ in public schools pursuant  
16 to section 79-2,146;

17 (8) Establishing tornado preparedness standards which shall include,  
18 but not be limited to, ensuring that every school conducts at least two  
19 tornado drills per year;

20 (9) Responding to inquiries and requests for assistance relating to  
21 school security from private, denominational, and parochial schools;

22 (10) Recommending curricular and extracurricular materials to assist  
23 school districts in preventing and responding to cyberbullying and  
24 digital citizenship issues; and

25 (11) Carrying out the department's responsibilities under the School  
26 Safety and Security Reporting System Act.

27 Sec. 77. Section 79-2,146, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 79-2,146 (1) Beginning in school year 2023-24 ~~2015-16~~, all public  
30 school employees who interact with students ~~nurses, teachers, counselors,~~  
31 ~~school psychologists, administrators, school social workers,~~ and any

1 other appropriate personnel, as determined by the school superintendent,  
2 shall receive at least one hour of behavioral and mental health training  
3 with a focus on suicide awareness and prevention training each year. Such  
4 training may include, but need not be limited to, topics such as  
5 identification of early warning signs and symptoms of behavioral and  
6 mental health issues in students, appropriate and effective responses for  
7 educators to student behavioral and mental health issues, trauma-informed  
8 care, and procedures for making students and parents and guardians aware  
9 of services and supports for behavioral and mental health issues. This  
10 training shall be provided within the framework of existing inservice  
11 training programs offered by the State Department of Education or as part  
12 of required professional development activities.

13 (2) The department, in consultation with organizations including,  
14 but not limited to, the Nebraska State Suicide Prevention Coalition, the  
15 Nebraska chapter of the American Foundation for Suicide Prevention, the  
16 Behavioral Health Education Center of Nebraska, the National Alliance on  
17 Mental Illness Nebraska, and other organizations and professionals with  
18 expertise in behavioral and mental health and suicide prevention, shall  
19 develop a list of approved training materials to fulfill the requirements  
20 of subsection (1) of this section. Such materials shall include training  
21 on how to identify appropriate mental health services, both within the  
22 school and also within the larger community, and when and how to refer  
23 youth and their families to those services. Such materials may include  
24 programs that can be completed through self-review of suitable behavioral  
25 and mental health and suicide prevention materials.

26 (3) The department may adopt and promulgate rules and regulations to  
27 carry out this section.

28 Sec. 78. Section 79-703, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30 79-703 (1) To ensure both equality of opportunity and quality of  
31 programs offered, all public schools in the state shall be required to

1 meet quality and performance-based approval or accreditation standards as  
2 prescribed by the State Board of Education. Beginning August 1, 2025,  
3 accreditation standards shall require each school district to develop and  
4 adopt a policy relating to behavioral intervention, behavioral  
5 management, classroom management, and removal of a student from a  
6 classroom in accordance with section 59 of this act. The board shall  
7 establish a core curriculum standard, which shall include multicultural  
8 education and vocational education courses, for all public schools in the  
9 state. Accreditation and approval standards shall be designed to assure  
10 effective schooling and quality of instructional programs regardless of  
11 school size, wealth, or geographic location. Accreditation standards for  
12 school districts that are members of a learning community shall include  
13 participation in the community achievement plan for the learning  
14 community as approved by the board. Accreditation standards for education  
15 programs in state institutions under the supervision of the Department of  
16 Health and Human Services that house juveniles shall include an annual  
17 report to the State Board of Education by the superintendent of  
18 institutional schools. The board shall recognize and encourage the  
19 maximum use of cooperative programs and may provide for approval or  
20 accreditation of programs on a cooperative basis, including the sharing  
21 of administrative and instructional staff, between school districts for  
22 the purpose of meeting the approval and accreditation requirements  
23 established pursuant to this section and section 79-318.

24 (2) The Commissioner of Education shall appoint an accreditation  
25 committee which shall be representative of the educational institutions  
26 and agencies of the state and shall include as a member the director of  
27 admissions of the University of Nebraska.

28 (3) The accreditation committee shall be responsible for: (a)  
29 Recommending appropriate standards and policies with respect to the  
30 accreditation and classification of schools; and (b) making  
31 recommendations annually to the commissioner relative to the

1 accreditation and classification of individual schools. No school shall  
2 be considered for accreditation status which has not first fulfilled all  
3 requirements for an approved school.

4 (4) All public schools in the state, including, but not limited to,  
5 schools operated by school districts and education programs in state  
6 institutions under the supervision of the Department of Health and Human  
7 Services that house juveniles, shall be accredited.

8 (5) It is the intent of the Legislature that all public school  
9 students shall have access to all educational services required of  
10 accredited schools. Such services may be provided through cooperative  
11 programs or alternative methods of delivery.

12 Sec. 79. Section 79-729, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 79-729 (1) The Legislature recognizes the importance of assuring  
15 that all persons who graduate from Nebraska high schools possess certain  
16 minimum levels of knowledge, skills, and understanding. Each high school  
17 student shall complete a minimum of two hundred high school credit hours  
18 prior to graduation. At least eighty percent of the minimum credit hours  
19 shall be core curriculum courses prescribed by the State Board of  
20 Education.

21 (2) For students attending a public school:  $\tau$

22 (a) ~~Beginning~~ beginning in school year 2023-24, at least five of the  
23 minimum credit hours shall be a high school course in personal finance or  
24 financial literacy;  $\tau$  and

25 (b) ~~Beginning~~ beginning in school year ~~2027-28~~ 2026-27, at least  
26 five of the minimum credit hours shall include ~~be a high school course or~~  
27 ~~the equivalent of a one-semester high school course in computer science~~  
28 and technology education as required under section 79-3304.

29 (3) The State Board of Education may establish recommended statewide  
30 graduation guidelines. This section does not apply to high school  
31 students whose individualized education programs prescribe a different

1 course of instruction. This section does not prohibit the governing board  
2 of any high school from prescribing specific graduation guidelines as  
3 long as such guidelines do not conflict with this section. For purposes  
4 of this section, high school means grades nine through twelve and credit  
5 hour shall be defined by appropriate rules and regulations of the State  
6 Board of Education but shall not be less than the amount of credit given  
7 for successful completion of a course which meets at least one period per  
8 week for at least one semester.

9 Sec. 80. Section 79-734, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 79-734 (1)(a) ~~(1)~~ School boards and boards of education of all  
12 classes of school districts shall purchase all textbooks, equipment, and  
13 supplies necessary for the schools of such district. The duty to make  
14 such purchases may be delegated to employees of the school district.

15 (b) ~~(2)~~ School boards and boards of education shall purchase and  
16 loan textbooks to all children who are enrolled in kindergarten to grade  
17 twelve of a public school, ~~and,~~

18 (c) School boards and boards of education may adopt rules to carry  
19 out this subsection.

20 (2)(a) Through June 30, 2024, school boards and boards of education  
21 shall purchase and loan textbooks, upon individual request, to children  
22 who are enrolled in kindergarten to grade twelve of a private school  
23 which is approved for continued legal operation under rules and  
24 regulations established by the State Board of Education pursuant to  
25 subdivision (5)(c) of section 79-318. The Legislature may appropriate  
26 funds to carry out the provisions of this subdivision subsection. A  
27 school district is not obligated to spend any money for the purchase and  
28 loan of textbooks to children enrolled in private schools other than  
29 funds specifically appropriated by the Legislature to be distributed by  
30 the State Department of Education for the purpose of purchasing and  
31 loaning textbooks as provided in this subdivision subsection. Textbooks

1 loaned to children enrolled in kindergarten to grade twelve of such  
2 private schools shall be textbooks which are designated for use in the  
3 public schools of the school district in which the child resides or the  
4 school district in which the private school the child attends is located.  
5 Such textbooks shall be loaned free to such children subject to such  
6 rules and regulations as are or may be prescribed by such school boards  
7 or boards of education. The State Department of Education shall adopt and  
8 promulgate rules and regulations to carry out this subdivision ~~section~~.  
9 The rules and regulations shall include provisions for the distribution  
10 of funds appropriated for textbooks. The rules and regulations shall  
11 include a deadline for applications from school districts for  
12 distribution of funds. If funds are not appropriated to cover the entire  
13 cost of applications, a pro rata reduction shall be made. ~~It is the~~  
14 ~~intent of the Legislature that on or before October 1, 2016, the~~  
15 ~~department provide to the Education Committee of the Legislature~~  
16 ~~recommended changes to this subsection that reflect advances in~~  
17 ~~technology and educational content for students.~~

18 (b) Beginning on July 1, 2024, the State Department of Education  
19 shall purchase and loan textbooks, upon individual request, to children  
20 who are enrolled in kindergarten to grade twelve of a private school  
21 which is approved for continued legal operation under rules and  
22 regulations established by the State Board of Education pursuant to  
23 subdivision (5)(c) of section 79-318. The Legislature may appropriate  
24 funds to carry out this subdivision. The State Department of Education is  
25 not obligated to spend any money for the purchase and loan of textbooks  
26 to children enrolled in private schools other than funds specifically  
27 appropriated by the Legislature. The State Department of Education may  
28 utilize up to five percent of the appropriated funds to administer this  
29 subdivision. The State Department of Education may contract with a third-  
30 party vendor to assist in carrying out this subdivision. The State Board  
31 of Education may adopt and promulgate rules and regulations to carry out

1 this subdivision. The rules and regulations shall include a formula or  
2 standard for determining a cost-per-child allocation of funding based on  
3 the Legislature's appropriation of funding. The rules and regulations  
4 shall allow a designated agent, which may include a private school, to  
5 assist the parents or guardians of a child in the request and acquisition  
6 of textbooks pursuant to this subdivision. It is the intent of the  
7 Legislature that on or before October 1, 2028, and every five years  
8 thereafter, the State Department of Education shall electronically  
9 provide to the Education Committee of the Legislature recommended changes  
10 to this subdivision that reflect advances in technology and educational  
11 content for students.

12 (3) For purposes of this section, textbook means any instructional  
13 material, including digital, electronic, or online resources, that is  
14 designated for use by an individual student in classroom instruction as  
15 the principal source of study material.

16 Sec. 81. Section 79-760.01, Revised Statutes Cumulative Supplement,  
17 2022, is amended to read:

18 79-760.01 (1) The State Board of Education shall adopt measurable  
19 academic content standards for at least the grade levels required for  
20 statewide assessment pursuant to section 79-760.03. The standards shall  
21 cover the subject areas of reading, writing, mathematics, science, and  
22 social studies.

23 (2)(a) The board shall also adopt measurable academic content  
24 standards for the following as part of the social studies standards:

25 (i) Financial literacy; and

26 (ii) Education on the Holocaust and other acts of genocide as  
27 recognized by the Congress of the United States or the United Nations as  
28 of January 1, 2022.

29 (b) On or before March 1, 2024, the ~~The~~ board shall also adopt  
30 measurable academic content standards for computer science and technology  
31 education under the mathematics, science, or career and technical

1 education standards.

2 (3) Academic content standards adopted or recommended pursuant to  
3 this section shall be sufficiently clear and measurable to be used for  
4 testing student performance with respect to mastery of the content  
5 described in the state standards.

6 (4) The State Board of Education shall develop a plan to review and  
7 update standards for each subject area every seven years. The state board  
8 plan shall include a review of commonly accepted standards adopted by  
9 school districts.

10 Sec. 82. Section 79-806, Revised Statutes Cumulative Supplement,  
11 2022, is amended to read:

12 79-806 (1) The Legislature finds that and ~~declares:~~ ~~(a) That there~~  
13 ~~is an educator workforce shortage in this state and that efforts need to~~  
14 ~~be made to recruit, prepare, retain, and support the teaching profession~~  
15 ~~while maintaining high-quality educators in our classrooms around the~~  
16 ~~state.~~ ÷

17 ~~(b) That the pool of qualified individuals for the teaching~~  
18 ~~profession has been reduced statewide, in part, due to requirements in~~  
19 ~~place as of July 21, 2022, for applicants to prove proficiency in basic~~  
20 ~~skills competency by passing a prescribed examination in reading,~~  
21 ~~writing, and mathematics before being accepted into a teacher education~~  
22 ~~program of a standard institution of higher education approved by the~~  
23 ~~State Board of Education pursuant to subdivision (5)(g) of section 79-318~~  
24 ~~or issued any certificate under sections 79-806 to 79-815 and the rules~~  
25 ~~and regulations adopted and promulgated by the board pursuant to such~~  
26 ~~sections as of July 21, 2022;~~

27 ~~(c) That candidates for certification should possess academic~~  
28 ~~competency to teach effectively and that multiple measures can~~  
29 ~~proficiently demonstrate such competency. A demonstration of basic skills~~  
30 ~~competency should not be based solely on a single assessment high-stakes~~  
31 ~~examination because such an examination does not accurately portray a~~

1 ~~teacher candidate's general knowledge in mathematics, reading, and~~  
2 ~~writing when measured within such a testing environment; and~~

3 ~~(d) That candidates for certification, including candidates coming~~  
4 ~~to Nebraska from other states, should be able to use a portfolio of~~  
5 ~~options to demonstrate basic skills competency, such as coursework taken~~  
6 ~~to satisfy college degree requirements and college admissions~~  
7 ~~examinations.~~

8 (2) ~~The~~ Therefore, ~~it is declared to be the purpose of sections~~  
9 ~~79-806 to 79-815 is~~ to provide more flexibility in the certification of  
10 qualified educators for Nebraska schools and not to decrease any  
11 requirements for certificates to teach, provide special services, and  
12 administer in Nebraska schools.

