

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT (CORRECTED)
LB366

Hearing Date: Monday February 04, 2013
Committee On: Education
Introducer: Cook
One Liner: Adopt the Remedial Adult Education Innovation Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Cook, Haar, Kolowski, Scheer, Seiler, Sullivan
Nay:
Absent:
Present Not Voting: 2 Senators Davis, Avery

Proponents:
Senator Tanya Cook
Randy Schmailzl
Susan Raftery
Mona Dowding

Representing:
Introducer
Metro Community College
Metro Community College
Metro Community College

Opponents:

Representing:

Neutral:
Jay Sears

Representing:
Nebraska State Educaiton Association

Summary of purpose and/or changes:

Legislative Bill 366 would establish the Remedial Adult Education Innovation Act.

The bill states the following findings of the Legislature: (1) Nebraska faces many challenges in preparing an adult workforce in which all individuals possess adequate basic skill levels in reading, writing, and mathematics and computer skills; (2) Currently many individuals struggle to attain the educational credentials and basic skills necessary for self-sufficiency; (3) The state must develop strategies and opportunities to increase the number of individuals who can attain a high school diploma or a diploma of high school equivalency and are workforce ready upon receiving such diploma; (4) The state must address the need for programs that effectively help the increasing number of individuals lacking a high school education; (5) The state can address these needs by offering multiple pathways to a high school diploma or a diploma of high school equivalency, providing opportunities to assist more individuals in formulating and attaining their goals, and focusing on transition services to provide readiness for college and careers; and (6) The state must ensure that computerized GED Testing Centers are compliant with national standards and responsive and accessible to all citizens attempting to earn a diploma of high school equivalency.

The bill states that the intent of the act is to: (1) Create a framework for success in attaining basic educational skills; (2) Fill in educational gaps for individuals who lack the reading, writing, and mathematics skills and the work-readiness skills needed by today's workforce; (3) Support communities through focused community college efforts to assist adults in attaining a high school diploma or a diploma of high school equivalency; (4) Create new opportunities and multiple pathways to allow individuals to secure meaningful employment and become employed in industries across the state; (5)

Effectively prepare the State of Nebraska to provide computerized GED Testing Centers by January 2014, increase the completion rate of adults seeking to earn a diploma of high school equivalency, and increase the number of individuals whose basic skills levels make them college-ready and career-ready; and (6) Address basic educational skill deficiencies across the entire continuum of services from low-level literacy through all levels of adult basic education.

The bill states legislative intent to appropriate an unspecified amount of funding each fiscal year from the Education Innovation Fund to State Department of Education (Department). The Department would use such funds to (i) provide reimbursement of expenses to programs which effectively assist citizens to achieve adequate education levels and (ii) allow community colleges to carry out the purposes of the Remedial Adult Education Innovation Act by increasing the capacity of community colleges to deliver high-quality remedial adult education. Priority for such funds would be given to community college programs that include adult education skill building, multiple pathways for attainment of a high school diploma or a diploma of high school equivalency, occupational training opportunities, and GED testing services.

The Department would be required develop rules and regulations regarding procedures for applying for funds, evaluating such applications, and providing reimbursements as pursuant to the act. Such rules and regulations would be required to provide that institutions requesting reimbursement of expenses shall maintain GED training and testing programs that: (i) Provide for successful implementation by January 2014 of computerized GED Testing Centers which comply with GED Testing Service standards and provide open access to individuals across the state; (ii) Lead to the attainment of a high school diploma or a diploma of high school equivalency for participants; and (iii) Provide for both academic and support services needed for participants' educational and employment success.

Programs receiving reimbursement pursuant to the act would be required to report annually to the Department. The report would be required to contain a description of the operation of the program for which reimbursement funds were provided as well as information regarding: (i) The number of high school diplomas or diplomas of high school equivalency awarded pursuant to such program in the preceding twelve months; (ii) The number of participants in the program who moved successfully through the continuum of literacy skill levels offered by the program; (iii) The number of participants completing the program who secured entry-level career path employment in the preceding twelve months; and (iv) The number of participants completing the program who went on to postsecondary education or additional career training during the preceding twelve months.

The bill would require the Department to provide each institution that provides GED training and testing with a designated amount of funding for each participant enrolled in its GED program. Each institution would receive one reimbursement payment for each participant who enrolls in its GED program, each enrolled student upon the student's initial examination for a GED, and each walk-in GED student not in the program who takes the GED examination. Institutions would receive no additional reimbursement payments for any student who fails his or her initial GED examination and requires additional training and testing.

The bill would also provide that each institution that provides GED training and testing would be eligible to receive a one-time payment in state matching funds for acquisition and upgrade of computerized GED Testing Center equipment and software, for each computerized GED Testing Center operated by such institution, in order to come into compliance with national standards which take effect in 2014.

Section 9-812 would be amended to provide an unspecified amount of funds from the Education Innovation Fund in fiscal years 2013-14, 2014-15, and 2015-16 for the purposes of reimbursing institutions pursuant to the act. Such reimbursements would be the second-to-last purpose for which funds would be allocated in each of these fiscal years, ahead of distance education equipment and incentives.

The bill contains an emergency clause.

Explanation of amendments:

The committee amendment strikes the original sections and becomes the bill.

The amendment would establish the Diploma of High School Equivalency Assistance Act. The purpose of the act would be to provide assistance to institutions which offer high school equivalency programs, as defined for purposes of the act, in order to defray the costs borne by participants in such programs. For purposes of the act, institution would mean a state agency, a school district as defined in section 79-101, or a community college area as defined in section 85-1503. Fiscal year would mean the time period commencing on July 1 and ending on June 30 of the following year.

The amendment provides legislative intent to appropriate \$750,000 from the General Fund for fiscal years 2013-14 and 2014-15, and any amount determined by the Legislature for fiscal years thereafter, to the State Department of Education for the purpose of providing assistance to institutions that offer high school equivalency programs. Each institution would receive one assistance payment for (a) each participant who enrolled in its high school equivalency program in the most recently completed fiscal year; (b) each enrolled participant who took an initial examination for a diploma of high school equivalency in the most recently completed fiscal year; and (c) each participant not enrolled in the institution's high school equivalency program who took the examination for a diploma of high school equivalency in the most recently completed fiscal year. An institution would receive no additional assistance for any participant who failed his or her initial examination for a diploma of high school equivalency and requires additional training and testing.

Institutions receiving the aforementioned assistance would be required to report annually to the State Department of Education (Department). The report would be required to include a description of the operation of the high school equivalency program for which the assistance was provided, in addition to the following information for the most recently completed fiscal year: (1) The number of diplomas of high school equivalency awarded pursuant to such high school equivalency program; (2) The number of participants in the high school equivalency program who moved successfully through the continuum of literacy skill levels offered by the program; (3) The number of participants completing the high school equivalency program who secured entry-level career path employment; (4) The number of participants completing the high school equivalency program who went on to postsecondary education or additional career training; and (5) The number of participants in the high school equivalency program who were Nebraska residents or enrolled in a postsecondary educational institution located in Nebraska.

The amendment would allocate \$85,550 from the Education Innovation Fund to the Department for fiscal year 2013-14 to provide each institution offering a high school equivalency program a one-time payment for the acquisition and upgrade of equipment and software necessary to administer examinations for diplomas of high school equivalency.

The Department would have the authority to promulgate rules and regulations to carry out the act. The amendment would require such rules and regulations, if promulgated, to include but not be limited to, provisions related to the collection of information necessary to provide the assistance to institutions provided for in section 4 of the amendment.

The provisions of the amendment would be subject to an emergency clause.

Kate Sullivan, Chairperson