

AMENDMENTS TO LB 1153

(Amendments to E & R amendments, ER8234)

Introduced by Raikes, 25.

1 1. Strike section 2 and insert the following new
2 sections:

3 Sec. 2. For school year 2008-09, any early childhood
4 education program as defined in section 79-1101 established by a
5 school board or an educational service unit that is not receiving a
6 grant pursuant to section 79-1103 or funding through the Tax Equity
7 and Educational Opportunities Support Act may enroll children who
8 meet the age requirements to be enrolled in kindergarten pursuant
9 to section 79-214, but who are not then enrolled in kindergarten
10 and who are not of mandatory attendance age pursuant to section
11 79-201.

12 Sec. 7. Section 13, Legislative Bill 988, One Hundredth
13 Legislature, Second Session, 2008, is amended to read:

14 (1) Except as otherwise provided in this section, for
15 school fiscal year 2008-09, each school district's formula need
16 shall equal the difference of the sum of the school district's
17 basic funding, poverty allowance, limited English proficiency
18 allowance, elementary class size allowance, focus school and
19 program allowance, summer school allowance, special receipts
20 allowance, transportation allowance, elementary site allowance,
21 distance education and telecommunications allowance, averaging
22 adjustment, and teacher education adjustment, minus the sum of the

1 limited English proficiency allowance correction, poverty allowance
2 correction, and local choice adjustment.

3 (2) Except as otherwise provided in this section, for
4 school fiscal years 2009-10 and 2010-11, each school district's
5 formula need shall equal the difference of the sum of the
6 school district's basic funding, poverty allowance, limited
7 English proficiency allowance, elementary class size allowance,
8 focus school and program allowance, summer school allowance,
9 special receipts allowance, transportation allowance, elementary
10 site allowance, instructional time allowance, distance education
11 and telecommunications allowance, averaging adjustment, teacher
12 education adjustment, new learning community transportation
13 adjustment, student growth adjustment, and new school adjustment,
14 minus the sum of the limited English proficiency allowance
15 correction, poverty allowance correction, and local choice
16 adjustment.

17 (3) Except as otherwise provided in this section, for
18 school fiscal years 2011-12 and 2012-13, each school district's
19 formula need shall equal the difference of the sum of the
20 school district's basic funding, poverty allowance, limited
21 English proficiency allowance, elementary class size allowance,
22 focus school and program allowance, summer school allowance,
23 special receipts allowance, transportation allowance, elementary
24 site allowance, instructional time allowance, distance education
25 and telecommunications allowance, averaging adjustment, teacher
26 education adjustment, new learning community transportation
27 adjustment, student growth adjustment, any positive student growth

1 adjustment correction, and new school adjustment, minus the sum
2 of the limited English proficiency allowance correction, poverty
3 allowance correction, any negative student growth adjustment
4 correction, and local choice adjustment.

5 (4) Except as otherwise provided in this section, for
6 school fiscal year 2013-14 and each school fiscal year thereafter,
7 each school district's formula need shall equal the difference of
8 the sum of the school district's basic funding, poverty allowance,
9 limited English proficiency allowance, focus school and program
10 allowance, summer school allowance, special receipts allowance,
11 transportation allowance, elementary site allowance, instructional
12 time allowance, distance education and telecommunications
13 allowance, averaging adjustment, teacher education adjustment,
14 new learning community transportation adjustment, student growth
15 adjustment, any positive student growth adjustment correction,
16 and new school adjustment, minus the sum of the limited English
17 proficiency allowance correction, poverty allowance correction, any
18 negative student growth adjustment correction, and local choice
19 adjustment.

20 (5) If the formula need calculated for a school district
21 pursuant to subsections (1) through (4) of this section is less
22 than one hundred percent of the formula need for such district
23 for the school fiscal year immediately preceding the school fiscal
24 year for which aid is being calculated, the formula need for such
25 district shall equal one hundred percent of the formula need for
26 such district for the school fiscal year immediately preceding
27 the school fiscal year for which aid is being calculated. If

1 the formula need calculated for a school district pursuant to
2 subsections (1) through (4) of this section is more than one
3 hundred twelve percent of the formula need for such district for
4 the school fiscal year immediately preceding the school fiscal
5 year for which aid is being calculated, the formula need for such
6 district shall equal one hundred twelve percent of the formula
7 need for such district for the school fiscal year immediately
8 preceding the school fiscal year for which aid is being calculated,
9 except that the formula need shall not be reduced pursuant to
10 this subsection for any district (a) receiving a student growth
11 adjustment for the school fiscal year for which aid is being
12 calculated or (b) for school fiscal year 2008-09, for which
13 the formula students for the certification of aid pursuant to
14 section 79-1022 for school fiscal year 2008-09 minus the formula
15 students for the certification of aid pursuant to section 79-1022
16 for school fiscal year 2007-08 equals at least the greater of
17 twenty-five students or one percent of the formula students for the
18 certification of aid pursuant to section 79-1022 for school fiscal
19 year 2007-08. For purposes of this subsection, the formula need
20 for the school fiscal year immediately preceding the school fiscal
21 year for which aid is being calculated shall be the formula need
22 used in the final calculation of aid pursuant to section 79-1065
23 and for districts that were affected by a reorganization with an
24 effective date in the calendar year preceding the calendar year
25 in which aid is certified for the school fiscal year for which
26 aid is being calculated, the formula need for the school fiscal
27 year immediately preceding the school fiscal year for which aid

1 is being calculated shall be attributed to the affected school
2 districts based on information provided to the department by the
3 school districts or proportionally based on the adjusted valuation
4 transferred if sufficient information has not been provided to the
5 department.

6 Sec. 8. The Revisor of Statutes shall assign section 1 of
7 this act within Chapter 79, article 7.

8 Sec. 9. Sections 7, 9, 11, and 12 of this act become
9 operative on their effective date. The other sections of this act
10 become operative three calendar months after the adjournment of
11 this legislative session.

12 Sec. 11. Original section 13, Legislative Bill 988, One
13 Hundredth Legislature, Second Session, 2008, is repealed.

14 Sec. 12. Since an emergency exists, this act takes effect
15 when passed and approved according to law.