13 Sec. 83. Section 79-807, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 79-807 For purposes of sections 79-806 to 79-815, unless the context  
16 otherwise requires:

17 ~~(1) Basic skills competency means either (a) proficiency in (i) the~~  
18 ~~written use of the English language, (ii) reading, comprehending, and~~  
19 ~~interpreting professional writing and other written materials, and (iii)~~  
20 ~~working with fundamental mathematical computations as demonstrated by~~  
21 ~~successful completion of an examination designated by the board or (b)~~  
22 ~~successful employment experiences;~~

23 (1) ~~(2)~~ Board means the State Board of Education;

24 (2) ~~(3)~~ Certificate means an authorization issued by the  
25 commissioner to an individual who meets the qualifications to engage in  
26 teaching, providing special services, or administering in prekindergarten  
27 through grade twelve in the elementary and secondary schools in this  
28 state;

29 (3) ~~(4)~~ Commissioner means the Commissioner of Education;

30 (4) ~~(5)~~ Department means the State Department of Education;

31 (5) ~~(6)~~ Human relations training means course work or employment

1 experiences that lead to (a) an awareness and understanding of the  
2 values, lifestyles, contributions, and history of a pluralistic society,  
3 (b) the ability to recognize and deal with dehumanizing biases,  
4 including, but not limited to, sexism, racism, prejudice, and  
5 discrimination, and an awareness of the impact such biases have on  
6 interpersonal relations, (c) the ability to translate knowledge of human  
7 relations into attitudes, skills, and techniques which result in  
8 favorable experiences for students, (d) the ability to recognize the ways  
9 in which dehumanizing biases may be reflected in instructional materials,  
10 (e) respect for human dignity and individual rights, and (f) the ability  
11 to relate effectively to other individuals and to groups in a pluralistic  
12 society other than the applicant's own;

13 (6) ~~(7)~~ Special education training means course work or employment  
14 experiences that provide an individual with the knowledge of (a) the  
15 exceptional needs of the disabilities defined under the Special Education  
16 Act, (b) the major characteristics of each disability in order to  
17 recognize its existence in children, (c) the various alternatives for  
18 providing the least restrictive environment for children with  
19 disabilities, (d) methods of teaching children with disabilities in the  
20 regular classroom, and (e) prereferral alternatives, referral systems,  
21 multidisciplinary team responsibilities, the individualized education  
22 program process, and the placement process;

23 (7) ~~(8)~~ Special services means supportive services provided to  
24 students that do not primarily involve teaching, including, but not  
25 limited to, (a) audiology, psychology, and physical or occupational  
26 therapy, (b) the coaching of extracurricular activities, and (c) subject  
27 areas for which endorsement programs are not offered by a standard  
28 institution of higher education; and

29 (8) ~~(9)~~ Standard institution of higher education means any college  
30 or university, the teacher education programs of which are fully approved  
31 by the board or approved in another state pursuant to standards which are

1 comparable and equivalent to those set by the board.

2 Sec. 84. Section 79-808, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 79-808 (1) The board shall establish, adopt, and promulgate  
5 appropriate rules, regulations, and procedures governing the issuance,  
6 renewal, conversion, suspension, and revocation of certificates and  
7 permits to teach, provide special services, and administer based upon (a)  
8 earned college credit in humanities, social and natural sciences,  
9 mathematics, or career and technical education, (b) earned college  
10 credit, or its equivalent in professional education, for particular  
11 teaching, special services, or administrative assignments, (c) criminal  
12 history record information if the applicant has not been a continuous  
13 Nebraska resident for five years immediately preceding application for  
14 the first issuance of a certificate, (d) human relations training, (e)  
15 successful teaching, administration, or provision of special services,  
16 and (f) moral, mental, and physical fitness for teaching, all in  
17 accordance with sound educational practices. Such rules, regulations, and  
18 procedures shall also provide for endorsement requirements to indicate  
19 areas of specialization on such certificates and permits. Such rules and  
20 regulations shall not require any test of basic skills.

21 (2) The board may issue a temporary certificate, valid for a period  
22 not to exceed two years, to any applicant for certification who has not  
23 completed the human relations training requirement.

24 (3) Members of any advisory committee established by the board to  
25 assist the board in teacher education and certification matters shall be  
26 reimbursed for expenses as provided in sections 81-1174 to 81-1177. Each  
27 school district which has an employee who serves as a member of such  
28 committee and which is required to hire a person to replace such member  
29 during the member's attendance at meetings or activities of the committee  
30 or any subcommittee thereof shall be reimbursed from the Certification  
31 Fund for the expense it incurs from hiring a replacement. School

1 districts may excuse employees who serve on such advisory committees from  
2 certain duties which conflict with any advisory committee duties.

3 Sec. 85. Section 79-809, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 79-809 In addition to the requirements in section 79-808, the  
6 maximum which the board may require for the issuance of any entry-level  
7 certificate or permit shall be that the applicant (1) has a baccalaureate  
8 degree that qualifies for a certificate to teach, (2) has satisfactorily  
9 completed, within two years of the date of application, an approved  
10 program at a standard institution of higher education, (3) has  
11 satisfactorily demonstrated basic skills competency, (4) has special  
12 education training, (4) (5) has earned college credit in an approved  
13 program, at a standard institution of higher education, for which  
14 endorsement is sought, and (5) (6) has paid a nonrefundable fee to the  
15 department as provided in section 79-810.

16 Sec. 86. Section 79-8,143, Revised Statutes Cumulative Supplement,  
17 2022, is amended to read:

18 79-8,143 Sections 79-8,143 to 79-8,145 and section 87 of this act  
19 shall be known and may be cited as the Alternative Certification for  
20 Quality Teachers Act.

21 Sec. 87. (1) In addition to certificates issued pursuant to section  
22 79-806 to 79-815, the Commissioner of Education shall, subject to  
23 subsections (2) and (3) of this section, issue an alternative certificate  
24 to teach on a full-time basis to any applicant who:

25 (a) Possess a baccalaureate degree; and

26 (b) Has successfully completed an alternative teacher certification  
27 program operated by an organization that satisfies the following  
28 criteria:

29 (i) The organization operates in at least five states;

30 (ii) The organization has operated an alternative teacher  
31 certification program for at least ten years; and

1       (iii) The program requires candidates to pass a subject area  
2 examination and the pedagogy examination, known as the professional  
3 teaching knowledge examination, to receive a certificate under such  
4 program.

5       (2) A certificate issued under this section only authorizes an  
6 individual to teach the subject and educational levels for which the  
7 individual has successfully completed an alternative teacher  
8 certification program.

9       (3) Issuance of an alternative certificate to teach pursuant to this  
10 section shall be subject to a criminal history record information check  
11 pursuant to section 79-814.01 and payment of any required fees.

12       (4) An individual who receives an alternative certificate to teach  
13 pursuant to this section shall:

14       (a) Participate in a school district clinical experience for one  
15 semester in such individual's first semester of employment as a teacher  
16 pursuant to this section; and

17       (b) Be subject to the same certification criteria as an individual  
18 who completes a traditional teacher preparation program if converting the  
19 alternative certificate to teach to a standard certificate to teach.

20       Sec. 88. Section 79-8,145, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22       79-8,145 (1) In addition to certificates issued pursuant to sections  
23 79-806 to 79-815:

24       (a) The Commissioner of Education shall, subject to the provisions  
25 of subsection (3) of this section, grant a temporary certificate to teach  
26 on a full-time basis to any applicant who:

27       (i) Has completed a teacher education program at a standard  
28 institution of higher education as defined in section 79-807; and

29       (ii) Currently possesses a certificate to teach in good standing  
30 from another state;~~and~~

31       (b) The commissioner may, subject to ~~the provisions of~~ subsection

1 (3) of this section, grant a temporary certificate to teach on a full-  
2 time basis to any applicant who:

3 (i) Has earned and been awarded a baccalaureate bachelor's degree,  
4 graduate degree, or professional degree from a college or university  
5 accredited by an accrediting organization recognized by the United States  
6 Department of Education; and

7 (ii) Has ~~satisfactorily demonstrated basic skills competency and~~  
8 passed any appropriate subject area examination as designated by the  
9 State Board of Education; ~~and -~~

10 (c) Beginning in fiscal year 2024-25, the commissioner shall,  
11 subject to subsection (3) of this section, grant a temporary certificate  
12 to teach on a full-time basis to any applicant who:

13 (i) Has completed two years at a college or university accredited by  
14 an accrediting organization recognized by the United States Department of  
15 Education with at least forty-eight or more semester credit hours or  
16 obtained an associate degree from such a college or university;

17 (ii) Is employed as a paraprofessional or paraeducator at an  
18 elementary school, middle school, or high school in Nebraska; and

19 (iii) Has passed any appropriate subject area examination as  
20 designated by the State Board of Education.

21 (2) Any temporary certificate to teach issued pursuant to this  
22 section shall be valid for a period not to exceed two years, during which  
23 the holder of such temporary certificate must obtain a certificate to  
24 teach pursuant to sections 79-806 to 79-815 by completing the  
25 requirements contained in such sections.

26 (3) Issuance of a temporary certificate to teach pursuant to this  
27 section shall be subject to a criminal history record information check  
28 pursuant to section 79-814.01 and payment of any required fees.

29 Sec. 89. Section 79-1054, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31 79-1054 (1)(a) This subsection applies until July 1, 2024.

1 (b) The State Board of Education shall establish a competitive  
2 innovation grant program with funding from the Nebraska Education  
3 Improvement Fund pursuant to section 1 of this act ~~9-812~~. Grantees shall  
4 be a school district, an educational service unit, or a combination of  
5 entities that includes at least one school district or educational  
6 service unit. For grantees that consist of a combination of entities, a  
7 participating school district or educational service unit shall be  
8 designated to act as the fiscal agent and administer the program funded  
9 by the grant. The state board shall only award grants pursuant to  
10 applications that the state board deems to be sufficiently innovative and  
11 to have a high chance of success.

12 (c) An application for a grant pursuant to this subsection shall  
13 describe:

14 (i) Specific measurable objectives for improving education outcomes  
15 for early childhood students, elementary students, middle school  
16 students, or high school students or for improving the transitions  
17 between any successive stages of education or between education and the  
18 workforce;

19 (ii) The method for annually evaluating progress toward a measurable  
20 objective, with a summative evaluation of progress submitted to the state  
21 board and electronically to the Education Committee of the Legislature on  
22 or before July 1, 2019;

23 (iii) The potential for the project to be both scalable and  
24 replicable; and

25 (iv) Any cost savings that could be achieved by reductions in other  
26 programs if the funded program is successful.

27 (d) Based on evaluations received on or before July 1, 2019, for  
28 each grant, the State Board of Education shall recommend the grant  
29 project as:

30 (i) Representing a best practice;

31 (ii) A model for a state-supported program; or

1 (iii) A local issue for further study.

2 (e) On or before December 1, 2017, and on or before December 1 of  
3 each year thereafter, the state board shall electronically submit a  
4 report to the Clerk of the Legislature on all such grants, including, but  
5 not limited to, the results of the evaluations for each grant. The state  
6 board may adopt and promulgate rules and regulations to carry out this  
7 subsection, including, but not limited to, application procedures,  
8 selection procedures, and annual evaluation reporting procedures.

9 (2)(a) This subsection applies beginning July 1, 2024.

10 (b) The State Board of Education shall establish innovation grant  
11 programs in areas, including, but not limited to, (i) mental health first  
12 aid, (ii) early literacy, (iii) quality instructional materials, (iv)  
13 personalized learning through digital education, or (v) other innovation  
14 areas identified by the board. It is the intent of the Legislature that  
15 such grant programs shall be funded using lottery funds under section 1  
16 of this act 9-812. Grantees shall be a school district, an educational  
17 service unit, or a combination of entities that includes at least one  
18 school district or educational service unit.

19 (c) An application for participating in an innovation grant pursuant  
20 to this subsection shall describe:

21 (i) Specific measurable objectives for improving education outcomes  
22 for early childhood students, elementary students, middle school  
23 students, or high school students or for improving the transitions  
24 between any successive stages of education or between education and the  
25 workforce;

26 (ii) Participation in a method for annually evaluating progress  
27 toward a measurable objective, with a summative evaluation of progress  
28 submitted to the state board and electronically to the Education  
29 Committee of the Legislature on or before July 1 of each year;

30 (iii) The potential for the grant program to be both scalable and  
31 replicable; and

1 (iv) Any cost savings that could be achieved by reductions in other  
2 programs if the grant program is successful.

3 (d) Based on evaluations received on or before July 1 of each year  
4 for each grant program, the State Board of Education shall recommend the  
5 grant program as:

6 (i) Representing a best practice;

7 (ii) A model for a state-supported program; or

8 (iii) A local issue for further study.

9 (e) On or before December 1 of each year, the state board shall  
10 electronically submit a report to the Clerk of the Legislature on all  
11 such grant programs, including, but not limited to, the results of the  
12 evaluations for each grant program. The state board may adopt and  
13 promulgate rules and regulations to carry out this subsection, including,  
14 but not limited to, application procedures, selection procedures, and  
15 annual evaluation reporting procedures.

16 (3)(a) This subsection applies beginning July 1, 2024.

17 (b) The State Board of Education shall establish an improvement  
18 grant program in areas including, but not limited to, (i) teacher  
19 recruitment and retention, (ii) improvement for schools and school  
20 districts, (iii) improvement in student performance in the subject areas  
21 of reading and mathematics, and (iv) other improvement areas identified  
22 by the state board. Such grants shall be funded using lottery funds under  
23 section 1 of this act.

24 (c) On or before December 1 of each calendar year, the state board  
25 shall electronically submit a report to the Clerk of the Legislature on  
26 all such grant programs, including, but not limited to, the recipients of  
27 the programs and evaluations of the effectiveness of each grant program.  
28 The state board may adopt and promulgate rules and regulations to carry  
29 out this subsection.

30 (4)(a) This subsection applies beginning January 1, 2024.

31 (b) For purposes of this subsection, learning platform means a

1 three-dimensional, game-based learning platform for use by middle school  
2 and high school students.

3 (c)(i) The State Board of Education shall establish an innovation  
4 grant program to procure or purchase an annual license for learning  
5 platforms for use in schools to engage students in coursework and careers  
6 in science, technology, engineering, entrepreneurship, and mathematics.  
7 Such grants shall be funded using lottery funds pursuant to section 1 of  
8 this act.

9 (ii) The State Board of Education shall establish standards that a  
10 learning platform shall meet in the subject areas of chemistry and  
11 physical science, business, and mathematics. The state board shall  
12 develop a plan related to how the state board shall prioritize the grant  
13 applications.

14 (iii) A developer may apply to the State Department of Education on  
15 forms and in a manner prescribed by the department for a grant under this  
16 subsection for a learning platform that:

17 (A) Is designed to teach information related to chemistry and  
18 physical science, business, or mathematics;

19 (B) Aligns with the standards established by the state board  
20 relating to chemistry and physical science, business, or mathematics;

21 (C) Connects such standards with real-world technologies and  
22 applications;

23 (D) Highlights science, technology, engineering, entrepreneurship,  
24 and mathematics career pathways in Nebraska; and

25 (E) Meets any additional requirements set out by the State Board of  
26 Education.

27 (iv) Any developer that receives a grant under this subsection shall  
28 provide access to and use of its learning platform to all Nebraska school  
29 districts.

30 (v) Any grant awarded pursuant to this subsection shall be awarded  
31 by July 1 of each year.

1        (d) On or before December 1 of each calendar year, the state board  
2 shall electronically submit a report to the Clerk of the Legislature on  
3 the grant program, including, but not limited to, the recipients of the  
4 program and evaluations of the effectiveness of the grant program. The  
5 State Board of Education may adopt and promulgate rules and regulations  
6 to carry out this subsection.

