

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1238

Introduced by Walz, 15.

Read first time January 16, 2024

Committee: Education

- 1 A BILL FOR AN ACT relating to education; to adopt the Special Educators
- 2 of Tomorrow Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 7 of this act shall be known and may be
2 cited as the Special Educators of Tomorrow Act.

3 Sec. 2. For purposes of the Special Educators of Tomorrow Act:

4 (1) Commission means the Coordinating Commission for Postsecondary
5 Education;

6 (2) Direct support professional means any individual who is employed
7 in this state and provides direct care support or any other form of
8 treatment, services, or care for individuals with intellectual and
9 developmental disabilities;

10 (3) Eligible institution means a not-for-profit college or
11 university which (a) is located in Nebraska, (b) is accredited by an
12 accrediting agency recognized by the United States Department of
13 Education as determined to be acceptable by the State Board of Education,
14 and (c) has a teacher education program and special education program;

15 (4) Eligible student means an individual who meets the requirements
16 for a scholarship under the Special Educators of Tomorrow Act pursuant to
17 subsection (1) of section 3 of this act or a loan pursuant to subsection
18 (2) of section 3 of this act;

19 (5) Loan recipient means an eligible student receiving a loan under
20 the Special Educators of Tomorrow Act; and

21 (6) Scholarship recipient means an eligible student receiving a
22 scholarship under the Special Educators of Tomorrow Act.

23 Sec. 3. (1) An individual is eligible for a scholarship under the
24 Special Educators of Tomorrow Act if such individual:

25 (a) At the time of application, has at least two years of experience
26 as a direct support professional; and

27 (b) Is enrolled or plans to enroll at an eligible institution to
28 pursue a teaching career in special education.

29 (2) An individual is eligible for a loan under the Special Educators
30 of Tomorrow Act if such individual:

31 (a) At the time of application, has at least two years of experience

1 as a direct support professional;

2 (b) Agrees to complete a special education program at an eligible
3 institution and has declared a special education major; and

4 (c) Commits to teach in an accredited or approved public or private
5 school in Nebraska upon (i) successful completion of the special
6 education program and (ii) becoming certified pursuant to section 79-806
7 to 79-815.

8 Sec. 4. (1) Beginning in the 2024-25 school year through the
9 2029-30 school year, an eligible student that meets the requirements of
10 subsection (1) of section 3 of this act may apply to the commission on
11 forms and in a manner prescribed by the commission on an annual basis for
12 not to exceed two years for a scholarship of up to two thousand five
13 hundred dollars per school year for educational expenses. A scholarship
14 recipient shall be in good academic standing with the recipient's
15 eligible institution to be eligible to reapply for a scholarship.
16 Scholarships shall be funded pursuant to section 6 of this act.

17 (2) Beginning in the 2024-25 school year through the 2029-30 school
18 year, an eligible student that meets the requirements of subsection (2)
19 of section 3 of this act may apply to the commission on forms and in a
20 manner prescribed by the commission on an annual basis for a loan in an
21 amount not to exceed four thousand dollars per school year. Loans awarded
22 to individual students shall not exceed a cumulative period exceeding
23 three consecutive years. Loans shall be funded pursuant to section 6 of
24 this act.

25 Sec. 5. (1) Prior to receiving any money from a loan pursuant to
26 the Special Educators of Tomorrow Act, an eligible student shall enter
27 into a contract with the commission. Such contract shall be exempt from
28 the requirements of sections 73-501 to 73-510.

29 (2) The contract shall require that if (a) the loan recipient is not
30 employed as a full-time teacher teaching in an approved or accredited
31 school in Nebraska and teaching at least a portion of the time in special

1 education for a time period equal to the number of years required for
2 loan forgiveness pursuant to subsection (3) of this section or (b) the
3 loan recipient does not complete the requirements for graduation within
4 three consecutive years after receiving the initial loan under the
5 program, then the loan shall be repaid with interest at the rate fixed
6 pursuant to section 45-103 accruing as of the date the loan recipient
7 signed the contract and actual collection costs as determined by the
8 commission. If a loan recipient fails to remain enrolled at an eligible
9 institution or otherwise fails to continue to be an eligible student,
10 repayment of the loan shall commence within six months after such change
11 in eligibility. The commission may by rule and regulation provide for
12 exceptions to the conditions of repayment pursuant to this subsection
13 based upon mitigating circumstances.

14 (3)(a) If the loan recipient (i) successfully completes the special
15 education program for which the loan recipient is receiving a forgivable
16 loan pursuant to the act and becomes certified pursuant to sections
17 79-806 to 79-815 with an endorsement in special education, (ii) becomes
18 employed as a full-time teacher teaching at least a portion of the time
19 in special education in an approved or accredited school in this state
20 within six months after becoming certified, and (iii) otherwise meets the
21 requirements of the contract, payments shall be suspended for the number
22 of years that the borrower is required to remain employed as a teacher in
23 this state under the contract.

24 (b) Beginning after the first two years of teaching full-time in
25 Nebraska following graduation with the degree for which the loan was
26 received, for each year that the loan recipient teaches full-time in
27 Nebraska pursuant to the contract, the loan shall be forgiven in an
28 amount equal to four thousand dollars.

29 Sec. 6. (1) The Special Educators of Tomorrow Cash Fund is created.
30 The fund shall consist of transfers by the Legislature and loan
31 repayments, penalties, and interest payments received in the course of

1 administering the Special Educators of Tomorrow Act. The fund shall be
2 used to fund scholarships and loans to students pursuant to the Special
3 Educators of Tomorrow Act. Any money in the Special Educators of Tomorrow
4 Cash Fund available for investment shall be invested by the state
5 investment officer pursuant to the Nebraska Capital Expansion Act and the
6 Nebraska State Funds Investment Act.

7 (2) It is the intent of the Legislature to transfer one million five
8 hundred thousand dollars from the General Fund to the Special Educators
9 of Tomorrow Fund for fiscal year 2024-25 and two hundred fifty thousand
10 dollars for each fiscal year thereafter.

11 Sec. 7. (1) The commission may adopt and promulgate rules and
12 regulations to carry out the Special Educators of Tomorrow Act.

13 (2) The Division of Developmental Disabilities of the Department of
14 Health and Human Services shall provide information to direct support
15 professionals relating to scholarships and loans available pursuant to
16 the Special Educators of Tomorrow Act.