

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 563

Introduced by Adams, 24; Carlson, 38

Read first time January 17, 2007

Committee: Education

A BILL

1 FOR AN ACT relating to education; to amend section 79-1108.02,
2 Reissue Revised Statutes of Nebraska; to change
3 provisions relating to learners with high ability; and to
4 repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1108.02, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 79-1108.02 (1) Beginning with school fiscal year 1998-99,
4 the Legislature shall appropriate funds to be distributed by the
5 department pursuant to subsections (2) and (3) of this section to
6 local systems as defined in section 79-1003 annually on or before
7 October 15. It is the intent of the Legislature to appropriate, for
8 FY1998-99, six million dollars and, for FY1999-00 and each fiscal
9 year thereafter, the amount of the previous year's appropriation
10 increased by the percentage growth in identified participating
11 students plus the basic allowable growth rate in section 79-1025,
12 to carry out this section.

13 (2) For school fiscal years through 2000-01, five percent
14 of the appropriation under subsection (1) of this section shall be
15 reserved for distribution as grants to local systems for startup
16 costs as defined by the State Board of Education. The funds
17 distributed pursuant to this subsection shall be distributed based
18 on a pro rata share of the eligible costs submitted in grant
19 applications.

20 (3) Local systems may apply to the department for base
21 funds and matching funds pursuant to this section to be spent on
22 approved accelerated or differentiated curriculum programs. Each
23 eligible local system shall receive one-tenth of one percent of the
24 appropriation as base funds plus a pro rata share of the remainder
25 of the appropriation based on identified students participating

1 in an accelerated or differentiated curriculum program, up to ten
2 percent of the prior year's fall membership as defined in section
3 79-1003, as matching funds. Eligible local systems shall:

4 (a) Provide an approved accelerated or differentiated
5 curriculum program for students identified as learners with high
6 ability. For purposes of this subdivision, approved accelerated or
7 differentiated curriculum program shall include, but not be limited
8 to: ↗

9 (i) Alignment of assessment date to programming options
10 in the areas of giftedness;

11 (ii) Structures by which the learners with high ability
12 are served at the different school levels;

13 (iii) Support in differentiated instruction and
14 acceleration methods;

15 (iv) Affective and guidance support systems;

16 (v) Diverse content options provided for learners with
17 high ability in their areas of strength;

18 (vi) The means by which articulation through grade twelve
19 is planned and implemented;

20 (vii) Pre-collegiate and pre-advanced placement support;

21 (viii) Development and annual review conducted through
22 the collaborative efforts of the teachers, other school personnel,
23 parents, and the student;

24 (ix) Postsecondary options available to learners with
25 high ability; and

1 (x) Coordination or supervision of the program by
2 personnel with at least six hours of coursework in gifted
3 education;

4 (b) Provide funds from other sources for the approved
5 accelerated or differentiated curriculum program greater than or
6 equal to fifty percent of the matching funds received pursuant to
7 this subsection;

8 (c) Provide an accounting of the funds received pursuant
9 to this section, funds required by subdivision (b) of this
10 subsection, and the total cost of the program on or before
11 August 1 of the year following the receipt of funds in a manner
12 prescribed by the department, not to exceed one report per year;

13 (d) Provide data regarding the academic progress of
14 students participating in the accelerated or differentiated
15 curriculum program in a manner prescribed by the department, not to
16 exceed one report per year; and

17 (e) Include identified students from Class I districts
18 that are part of the local system in the accelerated or
19 differentiated curriculum program.

20 If a local system will not be providing the necessary
21 matching funds pursuant to subdivision (b) of this subsection,
22 the local system shall request a reduction in the amount received
23 pursuant to this subsection such that the local system will be in
24 compliance with such subdivision. Local systems not complying with
25 the requirements of this subsection shall not be eligible local

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1 systems in the following year.

2 Sec. 2. Original section 79-1108.02, Reissue Revised

3 Statutes of Nebraska, is repealed.