7        (5)(a) ~~(3)~~ The Department of Education Innovative Grant Fund is  
8 created. The fund shall be administered by the State Department of  
9 Education and shall consist of transfers pursuant to section 1 of this  
10 act ~~9-812~~, repayments of grant funds, and interest payments received in  
11 the course of administering this section. The fund shall be used to carry  
12 out this section. Any money in the fund available for investment shall be  
13 invested by the state investment officer pursuant to the Nebraska Capital  
14 Expansion Act and the Nebraska State Funds Investment Act.

15        (b) Of the ten percent of funds transferred to the fund pursuant to  
16 section 1 of this act, eight and three-fourths percent shall be used for  
17 innovation grants pursuant to subsection (4) of this section and the  
18 remaining one and one-fourth percent shall be used for innovation and  
19 improvement grants pursuant to subsections (2) and (3) of this section.

20        Sec. 90. Section 79-1104.02, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22        79-1104.02 (1) The Early Childhood Education Endowment Cash Fund,  
23 consisting of the interest, earnings, and proceeds from the Early  
24 Childhood Education Endowment Fund and the earnings from the private  
25 endowment created by the endowment provider, ~~funds transferred from the~~  
26 ~~Education Innovation Fund pursuant to section ~~9-812~~~~, and any additional  
27 private donations made directly thereto, shall be used exclusively to  
28 provide funds for the Early Childhood Education Grant Program for at-risk  
29 children from birth to age three as set forth in this section.

30        (2) Grants provided by this section shall be to school districts and  
31 cooperatives of school districts for early childhood education programs

1 for at-risk children from birth to age three, as determined by the board  
2 of trustees pursuant to criteria set forth by the board of trustees.  
3 School districts and cooperatives of school districts may establish  
4 agreements with other public and private entities to provide services or  
5 operate programs.

6 (3) Each program selected for a grant pursuant to this section may  
7 be provided a grant for up to one-half of the total budget of such  
8 program per year. Programs selected for grant awards may receive  
9 continuation grants subject to the availability of funding and the  
10 submission of a continuation plan which meets the requirements of the  
11 board of trustees.

12 (4) Programs shall be funded across the state and in urban and rural  
13 areas to the fullest extent possible.

14 (5) Each program selected for a grant pursuant to this section shall  
15 meet the requirements described in subsection (2) of section 79-1103,  
16 except that the periodic evaluations of the program are to be specified  
17 by the board of trustees and the programs need not include continuity  
18 with programs in kindergarten and elementary grades and need not include  
19 instructional hours that are similar to or less than the instructional  
20 hours for kindergarten. The programs may continue to serve at-risk  
21 children who turn three years of age during the program year until the  
22 end of the program year, as specified by the board of trustees.

23 (6) The board of trustees may issue grants to early childhood  
24 education programs entering into agreements pursuant to subsection (2) of  
25 this section with child care providers if the child care provider enrolls  
26 in the quality rating and improvement system described in the Step Up to  
27 Quality Child Care Act prior to the beginning of the initial grant  
28 period. Child care providers shall participate in training approved by  
29 the Early Childhood Training Center which is needed for participation or  
30 advancement in the quality rating and improvement system.

31 (7) The board of trustees shall require child care providers in

1 programs receiving grants under this section to obtain a step three  
2 rating or higher on the quality scale described in section 71-1956 within  
3 three years of the starting date of the initial grant period to continue  
4 funding the program. The board of trustees shall require the child care  
5 provider to maintain a step three rating or higher on such quality scale  
6 after three years from the starting date of the initial grant period to  
7 continue funding the program.

8 (8) If a child care provider fails to achieve or maintain a step  
9 three rating or higher on the quality scale described in such section  
10 after three years from the starting date of the initial grant period, the  
11 child care provider shall obtain and maintain the step three rating on  
12 such quality scale before any new or continuing grants may be issued for  
13 programs in which such child care provider participates.

14 (9) Any school district entering into agreements pursuant to  
15 subsection (2) of this section with child care providers must employ or  
16 contract with, either directly or indirectly, a program coordinator  
17 holding a certificate as defined in section 79-807.

18 (10) Up to ten percent of the total amount deposited in the Early  
19 Childhood Education Endowment Cash Fund each fiscal year may be reserved  
20 by the board of trustees for evaluation and technical assistance for the  
21 Early Childhood Education Grant Program with respect to programs for at-  
22 risk children from birth to age three.

23 Sec. 91. Section 79-1142, Revised Statutes Cumulative Supplement,  
24 2022, is amended to read:

25 79-1142 (1) Level I services refers to services provided to children  
26 with disabilities who require an aggregate of not more than three hours  
27 per week of special education services and support services and includes  
28 all administrative, diagnostic, consultative, and vocational-adjustment  
29 counselor services.

30 (2) The total allowable reimbursable cost for support services shall  
31 not exceed a percentage, established by the State Board of Education, of

1 the school district's or approved cooperative's total allowable  
2 reimbursable cost for all special education programs and support  
3 services. The percentage established by the board for support services  
4 shall not exceed the difference of ten percent minus the percentage of  
5 the appropriations for special education approved by the Legislature set  
6 aside for reimbursements for support services pursuant to subsection (5)  
7 of this section.

8 (3) Except as provided in subsection (6) of this section, for For  
9 special education and support services provided in each school fiscal  
10 year, the department shall reimburse each school district in the  
11 following school fiscal year a pro rata amount determined by the  
12 department. The reimbursement percentage shall be the ratio of the  
13 difference of the appropriations for special education approved by the  
14 Legislature minus the amounts set aside pursuant to subsection (5) of  
15 this section divided by the total allowable excess costs for all special  
16 education programs and support services.

17 (4) Cooperatives of school districts or educational service units  
18 shall also be eligible for reimbursement for cooperative programs  
19 pursuant to this section if such cooperatives or educational service  
20 units have complied with the reporting and approval requirements of  
21 section 79-1155 for cooperative programs which were offered in the  
22 preceding school fiscal year. The payments shall be made by the  
23 department to the school district of residence, cooperative of school  
24 districts, or educational service unit each school year in a minimum of  
25 seven payments between the fifth and twentieth day of each month  
26 beginning in December. Additional payments may be made based upon  
27 additional valid claims submitted. The State Treasurer shall, between the  
28 fifth and twentieth day of each month, notify the Director of  
29 Administrative Services of the amount of funds available in the General  
30 Fund for payment purposes. The director shall, upon receiving such  
31 certification, draw warrants against funds appropriated.

1 (5) Residential settings described in subdivision (10)(c) of section  
2 79-215 shall be reimbursed for the educational services, including  
3 special education services and support services in an amount determined  
4 pursuant to the average per pupil cost of the service agency.  
5 Reimbursements pursuant to this section shall be made from funds set  
6 aside for such purpose within sixty days after receipt of a reimbursement  
7 request submitted in the manner required by the department and including  
8 any documentation required by the department for educational services  
9 that have been provided, except that if there are not any funds available  
10 for the remainder of the state fiscal year for such reimbursements, the  
11 reimbursement shall occur within thirty days after the beginning of the  
12 immediately following state fiscal year. The department may audit any  
13 required documentation and subtract any payments made in error from  
14 future reimbursements. The department shall set aside separate amounts  
15 from the appropriations for special education approved by the Legislature  
16 for reimbursements pursuant to this subsection for students receiving  
17 special education services and for students receiving support services  
18 for each state fiscal year. The amounts set aside for each purpose shall  
19 be based on estimates of the reimbursements to be requested during the  
20 state fiscal year and shall not be less than the total amount of  
21 reimbursements requested in the prior state fiscal year plus any unpaid  
22 requests from the prior state fiscal year.

23 (6) For each school district that received a payment from the  
24 Extraordinary Increase in Special Education Expenditures Fund in the  
25 school fiscal year for which special education expenditures were  
26 reimbursed pursuant to subsection (3) of this section, an amount equal to  
27 such payment shall be subtracted from the reimbursement calculated  
28 pursuant to subsection (3) of this section and such amount shall be  
29 transferred to the Extraordinary Increase in Special Education  
30 Expenditures Fund.

31 Sec. 92. Section 79-11,160, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 79-11,160 (1) The State Department of Education shall establish a  
3 mental health first aid training program for teachers and other personnel  
4 employed by a school district or an educational service unit  
5 participating in a grant under subsection (2) of section 79-1054.

6 (2) The mental health first aid training is to be delivered by  
7 trainers who are properly certified by a national organization for  
8 behavioral health to provide training meeting the requirements of this  
9 section. The program shall also provide an opportunity for teachers and  
10 other designated personnel to complete the training necessary to become  
11 certified by a national organization for behavioral health to provide  
12 mental health first aid training to other teachers and designated  
13 personnel.

14 (3) Mental health first aid training shall include training on:

15 (a) The skills, resources, and knowledge necessary to assist  
16 students in crisis to connect with appropriate local mental health care  
17 services;

18 (b) Mental health resources, including the location of local  
19 community mental health centers; and

20 (c) Action plans and protocols for referral to such resources.

21 (4) A recipient of mental health first aid training shall also  
22 receive instruction in preparation to:

23 (a) Safely de-escalate crisis situations;

24 (b) Recognize the signs and symptoms of mental illness, including  
25 such psychiatric conditions as major clinical depression and anxiety  
26 disorders; and

27 (c) Timely refer a student to mental health services in the early  
28 stages of the development of a mental disorder to avoid subsequent  
29 behavioral health care and to enhance the effectiveness of mental health  
30 services. Except as provided in section 43-2101, any such referral shall  
31 be approved by the student's parent or guardian.

1 (5) It is the intent of the Legislature that the mental health first  
2 aid training program under this section shall be funded using lottery  
3 funds under section 1 of this act ~~9-812~~.

4 Sec. 93. Section 79-1337, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 79-1337 (1) For fiscal years 2007-08 through 2028-29 ~~2023-24~~, the  
7 State Department of Education shall provide distance education incentives  
8 to school districts and educational service units for qualified distance  
9 education courses coordinated through the Educational Service Unit  
10 Coordinating Council as provided in this section. ~~Through fiscal year~~  
11 ~~2015-16, funding for such distance education incentives shall come from~~  
12 ~~the Education Innovation Fund.~~ For fiscal years 2016-17 through 2023-24,  
13 funding for such distance education incentives shall come from the  
14 Nebraska Education Improvement Fund. For fiscal years 2024-25 through  
15 2028-29, funding for such distance education incentives shall come from  
16 transfers pursuant to section 1 of this act.

17 (2) School districts and educational service units shall apply for  
18 incentives annually through calendar year 2028 ~~2023~~ to the department on  
19 or before August 1 on a form specified by the department. The application  
20 shall:

21 (a) For school districts, specify (i) the qualified distance  
22 education courses which were received by students in the membership of  
23 the district in the then-current school fiscal year and which were not  
24 taught by a teacher employed by the school district and (ii) for each  
25 such course (A) the number of students in the membership of the district  
26 who received the course, (B) the educational entity employing the  
27 teacher, and (C) whether the course was a two-way interactive video  
28 distance education course; and

29 (b) For school districts and educational service units, specify (i)  
30 the qualified distance education courses which were received by students  
31 in the membership of another educational entity in the then-current

1 school fiscal year and which were taught by a teacher employed by the  
2 school district or educational service unit, (ii) for each such course  
3 for school districts, the number of students in the membership of the  
4 district who received the course, and (iii) for each such course (A) the  
5 other educational entities in which students received the course and how  
6 many students received the course at such educational entities, (B) any  
7 school district that is sparse or very sparse as such terms are defined  
8 in section 79-1003 that had at least one student in the membership who  
9 received the course, and (C) whether the course was a two-way interactive  
10 video distance education course.

11 (3) On or before September 1 of each year through calendar year 2028  
12 ~~2023~~, the department shall certify the incentives for each school  
13 district and educational service unit which shall be paid on or before  
14 October 1 of such year. The incentives for each district shall be  
15 calculated as follows:

16 (a) Each district shall receive distance education units for each  
17 qualified distance education course as follows:

18 (i) One distance education unit for each qualified distance  
19 education course received as reported pursuant to subdivision (2)(a) of  
20 this section if the course was a two-way interactive video distance  
21 education course;

22 (ii) One distance education unit for each qualified distance  
23 education course sent as reported pursuant to subdivision (2)(b) of this  
24 section if the course was not received by at least one student who was in  
25 the membership of another school district which was sparse or very  
26 sparse;

27 (iii) One distance education unit for each qualified distance  
28 education course sent as reported pursuant to subdivision (2)(b) of this  
29 section if the course was received by at least one student who was in the  
30 membership of another school district which was sparse or very sparse,  
31 but the course was not a two-way interactive video distance education

1 course; and

2 (iv) Two distance education units for each qualified distance  
3 education course sent as reported pursuant to subdivision (2)(b) of this  
4 section if the course was received by at least one student who was in the  
5 membership of another school district which was sparse or very sparse and  
6 the course was a two-way interactive video distance education course;

7 (b)(i) For fiscal years through fiscal year 2023-24, the ~~(b)~~ The  
8 difference of the amount available for distribution pursuant to  
9 subdivision (4)(c)(vi) ~~(4)(f)~~ of section 1 of this act 9-812 in the  
10 Nebraska Education Improvement Fund on the August 1 when the applications  
11 were due shall be divided by the number of distance education units to  
12 determine the incentive per distance education unit, except that the  
13 incentive per distance education unit shall not equal an amount greater  
14 than one thousand dollars; and

15 (ii) For fiscal years 2024-25 through 2028-29, the difference of the  
16 amount transferred pursuant to subdivision (2)(e) of section 1 of this  
17 act on the August 1 when the applications were due shall be divided by  
18 the number of distance education units to determine the incentive per  
19 distance education unit, except that the incentive per distance education  
20 unit shall not equal an amount greater than one thousand dollars; and

21 (c) The incentives for each school district shall equal the number  
22 of distance education units calculated for the school district multiplied  
23 by the incentive per distance education unit.

24 (4) If there are additional funds available for distribution after  
25 incentives calculated pursuant to subsections (1) through (3) of this  
26 section, school districts and educational service units may qualify for  
27 additional incentives for elementary distance education courses. Such  
28 incentives shall be calculated for sending and receiving school districts  
29 and educational service units as follows:

30 (a) The per-hour incentives shall equal the funds available for  
31 distribution after incentives calculated pursuant to subsections (1)

1 through (3) of this section divided by the sum of the hours of elementary  
2 distance education courses sent or received for each school district and  
3 educational service unit submitting an application, except that the per-  
4 hour incentives shall not be greater than ten dollars; and

5 (b) The elementary distance education incentives for each school  
6 district and educational service unit shall equal the per-hour incentive  
7 multiplied by the hours of elementary distance education courses sent or  
8 received by the school district or educational service unit.

9 (5) The department may verify any or all application information  
10 using annual curriculum reports and may request such verification from  
11 the council.

12 (6) On or before October 1 of each year through calendar year 2028  
13 ~~2023~~, a school district or educational service unit may appeal the denial  
14 of incentives for any course by the department to the State Board of  
15 Education. The board shall allow a representative of the school district  
16 or educational service unit an opportunity to present information  
17 concerning the appeal to the board at the November board meeting. If the  
18 board finds that the course meets the requirements of this section, the  
19 department shall pay the district from the Nebraska Education Improvement  
20 Fund as soon as practical in an amount for which the district or  
21 educational service unit should have qualified based on the incentive per  
22 distance education unit used in the original certification of incentives  
23 pursuant to this section.

24 (7) The State Board of Education shall adopt and promulgate rules  
25 and regulations to carry out this section.

26 Sec. 94. Section 79-2110, Revised Statutes Cumulative Supplement,  
27 2022, is amended to read:

28 79-2110 (1)(a) Each diversity plan shall provide for open enrollment  
29 in all school buildings in the learning community for school years prior  
30 to school year 2017-18, subject to specific limitations necessary to  
31 bring about diverse enrollments in each school building in the learning

1 community. Such limitations, for school buildings other than focus  
2 schools and programs other than focus programs, shall include giving  
3 preference at each school building first to siblings of students who will  
4 be enrolled as continuing students in such school building or program for  
5 the first school year for which enrollment is sought in such school  
6 building and then to students that contribute to the socioeconomic  
7 diversity of enrollment at each building and may include establishing  
8 zone limitations in which students may access several schools other than  
9 their home attendance area school. Notwithstanding the limitations  
10 necessary to bring about diversity, open enrollment shall include  
11 providing access to students who do not contribute to the socioeconomic  
12 diversity of a school building, if, subsequent to the open enrollment  
13 selection process that is subject to limitations necessary to bring about  
14 diverse enrollments, capacity remains in a school building. In such a  
15 case, students who have applied to attend such school building shall be  
16 selected to attend such school building on a random basis up to the  
17 remaining capacity of such building. A student who has otherwise been  
18 disqualified from the school building pursuant to the school district's  
19 code of conduct or related school discipline rules shall not be eligible  
20 for open enrollment pursuant to this section. Any student who attended a  
21 particular school building in the prior school year and who is seeking  
22 education in the grades offered in such school building shall be allowed  
23 to continue attending such school building as a continuing open  
24 enrollment student through school year 2016-17.

25 (b) To facilitate the open enrollment provisions of this subsection,  
26 each school year each member school district in a learning community  
27 shall establish a maximum capacity for each school building under such  
28 district's control pursuant to procedures and criteria established by the  
29 State Department of Education ~~learning community coordinating council~~.  
30 Each member school district shall also establish attendance areas for  
31 each school building under the district's control, except that the school

1 board shall not establish attendance areas for focus schools or focus  
2 programs. The attendance areas shall be established such that all of the  
3 territory of the school district is within an attendance area for each  
4 grade. Students residing in a school district shall be allowed to attend  
5 a school building in such school district.

6 (c) For purposes of this section and sections 79-238 and 79-611,  
7 student who contributes to the socioeconomic diversity of enrollment  
8 means (i) a student who does not qualify for free or reduced-price  
9 lunches when, based upon the certification pursuant to section 79-2120,  
10 the school building the student will attend either has more students  
11 qualifying for free or reduced-price lunches than the average percentage  
12 of such students in all school buildings in the learning community or  
13 provides free meals to all students pursuant to the community eligibility  
14 provision or (ii) a student who qualifies for free or reduced-price  
15 lunches based on information collected from parents and guardians when,  
16 based upon the certification pursuant to section 79-2120, the school  
17 building the student will attend has fewer students qualifying for free  
18 or reduced-price lunches than the average percentage of such students in  
19 all school buildings in the learning community and does not provide free  
20 meals to all students pursuant to the community eligibility provision.

21 (2)(a) On or before March 15 of each year prior to 2017, a parent or  
22 guardian of a student residing in a member school district in a learning  
23 community may submit an application to any school district in the  
24 learning community on behalf of a student who is applying to attend a  
25 school building for the following school year that is not in an  
26 attendance area where the applicant resides or a focus school, focus  
27 program, or magnet school as such terms are defined in section 79-769. On  
28 or before April 1 of each year beginning with the year immediately  
29 following the year in which the initial coordinating council for the  
30 learning community takes office, the school district shall accept or  
31 reject such applications based on the capacity of the school building,

1 the eligibility of the applicant for the school building or program, the  
2 number of such applicants that will be accepted for a given school  
3 building, and whether or not the applicant contributes to the  
4 socioeconomic diversity of the school or program to which he or she has  
5 applied and for which he or she is eligible. The school district shall  
6 notify such parent or guardian in writing of the acceptance or rejection.

7 (b) A student may not apply to attend a school building in the  
8 learning community for any grades that are offered by another school  
9 building for which the student had previously applied and been accepted  
10 pursuant to this section, absent a hardship exception as established by  
11 the individual school district. On or before September 1 of each year  
12 prior to 2017, each school district shall provide to the learning  
13 community coordinating council a complete and accurate report of all  
14 applications received, including the number of students who applied at  
15 each grade level at each building, the number of students accepted at  
16 each grade level at each building, the number of such students that  
17 contributed to the socioeconomic diversity that applied and were  
18 accepted, the number of applicants denied and the rationales for denial,  
19 and other such information as requested by the learning community  
20 coordinating council.

21 (3) Each diversity plan may include establishment of one or more  
22 focus schools or focus programs and the involvement of every member  
23 school district in one or more pathways across member school districts.  
24 Enrollment in each focus school or focus program shall be designed to  
25 reflect the socioeconomic diversity of the learning community as a whole.  
26 School district selection of students for focus schools or focus programs  
27 shall be on a random basis from two pools of applicants, those who  
28 qualify for free and reduced-price lunches and those who do not qualify  
29 for free and reduced-price lunches. The percentage of students selected  
30 for focus schools from the pool of applicants who qualify for free and  
31 reduced-price lunches shall be as nearly equal as possible to the

1 percentage of the student body of the learning community who qualify for  
2 free and reduced-price lunches. The percentage of students selected for  
3 focus schools from the pool of applicants who do not qualify for free and  
4 reduced-price lunches shall be as nearly equal as possible to the  
5 percentage of the student body of the learning community who do not  
6 qualify for free and reduced-price lunches. If more capacity exists in a  
7 focus school or program than the number of applicants for such focus  
8 school or program that contribute to the socioeconomic diversity of the  
9 focus school or program, the school district shall randomly select  
10 applicants up to the number of applicants that will be accepted for such  
11 building. A student who will complete the grades offered at a focus  
12 program, focus school, or magnet school that is part of a pathway shall  
13 be allowed to attend the focus program, focus school, or magnet school  
14 offering the next grade level as part of the pathway as a continuing  
15 student. A student who completes the grades offered at a focus program,  
16 focus school, or magnet school shall be allowed to attend a school  
17 offering the next grade level in the school district responsible for the  
18 focus program, focus school, or magnet school as a continuing student. A  
19 student who attended a program or school in the school year immediately  
20 preceding the first school year for which the program or school will  
21 operate as a focus program or focus school approved by the learning  
22 community and meeting the requirements of section 79-769 and who has not  
23 completed the grades offered at the focus program or focus school shall  
24 be a continuing student in the program or school. For school year  
25 2016-17, students attending a focus program or focus school outside of  
26 the school district shall be considered open enrollment students and, for  
27 school year 2017-18 and each school year thereafter, students attending a  
28 focus program or focus school shall be considered option enrollment  
29 students.

30 (4) On or before February 15 of each year, a parent or guardian of a  
31 student who is currently attending a school building or program, except a

1 magnet school, focus school, or focus program, outside of the school  
2 district where the student resides and who will complete the grades  
3 offered at such school building prior to the following school year shall  
4 provide notice, on a form provided by the school district, to the school  
5 board of the school district containing such school building (a) for  
6 years prior to 2017, if such student will attend another school building  
7 within such district as a continuing student and which school building  
8 such student would prefer to attend or (b) for 2017 and each year  
9 thereafter, if such student will apply to enroll as an option student in  
10 another school building within such district and which school building  
11 such student would prefer to attend. On or before March 1, such school  
12 board shall provide a notice to such parent or guardian stating which  
13 school building or buildings the student shall be allowed to attend in  
14 such school district as a continuing student or an option student for the  
15 following school year. If the student resides within the school district,  
16 the notice shall include the school building offering the grade the  
17 student will be entering for the following school year in the attendance  
18 area where the student resides. This subsection shall not apply to focus  
19 schools or programs.

20 (5) Prior to the beginning of school year 2017-18, a parent or  
21 guardian of a student who moves to a new residence in the learning  
22 community after April 1 may apply directly to a school board within the  
23 learning community within ninety days after moving for the student to  
24 attend a school building outside of the attendance area where the student  
25 resides. Such school board shall accept or reject such application within  
26 fifteen days after receiving the application, based on the number of  
27 applications and qualifications pursuant to subsection (2) or (3) of this  
28 section for all other students.

29 (6) A parent or guardian of a student who wishes to change school  
30 buildings for emergency or hardship reasons may apply directly to a  
31 school board within the learning community at any time for the student to

1 attend a school building outside of the attendance area where the student  
2 resides. Such application shall state the emergency or hardship and shall  
3 be kept confidential by the school board. Such school board shall accept  
4 or reject such application within fifteen days after receiving the  
5 application. Applications shall only be accepted if an emergency or  
6 hardship was presented which justifies an exemption from the procedures  
7 in subsection (4) of this section based on the judgment of such school  
8 board, and such acceptance shall not exceed the number of applications  
9 that will be accepted for the school year pursuant to subsection (2) or  
10 (3) of this section for such building.

11 (7) Each student attending a school building in the resident school  
12 district as an open enrollment student for any part of school year  
13 2016-17 shall be allowed to continue attending such school building  
14 without submitting an additional application unless the student has  
15 completed the grades offered in such school building or has been expelled  
16 and is disqualified pursuant to section 79-266.01.

17 Sec. 95. Section 79-2304, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 79-2304 (1) It is the intent of the Legislature to appropriate seven  
20 hundred fifty thousand dollars from the General Fund for fiscal years  
21 2013-14 and 2014-15, and any amount determined by the Legislature for any  
22 fiscal year thereafter, to the State Department of Education. Such funds  
23 shall be used by the department to provide assistance to institutions  
24 that offer high school equivalency programs and for expanding services  
25 and programs to support the completion of the general educational  
26 development program. Each such institution shall offer to eligible  
27 individuals adult dropout recovery services, including recruitment and  
28 learning plan development, and provide proactive coaching and mentoring  
29 to such individuals, culminating in qualification for a high school  
30 diploma. For purposes of this section, eligible individuals include  
31 adults and out-of-school youths sixteen years of age or older who are not

1 enrolled or required to be enrolled in secondary school under state law  
2 and who have not previously earned a high school diploma or diploma of  
3 high school equivalency. Assistance shall be provided based on  
4 participation in an institution's high school equivalency program as  
5 follows:

6 (a) Each such institution shall receive one assistance payment for  
7 each participant who enrolled in its high school equivalency program in  
8 the most recently completed fiscal year;

9 (b) Each such institution shall receive one assistance payment for  
10 each enrolled participant who took an initial examination for a diploma  
11 of high school equivalency in the most recently completed fiscal year;  
12 and

13 (c) Each such institution shall receive one assistance payment for  
14 each participant not enrolled in the institution's high school  
15 equivalency program who took the examination for a diploma of high school  
16 equivalency in the most recently completed fiscal year.

17 (2) An institution shall receive ~~no~~ additional assistance for any  
18 enrolled participant who failed his or her initial examination for a  
19 diploma of high school equivalency and requires additional training and  
20 testing.

21 Sec. 96. Section 79-2308, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 79-2308 (1) The State Department of Education shall provide for  
24 grants to any entity offering a high school equivalency program, ~~which~~  
25 ~~entity is not an institution.~~ Grants pursuant to this section shall be  
26 awarded to applicants which meet the requirements of section 79-2304.

27 (2) The High School Equivalency Grant Fund is created. Any money in  
28 the fund available for investment shall be invested by the state  
29 investment officer pursuant to the Nebraska Capital Expansion Act and the  
30 Nebraska State Funds Investment Act.

31 ~~(3) It is the intent of the Legislature to transfer four hundred~~

1 ~~thousand dollars from the Job Training Cash Fund to the High School~~  
2 ~~Equivalency Grant Fund to carry out the purposes of subsection (1) of~~  
3 ~~this section.~~

4 Sec. 97. Section 79-2506, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 79-2506 (1) The department shall establish an application process  
7 and timeline pursuant to which partner organizations may submit proposals  
8 for a grant under the Expanded Learning Opportunity Grant Program. Each  
9 proposal shall include:

10 (a) A grant planning period;

11 (b) An agreement to participate in periodic evaluations of the  
12 expanded learning opportunity program, to be specified by the department;

13 (c) Evidence that the proposed expanded learning opportunity program  
14 will be coordinated or contracted with existing programs;

15 (d) A plan to coordinate and use a combination of local, state,  
16 philanthropic, and federal funding sources, including, but not limited  
17 to, funding available through the federal No Child Left Behind Act of  
18 2001, 20 U.S.C. 6301 et seq., as such act and sections existed on January  
19 1, 2015, funds allocated pursuant to section 1 of this act 9-812, and  
20 funds from any other source designated or appropriated for purposes of  
21 the program. Funding provided by the Expanded Learning Opportunity Grant  
22 Program shall be matched on a one-to-one basis by community or partner  
23 contributions;

24 (e) A plan to use sliding-fee scales and the funding sources  
25 included in subdivision (d) of this subsection;

26 (f) An advisory body which includes families and community members;

27 (g) Appropriately qualified staff;

28 (h) An appropriate child-to-staff ratio;

29 (i) Compliance with minimum health and safety standards;

30 (j) A strong family development and support component, recognizing  
31 the central role of parents in their children's development; and

1 (k) Developmentally and culturally appropriate practices and  
2 assessments.

3 (2) The proposal shall demonstrate how the expanded learning  
4 opportunity program will provide participating students with academic  
5 enrichment and expanded learning opportunities that are high quality,  
6 based on proven methods, if appropriate, and designed to complement  
7 students' regular academic programs. Such activities shall include two or  
8 more of the following:

9 (a) Core education subjects of reading, writing, mathematics, and  
10 science;

11 (b) Academic enrichment learning programs, including provision of  
12 additional assistance to students to allow the students to improve their  
13 academic achievement;

14 (c) Science, technology, engineering, and mathematics (STEM)  
15 education;

16 (d) Sign language, foreign language, and social studies instruction;

17 (e) Remedial education activities;

18 (f) Tutoring services, including, but not limited to, tutoring  
19 services provided by senior citizen volunteers;

20 (g) Arts and music education;

21 (h) Entrepreneurial education programs;

22 (i) Telecommunications and technology education programs;

23 (j) Programs for English language learners that emphasize language  
24 skills and academic achievement;

25 (k) Mentoring programs;

26 (l) Recreational activities;

27 (m) Expanded library service hours;

28 (n) Programs that provide assistance to students who have been  
29 truant, suspended, or expelled to allow such students to improve their  
30 academic achievement;

31 (o) Drug abuse prevention and violence prevention programs;

- 1 (p) Character education programs;
- 2 (q) Health and nutritional services;
- 3 (r) Behavioral health counseling services; and
- 4 (s) Programs that promote parental involvement and family literacy.

5 (3) A proposal shall: (a) Demonstrate specifically how its  
6 activities are expected to improve student academic achievement; (b)  
7 demonstrate that its activities will be provided by organizations in  
8 partnership with the school that have experience or the promise of  
9 success in providing educational and related activities that will  
10 complement and enhance the academic performance, achievement, and  
11 positive development of the students; and (c) demonstrate that the  
12 expanded learning opportunity program aligns with the school district  
13 learning objectives and behavioral codes. Nothing in this subsection  
14 shall be construed to require an expanded learning opportunity program to  
15 provide academic services in specific subject areas.

16 (4) The department shall make an effort to fund expanded learning  
17 opportunity programs in both rural and urban areas of the state. The  
18 department shall award grants to proposals that offer a broad array of  
19 services, programs, and activities.

20 Sec. 98. Section 79-2510, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 79-2510 (1) The Expanded Learning Opportunity Grant Fund is created.  
23 The fund shall be administered by the department and shall consist of  
24 transfers pursuant to section 1 of this act ~~9-812~~, repayments of grant  
25 funds, and interest payments received in the course of administering the  
26 Expanded Learning Opportunity Grant Program Act. The fund shall be used  
27 to carry out the Expanded Learning Opportunity Grant Program Act. Any  
28 money in the fund available for investment shall be invested by the state  
29 investment officer pursuant to the Nebraska Capital Expansion Act and the  
30 Nebraska State Funds Investment Act.

31 (2) The State Board of Education, in consultation with the

1 department, may adopt and promulgate rules and regulations to carry out  
2 the Expanded Learning Opportunity Grant Program Act.

3 Sec. 99. Section 79-3106, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 79-3106 (1) It is the intent of the Legislature that federal funds  
6 shall be used to implement the School Safety and Security Reporting  
7 System Act for fiscal years 2021-22, 2022-23, and 2023-24. The  
8 Commissioner of Education shall electronically report data, a cost-  
9 benefit analysis, and a funding recommendation regarding the continued  
10 viability of the Safe2HelpNE report line to the Appropriations Committee  
11 of the Legislature and the Education Committee of the Legislature on or  
12 before January 5, 2024.

13 (2) It is the intent of the Legislature to appropriate eight hundred  
14 seventy thousand dollars from the General Fund for fiscal year 2024-25  
15 and each fiscal year thereafter to the State Department of Education to  
16 carry out the School Safety and Security Reporting System Act.

17 Sec. 100. Section 79-3304, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 79-3304 Beginning with school year 2025-26 ~~2024-25~~, each school  
20 district, ~~in consultation with the State Department of Education,~~ shall  
21 include computer science and technology education aligned to the academic  
22 content standards adopted pursuant to section 79-760.02 in the  
23 instructional program of its elementary, ~~and middle, and high schools.~~  
24 Beginning ~~, as appropriate, and beginning~~ in school year 2027-28 ~~2026-27~~,  
25 each school district shall require each student attending a public school  
26 to complete at least five high one five-credit high school credit hours  
27 course or the equivalent of a one-semester high school course in computer  
28 science and technology education prior to graduation. Such requirement  
29 may be completed through a single course or combination of high school  
30 courses that cover the computer science and technology academic content  
31 standards, and such courses ~~Such computer science and technology~~

1 ~~education course offered by a school district~~ may be made available in a  
2 traditional classroom setting, a blended-learning environment, or an  
3 online-based or other technology-based format ~~that is tailored to meet~~  
4 ~~the need of each participating student.~~

5 Sec. 101. Section 79-3305, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 79-3305 On or before December 1, 2026 ~~2025~~, and on or before  
8 December 1 of each year thereafter, in order to promote and support  
9 computer science and technology education, each school district shall  
10 provide an annual computer science and technology education status report  
11 to its school board and the State Department of Education, including, but  
12 not limited to, student progress on the ~~in~~ computer science and  
13 technology courses and other district-determined measures of computer  
14 science and technology education progress from the previous school year.

15 Sec. 102. Section 81-145, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 81-145 As used in sections 81-145 to 81-162, unless the context  
18 otherwise requires:

19 (1) Materiel division means ~~shall mean~~ the head of the division of  
20 the state government charged with the administration of sections 81-145  
21 to 81-162 and 81-1118 to 81-1118.06, which division shall be a part of  
22 and subject to the supervision of the office of the Director of  
23 Administrative Services;

24 (2) Personal property includes ~~shall include~~ all materials,  
25 supplies, furniture, equipment, printing, stationery, automotive and road  
26 equipment, and other chattels, goods, wares, and merchandise whatsoever;

27 (3) Using agencies means and includes ~~shall mean and include~~ all  
28 officers of the state, departments, bureaus, boards, commissions,  
29 councils, and institutions receiving legislative appropriations, except  
30 that using agencies does not include the University of Nebraska and the  
31 Nebraska state colleges; and

1 (4) Lease or contract means ~~shall mean~~ an agreement entered into by  
2 the state or using agency with another party whereby, for a stated  
3 consideration, the state or using agency is to receive the personal  
4 property or use thereof furnished by the other party.

5 Sec. 103. Section 81-161.04, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 81-161.04 (1) Whenever any using agency has any personal property  
8 for which it no longer has any need or use, it shall notify the materiel  
9 division in writing setting forth a description of the property and the  
10 approximate length of time that the property has been in the possession  
11 of the using agency. The materiel division shall appraise the property  
12 and notify all other using agencies of the state that the materiel  
13 division has the property for sale and that the property can be bought at  
14 the appraised price. No property will be sold until first offered to  
15 using agencies as provided by this section unless the property is  
16 unusable. If the materiel division fails to receive an offer from any  
17 using agency, it may sell or dispose of the property by any method which  
18 is most advantageous to the State of Nebraska, including auction, sealed  
19 bid, private or public sale, or trade-in for other property, with  
20 priorities given to the other political subdivisions. All sales shall be  
21 made in the name of the State of Nebraska. The materiel division shall  
22 charge an administrative fee for the disposition of surplus property.  
23 Such administrative fee shall be a percentage of the amount of the sale  
24 of the surplus property. In the event surplus property is determined to  
25 have no market value, the materiel administrator may waive the  
26 administrative fee.

27 (2) Except as otherwise provided in this subsection, the proceeds of  
28 such ~~the~~ sales shall be deposited with the State Treasurer and credited  
29 to the General Fund unless the using agency certifies to the materiel  
30 division that the property was purchased in part or in total from either  
31 cash accounts or federal funds or from a percentage of such accounts or

1 funds, in which case the proceeds of the sale to that extent shall be  
2 credited to the cash or federal account in the percentage used in  
3 originally purchasing the property. The cost of selling surplus property  
4 shall be deducted from the proceeds of the surplus property sold. The  
5 proceeds received from the sale of passenger-carrying motor vehicles  
6 originally purchased with money from the General Fund, other than  
7 passenger-carrying motor vehicles used by the Nebraska State Patrol, less  
8 selling costs, shall be deposited in the state treasury and credited by  
9 the State Treasurer to the Transportation Services Bureau Revolving Fund.  
10 The proceeds received from the sale of passenger-carrying motor vehicles  
11 used by the Nebraska State Patrol, less selling costs, shall be deposited  
12 in the state treasury and credited by the State Treasurer to the Nebraska  
13 State Patrol Vehicle Replacement Cash Fund. The proceeds received from  
14 the sale of micrographic equipment, ~~other than that of the University of~~  
15 ~~Nebraska and state colleges,~~ less selling costs, shall be deposited in  
16 the state treasury and credited by the State Treasurer to the Records  
17 Management Micrographics Services Revolving Fund. The proceeds received  
18 from the sale of aircraft, less selling costs, shall be deposited in the  
19 state treasury and credited by the State Treasurer to the Aeronautics  
20 Cash Fund.

21 Sec. 104. Section 81-1118, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 81-1118 The materiel division of the Department of Administrative  
24 Services is hereby established and shall be managed by the materiel  
25 administrator.

26 There are hereby established the following seven branches of the  
27 materiel division of the Department of Administrative Services which  
28 shall have the following duties, powers, and responsibilities:

29 (1) The office supplies bureau shall be responsible for providing  
30 office supplies, paper, and forms to using agencies;

31 (2) Central mail shall be responsible for all mailing operations,

1 transportation of material, tracking shipments, and making freight  
2 claims;

3 (3) The print shop shall be responsible for specifications and for  
4 receiving bids and placing orders to the lowest and best commercial  
5 bidder for all printing and reproduction operations for the state. The  
6 print shop shall also be responsible for coordinating all existing  
7 printing and reproduction operations of the state;

8 (4) Copy services shall be responsible for the purchasing and  
9 placement of all copier requirements;

10 (5) The state purchasing bureau shall be responsible for all  
11 purchases by all state agencies other than the University of Nebraska and  
12 the Nebraska state colleges. The materiel division shall administer the  
13 public notice and bidding procedures and any other areas designated by  
14 the Director of Administrative Services to carry out the lease or  
15 purchase of personal property. All purchases of and contracts for  
16 materials, supplies, or equipment and all leases of personal property  
17 shall be made in the following manner except in emergencies approved by  
18 the Governor:

19 (a) By a competitive formal sealed bidding process through the  
20 materiel division in all cases in which the purchases are of estimated  
21 value exceeding fifty thousand dollars;

22 (b) By a competitive informal bidding process through the materiel  
23 division in all cases in which the purchases are of estimated value equal  
24 to or exceeding twenty-five thousand dollars but equal to or less than  
25 fifty thousand dollars;

26 (c) By unrestricted open market purchases through the materiel  
27 division in all cases in which purchases are of estimated value of less  
28 than twenty-five thousand dollars;

29 (d) All requisitions for whatever purpose coming to the state  
30 purchasing bureau shall be in conformance with the approved budget of the  
31 requisitioning department or agency;

1 (e) All contracts for purchases and leases shall be bid as a single  
2 whole item. In no case shall contracts be divided or fractionated in  
3 order to produce several contracts which are of an estimated value below  
4 that required for competitive bidding; and

5 (f) No contract for purchase or lease shall be amended to extend the  
6 duration of the contract for a period of more than fifty percent of the  
7 initial contract term. Following the adoption of any amendment to extend  
8 the contract for a period of fifty percent or less of the initial  
9 contract term, no further extensions of the original contract shall be  
10 permitted. This subdivision (f) does not prohibit the exercise of any  
11 renewal option expressly provided in the original contract;

12 (6) The state recycling office shall be responsible for the  
13 administration and operation of the State Government Recycling Management  
14 Act; and

15 (7) State surplus property shall be responsible for the disposition  
16 of the state's surplus property and the maintenance of all inventory  
17 records.

18 Nothing in this section shall be construed to require that works of  
19 art must be procured through the materiel division.

20 Sec. 105. Section 81-1118.02, Reissue Revised Statutes of Nebraska,  
21 is amended to read:

22 81-1118.02 (1) Except as otherwise provided in subsection (4) of  
23 this section, each ~~Each~~ executive, department, commission, or other state  
24 agency, and including the Supreme Court, ~~the Board of Regents of the~~  
25 ~~University of Nebraska, and the Board of Trustees of the Nebraska State~~  
26 ~~Colleges,~~ shall annually make or cause to be made an inventory of all  
27 property, including furniture and equipment, belonging to the State of  
28 Nebraska and in the possession, custody, or control of any executive,  
29 department, commission, or other state agency. The inventory shall  
30 include property in the possession, custody, or control of each  
31 executive, department, commission, or other state agency as of June 30

1 and shall be completed and filed with the materiel administrator by  
2 August 31 of each year.

3 (2) If any of the property of the state, referred to in subsection  
4 (1) of this section, is lost, destroyed, or unaccounted for by the  
5 negligence or carelessness of the executive, department, commission, or  
6 other state agency, the administrator shall, with the advice of the  
7 Attorney General, take the proper steps to recover such state property or  
8 the reasonable value thereof from the executive, department, commission,  
9 or other state agency charged with the same and from the person bonding  
10 such executive, department, commission, or other state agency, if any.

11 (3) Each such executive, department, commission, or other state  
12 agency shall indelibly tag, mark, or stamp all such property belonging to  
13 the State of Nebraska, with the following: Property of the State of  
14 Nebraska. In the inventory required by subsection (1) of this section,  
15 each such executive, department, commission, or other state agency shall  
16 state positively that each item of such property has been so tagged,  
17 marked, or stamped.

18 (4) This section does not apply to the Board of Regents of the  
19 University of Nebraska or the Board of Trustees of the Nebraska State  
20 Colleges.

21 Sec. 106. Section 84-304, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 84-304 It shall be the duty of the Auditor of Public Accounts:

24 (1) To give information electronically to the Legislature, whenever  
25 required, upon any subject relating to the fiscal affairs of the state or  
26 with regard to any duty of his or her office;

27 (2) To furnish offices for himself or herself and all fuel, lights,  
28 books, blanks, forms, paper, and stationery required for the proper  
29 discharge of the duties of his or her office;

30 (3)(a) To examine or cause to be examined, at such time as he or she  
31 shall determine, books, accounts, vouchers, records, and expenditures of

1 all state officers, state bureaus, state boards, state commissioners, the  
2 state library, societies and associations supported by the state, state  
3 institutions, state colleges, and the University of Nebraska, except when  
4 required to be performed by other officers or persons. Such examinations  
5 shall be done in accordance with generally accepted government auditing  
6 standards for financial audits and attestation engagements set forth in  
7 Government Auditing Standards (2011 Revision for audit periods ending  
8 before June 30, 2020, or 2018 Revision for audit periods ending on or  
9 after June 30, 2020), published by the Comptroller General of the United  
10 States, Government Accountability Office, and except as provided in  
11 subdivision (11) of this section, subdivision (16) of section 50-1205,  
12 and section 84-322, shall not include performance audits, whether  
13 conducted pursuant to attestation engagements or performance audit  
14 standards as set forth in Government Auditing Standards (2018 Revision),  
15 published by the Comptroller General of the United States, Government  
16 Accountability Office.

17 (b) Any entity, excluding the state colleges and the University of  
18 Nebraska, that is audited or examined pursuant to subdivision (3)(a) of  
19 this section and that is the subject of a comment and recommendation in a  
20 management letter or report issued by the Auditor of Public Accounts  
21 shall, on or before six months after the issuance of such letter or  
22 report, provide to the Auditor of Public Accounts a detailed written  
23 description of any corrective action taken or to be taken in response to  
24 the comment and recommendation. The Auditor of Public Accounts may  
25 investigate and evaluate the corrective action. The Auditor of Public  
26 Accounts shall then electronically submit a report of any findings of  
27 such investigation and evaluation to the Governor, the appropriate  
28 standing committee of the Legislature, and the Appropriations Committee  
29 of the Legislature. The Auditor of Public Accounts shall also ensure that  
30 the report is delivered to the Appropriations Committee for entry into  
31 the record during the committee's budget hearing process;

1           (4)(a) To examine or cause to be examined, at the expense of the  
2 political subdivision, when the Auditor of Public Accounts determines  
3 such examination necessary or when requested by the political  
4 subdivision, the books, accounts, vouchers, records, and expenditures of  
5 any agricultural association formed under Chapter 2, article 20, any  
6 county agricultural society, any joint airport authority formed under the  
7 Joint Airport Authorities Act, any city or county airport authority, any  
8 bridge commission created pursuant to section 39-868, any cemetery  
9 district, any community redevelopment authority or limited community  
10 redevelopment authority established under the Community Development Law,  
11 any development district, any drainage district, any health district, any  
12 local public health department as defined in section 71-1626, any  
13 historical society, any hospital authority or district, any county  
14 hospital, any housing agency as defined in section 71-1575, any  
15 irrigation district, any county or municipal library, any community  
16 mental health center, any railroad transportation safety district, any  
17 rural water district, any township, Wyuka Cemetery, the Educational  
18 Service Unit Coordinating Council, any entity created pursuant to the  
19 Interlocal Cooperation Act, any educational service unit, any village,  
20 any service contractor or subrecipient of state or federal funds, any  
21 political subdivision with the authority to levy a property tax or a  
22 toll, or any entity created pursuant to the Joint Public Agency Act.

23           For purposes of this subdivision, service contractor or subrecipient  
24 means any nonprofit entity that expends state or federal funds to carry  
25 out a state or federal program or function, but it does not include an  
26 individual who is a direct beneficiary of such a program or function or a  
27 licensed health care provider or facility receiving direct payment for  
28 medical services provided for a specific individual.

29           (b) The Auditor of Public Accounts may waive the audit requirement  
30 of subdivision (4)(a) of this section upon the submission by the  
31 political subdivision of a written request in a form prescribed by the

1 auditor. The auditor shall notify the political subdivision in writing of  
2 the approval or denial of the request for a waiver.

3 (c) Through December 31, 2017, the Auditor of Public Accounts may  
4 conduct audits under this subdivision for purposes of sections 2-3228,  
5 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, 16-1017, 16-1037, 19-3501,  
6 23-1118, 23-3526, 71-1631.02, and 79-987.

7 (d) Beginning on May 24, 2017, the Auditor of Public Accounts may  
8 conduct audits under this subdivision for purposes of sections 13-2402,  
9 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814,  
10 71-1631.02, and 79-987 and shall prescribe the form for the annual  
11 reports required in each of such sections. Such annual reports shall be  
12 published annually on the website of the Auditor of Public Accounts;

13 (5) To report promptly to the Governor and the appropriate standing  
14 committee of the Legislature the fiscal condition shown by such  
15 examinations conducted by the auditor, including any irregularities or  
16 misconduct of officers or employees, any misappropriation or misuse of  
17 public funds or property, and any improper system or method of  
18 bookkeeping or condition of accounts. The report submitted to the  
19 committee shall be submitted electronically. In addition, if, in the  
20 normal course of conducting an audit in accordance with subdivision (3)  
21 of this section, the auditor discovers any potential problems related to  
22 the effectiveness, efficiency, or performance of state programs, he or  
23 she shall immediately report them electronically to the Legislative  
24 Performance Audit Committee which may investigate the issue further,  
25 report it electronically to the appropriate standing committee of the  
26 Legislature, or both;

27 (6)(a) To examine or cause to be examined the books, accounts,  
28 vouchers, records, and expenditures of a fire protection district. The  
29 expense of the examination shall be paid by the political subdivision.

30 (b) Whenever the expenditures of a fire protection district are one  
31 hundred fifty thousand dollars or less per fiscal year, the fire

1 protection district shall be audited no more than once every five years  
2 except as directed by the board of directors of the fire protection  
3 district or unless the auditor receives a verifiable report from a third  
4 party indicating any irregularities or misconduct of officers or  
5 employees of the fire protection district, any misappropriation or misuse  
6 of public funds or property, or any improper system or method of  
7 bookkeeping or condition of accounts of the fire protection district. In  
8 the absence of such a report, the auditor may waive the five-year audit  
9 requirement upon the submission of a written request by the fire  
10 protection district in a form prescribed by the auditor. The auditor  
11 shall notify the fire protection district in writing of the approval or  
12 denial of a request for waiver of the five-year audit requirement. Upon  
13 approval of the request for waiver of the five-year audit requirement, a  
14 new five-year audit period shall begin.

15 (c) Whenever the expenditures of a fire protection district exceed  
16 one hundred fifty thousand dollars in a fiscal year, the auditor may  
17 waive the audit requirement upon the submission of a written request by  
18 the fire protection district in a form prescribed by the auditor. The  
19 auditor shall notify the fire protection district in writing of the  
20 approval or denial of a request for waiver. Upon approval of the request  
21 for waiver, a new five-year audit period shall begin for the fire  
22 protection district if its expenditures are one hundred fifty thousand  
23 dollars or less per fiscal year in subsequent years;

24 (7) To appoint two or more assistant deputies (a) whose entire time  
25 shall be devoted to the service of the state as directed by the auditor,  
26 (b) who shall be certified public accountants with at least five years'  
27 experience, (c) who shall be selected without regard to party affiliation  
28 or to place of residence at the time of appointment, (d) who shall  
29 promptly report to the auditor the fiscal condition shown by each  
30 examination, including any irregularities or misconduct of officers or  
31 employees, any misappropriation or misuse of public funds or property,

1 and any improper system or method of bookkeeping or condition of  
2 accounts, and it shall be the duty of the auditor to file promptly with  
3 the Governor a duplicate of such report, and (e) who shall qualify by  
4 taking an oath which shall be filed in the office of the Secretary of  
5 State;

6 (8) To conduct audits and related activities for state agencies,  
7 political subdivisions of this state, or grantees of federal funds  
8 disbursed by a receiving agency on a contractual or other basis for  
9 reimbursement to assure proper accounting by all such agencies, political  
10 subdivisions, and grantees for funds appropriated by the Legislature and  
11 federal funds disbursed by any receiving agency. The auditor may contract  
12 with any political subdivision to perform the audit of such political  
13 subdivision required by or provided for in section 23-1608 or 79-1229 or  
14 this section and charge the political subdivision for conducting the  
15 audit. The fees charged by the auditor for conducting audits on a  
16 contractual basis shall be in an amount sufficient to pay the cost of the  
17 audit. The fees remitted to the auditor for such audits and services  
18 shall be deposited in the Auditor of Public Accounts Cash Fund;

19 (9)(a) To examine or cause to be examined the books, accounts,  
20 vouchers, and records related to any money transferred pursuant to  
21 subsection (2) or (4) of section 1 of this act ~~9-812~~, any fund receiving  
22 any such transfer, or any subsequent transfer or expenditure of such  
23 money when the Auditor of Public Accounts determines such examination  
24 necessary or when requested by (i) any department or agency receiving any  
25 such transfer or acting as the administrator for a fund receiving any  
26 such transfer, (ii) any recipient or subsequent recipient of money  
27 disbursed from any such fund, or (iii) any service contractor responsible  
28 for managing, on behalf of any entity, any portion of any such fund or  
29 any money disbursed from any such fund.

30 (b) Any examination pursuant to subdivision (9)(a) of this section  
31 shall be made at the expense of the department or agency, recipient or

1 subsequent recipient, or service contractor whose books, accounts,  
2 vouchers, or records are being examined.

3 (c) For purposes of this subdivision, recipient, subsequent  
4 recipient, or service contractor means a nonprofit entity that expends  
5 funds transferred pursuant to subsection (2) or (4) of section 1 of this  
6 act 9-812 to carry out a state program or function, but does not include  
7 an individual who is a direct beneficiary of such a program or function.

8 (d) The Auditor of Public Accounts shall prescribe the form for the  
9 annual reports required in subsection (6) (5) of section 1 of this act  
10 9-812. Such annual reports shall be published on the website of the  
11 Auditor of Public Accounts;

12 (10) To develop and maintain an annual budget and actual financial  
13 information reporting system for political subdivisions that is  
14 accessible online by the public;

15 (11) When authorized, to conduct joint audits with the Legislative  
16 Performance Audit Committee as described in section 50-1205;

17 (12) Unless otherwise specifically provided, to assess the interest  
18 rate on delinquent payments of any fees for audits and services owing to  
19 the Auditor of Public Accounts at a rate of fourteen percent per annum  
20 from the date of billing unless paid within thirty days after the date of  
21 billing. For an entity created pursuant to the Interlocal Cooperation Act  
22 or the Joint Public Agency Act, any participating public agencies shall  
23 be jointly and severally liable for the fees and interest owed if such  
24 entity is defunct or unable to pay; and

25 (13) In consultation with statewide associations representing (a)  
26 counties and (b) cities and villages, to approve annual continuing  
27 education programs for county treasurers, city treasurers, and village  
28 treasurers as required by sections 14-553, 15-317, 16-318, 17-606, and  
29 23-1601. The cost of attending such programs shall be at the expense of  
30 the county, city, or village. The auditor shall maintain records of  
31 program attendance and notify each county board, city council, or village

1 board of trustees if its treasurer has not completed such program  
2 attendance. The auditor shall inform the Attorney General and the county  
3 attorney of the county in which a treasurer is located if such treasurer  
4 has not completed a required annual continuing education program.

5 Sec. 107. Section 84-612, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 84-612 (1) There is hereby created within the state treasury a fund  
8 known as the Cash Reserve Fund which shall be under the direction of the  
9 State Treasurer. The fund shall only be used pursuant to this section.

10 (2) The State Treasurer shall transfer funds from the Cash Reserve  
11 Fund to the General Fund upon certification by the Director of  
12 Administrative Services that the current cash balance in the General Fund  
13 is inadequate to meet current obligations. Such certification shall  
14 include the dollar amount to be transferred. Any transfers made pursuant  
15 to this subsection shall be reversed upon notification by the Director of  
16 Administrative Services that sufficient funds are available.

17 (3) In addition to receiving transfers from other funds, the Cash  
18 Reserve Fund shall receive federal funds received by the State of  
19 Nebraska for undesignated general government purposes, federal revenue  
20 sharing, or general fiscal relief of the state.

21 (4) The State Treasurer shall transfer fifty-four million seven  
22 hundred thousand dollars on or after July 1, 2019, but before June 15,  
23 2021, from the Cash Reserve Fund to the Nebraska Capital Construction  
24 Fund on such dates and in such amounts as directed by the budget  
25 administrator of the budget division of the Department of Administrative  
26 Services.

27 (5) The State Treasurer shall transfer two hundred fifteen million  
28 five hundred eighty thousand dollars from the Cash Reserve Fund to the  
29 Nebraska Capital Construction Fund on or after July 1, 2022, but before  
30 June 15, 2023, on such dates and in such amounts as directed by the  
31 budget administrator of the budget division of the Department of

1 Administrative Services.

2 (6) The State Treasurer shall transfer fifty-three million five  
3 hundred thousand dollars from the Cash Reserve Fund to the Perkins County  
4 Canal Project Fund on or before June 30, 2023, on such dates and in such  
5 amounts as directed by the budget administrator of the budget division of  
6 the Department of Administrative Services.

7 (7) No funds shall be transferred from the Cash Reserve Fund to  
8 fulfill the obligations created under the Nebraska Property Tax Incentive  
9 Act unless the balance in the Cash Reserve Fund after such transfer will  
10 be at least equal to five hundred million dollars.

11 (8) The State Treasurer shall transfer thirty million dollars from  
12 the Cash Reserve Fund to the Military Base Development and Support Fund  
13 on or before June 30, 2023, but not before July 1, 2022, on such dates  
14 and in such amounts as directed by the budget administrator of the budget  
15 division of the Department of Administrative Services.

16 (9) The State Treasurer shall transfer eight million three hundred  
17 thousand dollars from the Cash Reserve Fund to the Trail Development and  
18 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on  
19 such dates and in such amounts as directed by the budget administrator of  
20 the budget division of the Department of Administrative Services.

21 (10) The State Treasurer shall transfer fifty million dollars from  
22 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after  
23 July 1, 2022, but before July 15, 2023, on such dates and in such amounts  
24 as directed by the budget administrator of the budget division of the  
25 Department of Administrative Services.

26 (11) The State Treasurer shall transfer thirty million dollars from  
27 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on  
28 or after July 1, 2022, but before July 15, 2023, on such dates and in  
29 such amounts as directed by the budget administrator of the budget  
30 division of the Department of Administrative Services.

31 (12) The State Treasurer shall transfer twenty million dollars from

1 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July  
2 1, 2022, but before June 15, 2023, on such dates and in such amounts as  
3 directed by the budget administrator of the budget division of the  
4 Department of Administrative Services.

5 (13) The State Treasurer shall transfer twenty million dollars from  
6 the Cash Reserve Fund to the Middle Income Workforce Housing Investment  
7 Fund on July 15, 2022, or as soon thereafter as administratively  
8 possible, and in such amounts as directed by the budget administrator of  
9 the budget division of the Department of Administrative Services.

10 (14) The State Treasurer shall transfer eighty million dollars from  
11 the Cash Reserve Fund to the Jobs and Economic Development Initiative  
12 Fund on or after July 1, 2022, but before July 15, 2023, on such dates  
13 and in such amounts as directed by the budget administrator of the budget  
14 division of the Department of Administrative Services.

15 (15) The State Treasurer shall transfer twenty million dollars from  
16 the Cash Reserve Fund to the Site and Building Development Fund on July  
17 15, 2022, or as soon thereafter as administratively possible, and in such  
18 amounts as directed by the budget administrator of the budget division of  
19 the Department of Administrative Services.

20 (16) The State Treasurer shall transfer fifty million dollars from  
21 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
22 on or after July 15, 2022, but before January 1, 2023, on such dates and  
23 in such amounts as directed by the budget administrator of the budget  
24 division of the Department of Administrative Services.

25 (17) The State Treasurer shall transfer fifteen million dollars from  
26 the Cash Reserve Fund to the Site and Building Development Fund on or  
27 before June 30, 2022, on such dates and in such amounts as directed by  
28 the budget administrator of the budget division of the Department of  
29 Administrative Services.

30 (18) The State Treasurer shall transfer fifty-five million dollars  
31 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on

1 or before June 30, 2022, on such dates and in such amounts as directed by  
2 the budget administrator of the budget division of the Department of  
3 Administrative Services.

4 (19) The State Treasurer shall transfer ten million dollars from the  
5 Cash Reserve Fund to the School Safety and Security Fund as soon as  
6 administratively possible after the operative date of this section, on  
7 such dates and in such amounts as directed by the budget administrator of  
8 the budget division of the Department of Administrative Services.

9 Sec. 108. Section 85-102, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 85-102 The object of the University of Nebraska ~~such institution~~  
12 shall be to afford to the inhabitants of this state the means of  
13 acquiring a thorough knowledge of the various branches of literature,  
14 science and arts.

15 Sec. 109. Section 85-328, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 85-328 The State College Capitol Improvement Facility ~~Facility~~ Fee Fund is  
18 created. Revenue credited to the fund shall include amounts generated  
19 through assessment of a capital improvement facilities fee under the  
20 authority of the Board of Trustees of the Nebraska State Colleges.  
21 Amounts accumulated in the fund are authorized to be expended for the  
22 purpose of paying the cost of capital improvement projects approved by  
23 the board of trustees for any facilities on campuses or lands owned or  
24 controlled by the board, except that no such amounts shall be expended  
25 for capital improvement projects relating to facilities from which  
26 revenue is derived and pledged for the retirement of revenue bonds issued  
27 under ~~the provisions of~~ sections 85-403 to 85-411. All money accruing to  
28 the fund is appropriated to the board of trustees and shall be used for  
29 capital improvement projects authorized by the board. No expenditure may  
30 be made from the fund without prior approval by a resolution of the board  
31 of trustees. Any money in the fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska Capital  
2 Expansion Act and the Nebraska State Funds Investment Act. All revenue,  
3 fund balances, and expenditures shall be recorded in the Nebraska State  
4 Accounting System.

5 Sec. 110. Section 85-502.01, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 85-502.01 (1) A person who enrolls in a public college or university  
8 in this state and who is (a) a veteran as defined in Title 38 of the  
9 United States Code and was discharged or released from a period of not  
10 fewer than ninety days of service in the active military, naval, ~~or air,~~  
11 or space service, (b) a spouse or dependent of such a veteran, or (c) an  
12 eligible recipient entitled to (i) educational assistance as provided in  
13 38 U.S.C. 3319 while the transferor is on active duty in the uniformed  
14 services, (ii) educational assistance ~~or as provided in 38 U.S.C. 3311(b)~~  
15 ~~(8), (iii) 3311(b)(9), as such sections existed on January 1, 2019, or~~  
16 ~~(d) entitled to rehabilitation as provided in pursuant to 38 U.S.C.~~  
17 3102(a), or (iv) educational assistance as provided in 38 U.S.C. 3510, as  
18 such sections ~~section~~ existed on January 1, 2023 ~~2019~~, shall be  
19 considered a resident student notwithstanding ~~the provisions of~~ section  
20 85-502 if the person is registered to vote in Nebraska and demonstrates  
21 objective evidence of intent to be a resident of Nebraska, except that a  
22 person who is under eighteen years of age is not required to register to  
23 vote in Nebraska.

24 (2) For purposes of this section, objective evidence of intent to be  
25 a resident of Nebraska includes a Nebraska driver's license, a Nebraska  
26 state identification card, a Nebraska motor vehicle registration, or  
27 documentation that the individual is registered to vote in Nebraska.

28 Sec. 111. Section 85-601, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 85-601 It shall be grounds for the dismissal of any member of the  
31 faculty or administrative staff employed by, or the expulsion of any

1 student attending, the University of Nebraska or any community college  
2 ~~any public institution of higher education~~ in this state to use or assist  
3 others in any way in the use of force or to counsel, recommend, or urge  
4 the use of force or the threat of force or the seizure of property under  
5 the control of such institution, or by any act or action not sanctioned  
6 by law to prevent the faculty, administrative officers, employees, or  
7 students in such institution from engaging in their normal duties in  
8 connection with the operation of the institution or pursuing their  
9 studies at such institution.

10 Sec. 112. Section 85-602, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 85-602 No person shall be dismissed or expelled under ~~the provisions~~  
13 ~~of~~ section 85-601 until such person ~~he~~ has been accorded a public hearing  
14 under rules and regulations for the administration of sections 85-601 to  
15 85-605 established by the governing body ~~of the institution~~. Notice of  
16 such hearing and a formal written statement of the charges against such  
17 person ~~him~~ shall be served by either registered or certified mail, sent  
18 to such person's ~~his~~ current address as shown on the records of the  
19 University of Nebraska or community college institution, at least twenty  
20 days before the date set for hearing. Such person ~~He~~ shall be entitled to  
21 file a written response to such charges, to be present in person and by  
22 counsel at the hearing, and to testify and produce other witnesses on his  
23 or her behalf.

24 Sec. 113. Section 85-603, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 85-603 Dismissal or expulsion of any person under ~~the provisions of~~  
27 section 85-601 shall be by written order, which shall contain findings of  
28 fact upon which dismissal or expulsion is based, and shall be signed by  
29 an authorized agent of the governing body. The order shall be entered  
30 within thirty days after the hearing, shall state its effective date, and  
31 shall be served by either registered or certified mail, return receipt

1 requested, sent to such person's ~~his~~ current address as shown on the  
2 records of the University of Nebraska or community college ~~institution~~.

3 Sec. 114. Section 85-604, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 85-604 Each ~~The governing body of each public institution of higher~~  
6 ~~education in this state~~ shall adopt rules and regulations for the  
7 administration of ~~the provisions of~~ sections 85-601 to 85-605.

8 Sec. 115. Section 85-605, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 85-605 For purposes of sections 85-601 to 85-605, (1) dismissal does  
11 ~~shall~~ not include the failure to renew a probationary appointment of any  
12 faculty member or administrative staff member and (2) governing body  
13 means the Board of Regents of the University of Nebraska or the Community  
14 College Board of Governors, as applicable ~~public institution of higher~~  
15 ~~education shall include the University of Nebraska, the state colleges,~~  
16 ~~and the community colleges.~~

17 Sec. 116. Section 85-1412, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 85-1412 The commission shall have the following additional powers  
20 and duties:

21 (1) Conduct surveys and studies as may be necessary to undertake the  
22 coordination function of the commission pursuant to section 85-1403 and  
23 request information from governing boards and appropriate administrators  
24 of public institutions and other governmental agencies for research  
25 projects. All public institutions and governmental agencies receiving  
26 state funds shall comply with reasonable requests for information under  
27 this subdivision. Public institutions may comply with such requests  
28 pursuant to section 85-1417;

29 (2) Recommend to the Legislature and the Governor legislation it  
30 deems necessary or appropriate to improve postsecondary education in  
31 Nebraska and any other legislation it deems appropriate to change the

1 role and mission provisions in sections 85-917 to 85-966.01. The  
2 recommendations submitted to the Legislature shall be submitted  
3 electronically;

4 (3) Establish any advisory committees as may be necessary to  
5 undertake the coordination function of the commission pursuant to section  
6 85-1403 or to solicit input from affected parties such as students,  
7 faculty, governing boards, administrators of the public institutions,  
8 administrators of the private nonprofit institutions of postsecondary  
9 education and proprietary institutions in the state, and community and  
10 business leaders regarding the coordination function of the commission;

11 (4) Participate in or designate an employee or employees to  
12 participate in any committee which may be created to prepare a  
13 coordinated plan for the delivery of educational programs and services in  
14 Nebraska through the telecommunications system;

15 (5) Seek a close liaison with the State Board of Education and the  
16 State Department of Education in recognition of the need for close  
17 coordination of activities between elementary and secondary education and  
18 postsecondary education;

19 (6) Administer the Integrated Postsecondary Education Data System or  
20 other information system or systems to provide the commission with  
21 timely, comprehensive, and meaningful information pertinent to the  
22 exercise of its duties. The information system shall be designed to  
23 provide comparable data on each public institution. The commission shall  
24 also administer the uniform information system prescribed in sections  
25 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public  
26 institutions shall supply the appropriate data for the information system  
27 or systems required by the commission;

28 (7) Administer (a) the Access College Early Scholarship Program Act,  
29 (b) the Community College Aid Act, (c) the Door to College Scholarship  
30 Act and the Door to College Scholarship Fund, (d) the Nebraska Community  
31 College Student Performance and Occupational Education Grant Fund under

1 the direction of the Nebraska Community College Student Performance and  
2 Occupational Education Grant Committee, ~~(e) (d)~~ the Nebraska Opportunity  
3 Grant Act and the Nebraska Opportunity Grant Fund, ~~(f) (e)~~ the  
4 Postsecondary Institution Act, ~~(g) and (f)~~ the community college gap  
5 assistance program and the Community College Gap Assistance Program Fund,  
6 and (h) the Excellence in Teaching Act and the Excellence in Teaching  
7 Cash Fund;

8 (8) Accept and administer loans, grants, and programs from the  
9 federal or state government and from other sources, public and private,  
10 for carrying out any of its functions, including the administration of  
11 privately endowed scholarship programs. Such loans and grants shall not  
12 be expended for any other purposes than those for which the loans and  
13 grants were provided. The commission shall determine eligibility for such  
14 loans, grants, and programs, and such loans and grants shall not be  
15 expended unless approved by the Governor;

16 (9) On or before December 1 of each even-numbered year, submit to  
17 the Legislature and the Governor a report of its objectives and  
18 activities and any new private colleges in Nebraska and the  
19 implementation of any recommendations of the commission for the preceding  
20 two calendar years. The report submitted to the Legislature shall be  
21 submitted electronically;

22 (10) Provide staff support for interstate compacts on postsecondary  
23 education; and

24 (11) Request inclusion of the commission in any existing grant  
25 review process and information system.

26 Sec. 117. Section 85-1906, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 85-1906 (1) Eligible postsecondary educational institution means a  
29 public or private postsecondary educational institution:

30 (a) (1) Located in Nebraska;

31 (b) (2) Primarily engaged in the instruction of students;

1           (c) ~~(3)~~ Satisfying the provisions of Nebraska law relating to the  
2 approval and licensure of schools, colleges, and universities and  
3 maintaining accreditation by an accrediting organization recognized by  
4 the United States Department of Education;

5           (d) ~~(4)~~ Offering courses of instruction in regularly scheduled  
6 classes to regularly enrolled undergraduate students who reside in  
7 Nebraska and have received high school diplomas or their equivalent; and

8           (e) ~~(5)~~ Which has adopted, and has available for inspection, award  
9 refund and repayment policies.

10           (2) For a postsecondary educational institution not eligible prior  
11 to the operative date of this section, for purposes of this section,  
12 located in Nebraska means such eligible postsecondary educational  
13 institution:

14           (a) Has established a physical location in this state where students  
15 may receive instruction; and

16           (b) Maintains an administrative office in this state for the  
17 purposes of enrolling students, providing information to students about  
18 the institution, and providing student support services.

19           Sec. 118. Section 85-1907, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           85-1907 Eligible student means an undergraduate student who:

22           (1) Is enrolled in an eligible postsecondary educational  
23 institution;

24           (2)(a) For award years through award year 2023-24, has ~~(2)~~ Has  
25 applied for federal financial aid through the Free Application for  
26 Federal Student Aid for the applicable award year and has an expected  
27 family contribution which is equal to or less than one hundred ten  
28 percent of the maximum expected family contribution to qualify for a  
29 Federal Pell Grant in that award year; and

30           (b) For award year 2024-25 and each award year thereafter, has  
31 applied for federal financial aid through the Free Application for

1 Federal Student Aid for the applicable award year and has a student aid  
2 index which is equal to or less than one hundred ten percent of the  
3 maximum student aid index to qualify for a Federal Pell Grant in that  
4 award year;

5 (3) Is a resident student who is domiciled in Nebraska as provided  
6 by section 85-502; and

7 (4) Complies with all other provisions of the Nebraska Opportunity  
8 Grant Act and its rules and regulations.

9 Sec. 119. Section 85-1920, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 85-1920 The Nebraska Opportunity Grant Fund is created. Money in the  
12 fund shall include amounts transferred pursuant to section 1 of this act  
13 from the State Lottery Operation Trust Fund pursuant to section 9-812  
14 until June 30, 2016, or, until June 30, 2024, the Nebraska Education  
15 Improvement Fund pursuant to section 9-812 until June 30, 2024. All  
16 amounts accruing to the Nebraska Opportunity Grant Fund shall be used to  
17 carry out the Nebraska Opportunity Grant Act. Any money in the fund  
18 available for investment shall be invested by the state investment  
19 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
20 State Funds Investment Act.

21 Sec. 120. Section 85-2009, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 85-2009 (1) The Community College Gap Assistance Program Fund is  
24 created. The fund shall be under the direction of the committee and shall  
25 be administered by the Coordinating Commission for Postsecondary  
26 Education. The fund shall consist of money received pursuant to section 1  
27 of this act 9-812, any other money received by the state in the form of  
28 grants or gifts from nonfederal sources, such other amounts as may be  
29 transferred or otherwise accrue to the fund, and any investment income  
30 earned on the fund. The fund shall be used to carry out the community  
31 college gap assistance program pursuant to the Community College Gap

1 Assistance Program Act. Any money in the fund available for investment  
2 shall be invested by the state investment officer pursuant to the  
3 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
4 Act.

5 (2) In addition to community college gap assistance awarded to  
6 students, money in the fund may also be used by the committee:

7 (a) To establish application and funding procedures; and

8 (b) To assist other eligible institutions as specified in contracts  
9 entered into pursuant to subsection (4) of section 85-2010 in defraying  
10 the costs of direct staff support services, including, but not limited  
11 to, marketing, outreach, applications, interviews, and assessments  
12 related to the community college gap assistance program.

13 (3) Each community college may use up to ten percent of any money  
14 received from the fund to defray the costs of direct staff support  
15 services, including, but not limited to, marketing, outreach,  
16 applications, interviews, and assessments.

17 Sec. 121. (1) On or before October 1, 2023, the State Department of  
18 Education, the Department of Health and Human Services, the Office of  
19 Probation Administration, and the State Court Administrator shall enter  
20 into a memorandum of understanding for the sharing of data relevant to  
21 students who are under the jurisdiction of the juvenile court. The  
22 purpose for the sharing of data is to provide systems-wide coordination  
23 to improve educational opportunities, outcomes, and to facilitate service  
24 coordination for such students. The memorandum shall include the intent  
25 for the State Department of Education to contract with an outside  
26 consultant with expertise in the education of court-involved students to  
27 assist in the development of such policies and procedures.

28 (2) The consultant shall provide recommendations addressing issues  
29 that include, but need not be limited to, the following:

30 (a) Identifying and defining the population of students whose data  
31 should be collected and shared;

1       (b) Defining the specific types of data to be collected and shared;

2       (c) Identifying shared data systems;

3       (d) Identifying the entities and persons for which the data should  
4 be accessible;

5       (e) Identifying both federal and state legal responsibilities and  
6 confidentiality parameters; and

7       (f) Developing a uniform approach for the transfer of educational  
8 credits.

9       (3) The development of such policies and procedures for the sharing  
10 of data shall be collaborative and shall include input from the  
11 appropriate entities including, but not limited to, the State Department  
12 of Education, the Department of Health and Human Services, the Office of  
13 Probation Administration, the State Court Administrator, the juvenile  
14 court system, the superintendent of schools for the youth and  
15 rehabilitation centers, public school districts, educators, and court-  
16 involved students and their parents. The consultant shall provide a draft  
17 report containing the recommendations described in subsection (2) of this  
18 section to the appropriate agency representatives and to the Commissioner  
19 of Education, the chief executive officer of the Department of Health and  
20 Human Services, and the Chief Justice of the Supreme Court on or before  
21 September 1, 2024.

22       (4) The State Department of Education shall complete a final report  
23 detailing the recommendations of the consultant and any policies and  
24 procedures that are being considered for adoption by the State Department  
25 of Education, the Department of Health and Human Services, the Office of  
26 Probation Administration, and the State Court Administrator. The report  
27 shall be delivered electronically to the Chief Justice of the Supreme  
28 Court, the Governor, and the Clerk of the Legislature on or before  
29 December 1, 2024.

30       Sec. 122. (1) Except as provided in subsection (2) of this section,  
31 no publicly funded college or university in this state shall, as part of

1 the student application and admission process for disciplines not  
2 requiring licensure or clinical or field placements, inquire about or  
3 consider any applicant's criminal history or juvenile court record  
4 information.

5 (2)(a) Subsection (1) of this section does not prohibit an inquiry  
6 regarding an applicant's criminal history or juvenile court record  
7 information or consideration of such matters to the extent required by  
8 state or federal law or when such matters are voluntarily submitted by an  
9 applicant.

10 (b) Any inquiry regarding an applicant's criminal history or  
11 juvenile court record information and any consideration of such matters  
12 shall be strictly limited to the extent permitted by this subsection.

13 (3) This section does not apply to inquiries or consideration of  
14 criminal history or juvenile court record information (a) occurring  
15 subsequent to the student application and admission process as part of a  
16 professional licensure process or an academically required clinical or  
17 field placement, (b) in any application or other process relating to  
18 student housing, or (c) in any application or other process relating to  
19 any athletic program.

20 (4) For purposes of this section, criminal history or juvenile court  
21 record information means all records relating to an applicant's criminal  
22 history record or juvenile court record, including, but not limited to,  
23 any information or other data concerning any proceedings relating to a  
24 case, any arrest, being taking into custody, a petition, a complaint, an  
25 indictment, an information, a trial, a hearing, an adjudication, any  
26 correctional supervision, a dismissal, or any other disposition or  
27 sentence.

28 Sec. 123. (1) The Commissioner of Education shall create and  
29 administer a competitive grant program to provide funding to school  
30 districts and to educational service units on behalf of approved or  
31 accredited nonpublic schools for security-related infrastructure

1 projects. Such qualifying projects may include, but are not limited to,  
2 surveillance equipment, door-locking systems, and double-entry doors for  
3 school buildings. Subject to available appropriations, the department  
4 shall provide a grant to any school district or educational service unit  
5 that applies for such grant for use in funding qualifying projects.

6 (2)(a) A school district may apply to the department for a grant on  
7 forms and in a manner prescribed by the Commissioner of Education. A  
8 school district receiving a grant under this section shall divide the use  
9 of grant funds as evenly as possible among all eligible school buildings  
10 within such district.

11 (b) An educational service unit may apply to the department for a  
12 grant on forms and in a manner prescribed by the Commissioner of  
13 Education for use in funding qualifying projects at approved or  
14 accredited nonpublic schools which contract with such educational service  
15 unit on such qualifying projects. An approved or accredited nonpublic  
16 school may apply to and contract with the appropriate educational service  
17 unit in the school's area in a manner prescribed by the educational  
18 service unit for purposes of funding qualifying projects pursuant to this  
19 section.

20 (3)(a) On or before December 1 of each year that grants were issued  
21 pursuant to this section, the State Department of Education shall provide  
22 a report electronically to the Clerk of the Legislature relating to such  
23 grants, which shall include, but need not be limited to:

24 (i) The number of schools that received grant funding, including  
25 whether a school was public or nonpublic, the grades of students served  
26 by such school, the number of students that attend such school, and the  
27 geographic location of such school;

28 (ii) How the grant funds were used;

29 (iii) The average amount of grant funds received by schools broken  
30 down by school student population size;

31 (iv) The number of schools that were denied grant funding and why;

1 and

2 (v) Any other information the State Department of Education deems  
3 necessary.

4 (b) The report provided pursuant to subdivision (a) of this  
5 subsection shall not identify any particular school.

6 (4) The State Board of Education may adopt and promulgate rules and  
7 regulations to carry out this section.

8 (5) It is the intent of the Legislature to appropriate ten million  
9 dollars from the School Safety and Security Fund to the State Department  
10 of Education to administer the grant program pursuant to this section.

11 Sec. 124. The School Safety and Security Fund is created. The fund  
12 shall be administered by the State Department of Education and shall  
13 consist of any money transferred by the Legislature and any gifts,  
14 grants, or bequests. The department shall use money in the fund for  
15 grants for security-related infrastructure projects pursuant to section  
16 123 of this act. Any money in the fund available for investment shall be  
17 invested by the state investment officer pursuant to the Nebraska Capital  
18 Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 125. (1) For purposes of this section:

20 (a) School has the same meaning as in section 79-101;

21 (b) School district has the same meaning as in section 79-101; and

22 (c) Youth organization means a corporation chartered by Congress and  
23 listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023.

24 (2)(a) Each school district shall, upon request, allow a  
25 representative of any youth organization to provide (i) oral or written  
26 information to the students of such school district regarding the youth  
27 organization and how such youth organization furthers the educational  
28 interests and civic involvement of students in a manner consistent with  
29 good citizenship and (ii) services and activities to any student of such  
30 school district who is a member of such youth organization.

31 (b) Each requesting youth organization shall be permitted to provide

1 such information, services, and activities in a school building or on the  
2 school grounds of a school in each school district at least once during  
3 each school year.

4 (3) Each school district shall make a good faith effort to select a  
5 date, time, and location for each requesting youth organization to  
6 provide such information, services, or activities that is mutually  
7 agreeable to the school district and to the youth organization. Oral  
8 information provided under subdivision (2)(a)(i) of this section may only  
9 be provided during noninstructional time.

10 (4) Prior to allowing a representative of a youth organization to  
11 provide information, services, or activities at a school pursuant to this  
12 section, such representative shall be subject to a background check.  
13 Except as otherwise provided by this section or by the rules and  
14 regulations of the Nebraska State Patrol, the parameters of the  
15 background check shall be determined by the relevant school district. A  
16 school district may prohibit any representative of a youth organization  
17 that has been convicted of a felony from providing information, services,  
18 or activities pursuant to this section at any school in such school  
19 district. Each representative of a youth organization is responsible for  
20 all costs associated with obtaining such background check.

21 Sec. 126. The Revisor of Statutes shall assign sections 13 to 38 of  
22 this act within Chapter 85.

23 Sec. 127. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 28, 29,  
24 30, 31, 32, 33, 34, 35, 36, 37, 38, 52, 53, 58, 59, 78, 89, 90, 92, 93,  
25 97, 98, 99, 106, 110, 116, 119, 120, 129, and 133 of this act become  
26 operative on July 1, 2023. Sections 13, 14, 15, 16, 17, 18, 19, 20, 21,  
27 22, 23, 24, 25, 26, 27, 130, and 134 of this act become operative on July  
28 1, 2024. Sections 54, 55, 56, 57, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69,  
29 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88,  
30 94, 100, 101, 102, 103, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115,  
31 117, 118, 122, 123, 124, 125, 131, and 135 of this act become operative

1 three calendar months after the adjournment of this legislative session.  
2 The other sections of this act become operative on their effective date.

3 Sec. 128. If any section in this act or any part of any section is  
4 declared invalid or unconstitutional, the declaration shall not affect  
5 the validity or constitutionality of the remaining portions.

6 Sec. 129. Original sections 9-812, 9-836.01, and 79-254, Reissue  
7 Revised Statutes of Nebraska, and sections 79-703, 79-1054, 79-1104.02,  
8 79-11,160, 79-1337, 79-2506, 79-2510, 79-3106, 84-304, 85-502.01,  
9 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement,  
10 2022, are repealed.

11 Sec. 130. Original sections 79-8,132, 79-8,135, 79-8,138, 79-8,139,  
12 and 79-8,140, Reissue Revised Statutes of Nebraska, and sections  
13 79-8,133, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03,  
14 79-8,137.04, and 79-8,137.05, Revised Statutes Cumulative Supplement,  
15 2022, are repealed.

16 Sec. 131. Original sections 79-239, 79-244, 79-256, 79-263, 79-265,  
17 79-266, 79-267, 79-268, 79-269, 79-272, 79-276, 79-278, 79-282, 79-283,  
18 79-287, 79-2,146, 79-809, 81-145, 81-1118.02, 85-102, 85-328, 85-601,  
19 85-602, 85-603, 85-604, 85-605, 85-1906, and 85-1907, Reissue Revised  
20 Statutes of Nebraska, and sections 79-101, 79-238, 79-2,136, 79-2,144,  
21 79-729, 79-734, 79-760.01, 79-806, 79-807, 79-808, 79-8,143, 79-8,145,  
22 79-2110, 79-3304, 79-3305, 81-161.04, 81-1118, and 84-612, Revised  
23 Statutes Cumulative Supplement, 2022, are repealed.

24 Sec. 132. Original section 79-2304, Reissue Revised Statutes of  
25 Nebraska, and sections 79-1142 and 79-2308, Revised Statutes Cumulative  
26 Supplement, 2022, are repealed.

27 Sec. 133. The following sections are outright repealed: Sections  
28 50-425, 50-426, 50-427, and 50-428, Reissue Revised Statutes of Nebraska.

29 Sec. 134. The following sections are outright repealed: Sections  
30 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129, 79-8,130, and  
31 79-8,131, Reissue Revised Statutes of Nebraska.

1           Sec. 135.    The following section is outright repealed: Section  
2 79-2,103, Reissue Revised Statutes of Nebraska.

3           Sec. 136.    Since an emergency exists, this act takes effect when  
4 passed and approved according to law.

5           2. On page 1, strike beginning with "education" in line 1 through  
6 line 23 and insert "education; to amend sections 9-812, 9-836.01, 79-239,  
7 79-244, 79-254, 79-256, 79-263, 79-265, 79-266, 79-267, 79-268, 79-269,  
8 79-272, 79-276, 79-278, 79-282, 79-283, 79-287, 79-2,146, 79-809,  
9 79-8,132, 79-8,135, 79-8,138, 79-8,139, 79-8,140, 79-2304, 81-145,  
10 81-1118.02, 85-102, 85-328, 85-601, 85-602, 85-603, 85-604, 85-605,  
11 85-1906, and 85-1907, Reissue Revised Statutes of Nebraska, and sections  
12 79-101, 79-238, 79-2,136, 79-2,144, 79-703, 79-729, 79-734, 79-760.01,  
13 79-806, 79-807, 79-808, 79-8,133, 79-8,134, 79-8,137, 79-8,137.01,  
14 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-8,143, 79-8,145,  
15 79-1054, 79-1104.02, 79-1142, 79-11,160, 79-1337, 79-2110, 79-2308,  
16 79-2506, 79-2510, 79-3106, 79-3304, 79-3305, 81-161.04, 81-1118, 84-304,  
17 84-612, 85-502.01, 85-1412, 85-1920, and 85-2009, Revised Statutes  
18 Cumulative Supplement, 2022; to provide, change, and eliminate  
19 definitions; to change and transfer provisions relating to distribution  
20 of lottery funds used for education; to adopt the Behavioral Intervention  
21 Training and Teacher Support Act, the College Pathway Program Act, the  
22 Door to College Scholarship Act, the Extraordinary Increase in Special  
23 Education Expenditures Act, and the Nebraska Teacher Recruitment and  
24 Retention Act; to create funds and change provisions relating to funds;  
25 to transfer and change provisions of the Excellence in Teaching Act; to  
26 establish a mental health training grant program and the Nebraska  
27 Paraprofessional to Teacher Program; to change provisions relating to  
28 student enrollment; to provide and change powers and duties of the  
29 Coordinating Commission for Postsecondary Education and the State Board  
30 of Education; to change provisions of the Alternative Certification for  
31 Quality Teachers Act and authorize the Commissioner of Education to issue

1 alternative certificates to teach; to require behavioral and mental  
2 health training for certain school personnel and adoption of related  
3 policies; to change provisions of the Student Discipline Act and  
4 provisions relating to duties of the state school security director, high  
5 school graduation requirements, textbooks, academic content standards,  
6 and requirements for teacher certification; to provide for a grant  
7 program; to change provisions relating to distance education incentives,  
8 the Diploma of High School Equivalency Assistance Act, the School Safety  
9 and Security Reporting System Act, the Computer Science and Technology  
10 Education Act, and state procurement and materiel requirements; to  
11 provide for a transfer from the Cash Reserve Fund; to rename the State  
12 College Facility Fee Fund and change provisions related thereto; to  
13 change provisions relating to residency, student discipline, and  
14 termination of employment for certain public postsecondary institutions;  
15 to change provisions of the Nebraska Opportunity Grant Act; to provide  
16 for data sharing by certain agencies responsible for students under the  
17 jurisdiction of juvenile courts; to prohibit consideration of students'  
18 and applicants' criminal history and juvenile records by public colleges  
19 and universities as prescribed; to establish a grant program for  
20 security-related infrastructure projects; to require schools to allow  
21 certain youth organizations to provide information, services, and  
22 activities and eliminate a related penalty; to eliminate obsolete  
23 provisions; to repeal the Master Teacher Program Act; to harmonize  
24 provisions; to provide a duty for the Revisor of Statutes; to provide  
25 operative dates; to provide for severability; to repeal the original  
26 sections; to outright repeal sections 50-425, 50-426, 50-427, 50-428,  
27 79-2,103, 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129,  
28 79-8,130, and 79-8,131, Reissue Revised Statutes of Nebraska; and to  
29 declare an emergency."

30 3. On page 2, strike line 1.