

AMENDMENTS TO LB306

Introduced by Education.

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

3 **Section 1.** Sections 1 to 6 of this act shall be known and may be
4 cited as the Education Leave and Support Act.

5 **Sec. 2.** For purposes of the Education Leave and Support Act:

6 (1) Covered employee means a certificated teacher employed by a
7 school district;

8 (2) Department means the State Department of Education;

9 (3) Employer means a school district;

10 (4) FMLA leave means leave taken by a covered employee under the
11 federal Family and Medical Leave Act of 1993, 29 U.S.C. 2601 et seq.; and

12 (5) School district has the same meaning as in section 79-101.

13 **Sec. 3.** Beginning January 1, 2026, a payroll fee of thirty-five
14 hundredths of one percent shall be levied on the taxable wages of covered
15 employees in the state. Employers shall collect the fee from covered
16 employees and remit it quarterly to the State Treasurer. Employers shall
17 also contribute an amount equal to the total payroll fees collected from
18 their covered employees as an employer match and remit this contribution
19 quarterly to the State Treasurer. All fees and contributions collected
20 under this section shall be credited to the State Education Leave Fund.

21 **Sec. 4.** (1) The State Education Leave Fund is hereby created. The
22 fund shall be administered by the department. Any money in the fund
23 available for investment shall be invested by the state investment
24 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
25 State Funds Investment Act.

26 (2) The fund shall be used to reimburse school districts for the
27 cost of hiring substitute teachers for the first three weeks of a covered

1 employee's FMLA leave and to fund any required operating and
2 administrative expenses incurred by the department to carry out the
3 Education Leave and Support Act.

4 (3) Reimbursements under this section shall begin July 1, 2026. The
5 department shall develop and implement procedures to:

6 (a) Accept applications for reimbursement from school districts;

7 (b) Review applications in order to ensure compliance with
8 eligibility requirements; and

9 (c) Disburse funds in a timely manner.

10 (4) Reimbursements under this section shall be made from the fund in
11 an amount not to exceed the actual daily cost of hiring a substitute
12 teacher.

13 (5) Any covered employee for whom reimbursement is provided under
14 this section shall continue to receive full salary and benefits and shall
15 not be required to use any accrued personal or sick leave for the first
16 three weeks of FMLA leave.

17 (6) The department shall submit an annual report to the Legislature
18 detailing the fund's expenditures, utilization rates, and remaining
19 balance.

20 **Sec. 5.** (1) The Education Retention Fund is hereby created. The
21 fund shall be administered by the department. Any money in the fund
22 available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act.

25 (2) If the State Education Leave Fund accrues a surplus exceeding
26 twenty percent of its projected annual needs, the department shall notify
27 the State Treasurer, and the State Treasurer shall transfer the excess
28 funds to the Education Retention Fund. Funds transferred under this
29 section shall be used to reimburse school districts for the cost of
30 hiring substitute teachers to fill in for covered employees who are
31 participating in professional development activities, and for forgivable

1 loans awarded under the Special Education Teacher Forgivable Loan Program
2 Act.

3 **Sec. 6.** (1) Any school district that misuses funds received from
4 the State Education Leave Fund shall repay the funds in full and shall be
5 subject to penalties as prescribed by the department.

6 (2) The State Education Leave Fund shall be subject to an annual
7 audit by the Auditor of Public Accounts.

8 **Sec. 7.** Sections 7 to 11 of this act shall be known and may be
9 cited as the Special Education Teacher Forgivable Loan Program Act.

10 **Sec. 8.** (1) The Legislature finds that Nebraska elementary and
11 secondary schools have had difficulty filling open and necessary job
12 positions, including special education teachers.

13 (2) It is the intent of the Legislature to assist individuals
14 studying to become special education teachers by supporting forgivable
15 loans to those individuals who commit to teaching in Nebraska following
16 their certification as a teacher with a special education endorsement.

17 **Sec. 9.** For purposes of the Special Education Teacher Forgivable
18 Loan Program Act:

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

20 (2) Eligible institution means a not-for-profit college or
21 university that (a) is located in Nebraska, (b) is accredited by an
22 accrediting agency recognized by the United States Department of
23 Education and determined to be acceptable by the State Board of
24 Education, and (c) has a special education teacher education program;

25 (3) Eligible noncitizen means an individual who:

26 (a) Is a United States national, including a native of American
27 Samoa or Swains Island;

28 (b) Is a lawful permanent resident with a Form I-551, I-151, or
29 I-551C issued by the United States Government;

30 (c) Is a conditional permanent resident of the United States;

31 (d) Has an Arrival-Departure Record I-94 from the United States

1 Citizenship and Immigration Services showing a status of Refugee, Asylum
2 Granted, Parolee, Conditional Entrant, or Cuban-Haitian Entrant;

3 (e) Holds a T nonimmigrant status visa or is a child of an
4 individual who holds a T-1 nonimmigrant status visa;

5 (f) Is a battered immigrant-qualified alien who is a victim of abuse
6 by such individual's spouse or parent who is a citizen or permanent
7 resident;

8 (g) Is a battered immigrant-qualified alien who is a child of a
9 person designated as such under the federal Violence Against Women Act;
10 or

11 (h) Is a citizen of the Republic of Palau, the Republic of the
12 Marshall Islands, or the Federated States of Micronesia;

13 (4) Eligible student means an individual who:

14 (a) Is a United States citizen or an eligible noncitizen;

15 (b) Is a high school graduate or the equivalent of a high school
16 graduate;

17 (c) Is enrolled in good standing at a state college in Nebraska or
18 the University of Nebraska;

19 (d) Is seeking initial certification as a teacher with an
20 endorsement in special education; and

21 (e) Has applied for federal financial aid grants and state
22 scholarships and grants to cover tuition and fees; and

23 (5) Teacher education program means a program of study that results
24 in obtaining a bachelor's degree, master's degree, or special education
25 endorsement that meets the education requirements for certification
26 pursuant to sections 79-806 to 79-816.

27 **Sec. 10.** (1) The Special Education Teacher Forgivable Loan Program
28 is created and shall be administered by the department. Excess funds
29 transferred to the Education Retention Fund under section 5 of this act
30 shall be used to cover the costs of the program.

31 (2) The department may award a forgivable loan to an eligible

1 student to pay for instate tuition, or the equivalent of instate tuition,
2 at any eligible institution.

3 (3) The department may award up to twenty-five forgivable loans each
4 academic year for each eligible institution.

5 (4) An eligible student who is awarded a forgivable loan under the
6 Special Education Teacher Forgivable Loan Program shall enter into a
7 contract with the department prior to the department dispersing any money
8 for such loan. Such contract shall contain at least the following terms:

9 (a) The eligible student shall only be eligible to receive a loan
10 under the program for the first five years that the eligible student is
11 enrolled in a teacher education program;

12 (b) The loan shall only be used to pay for any tuition remaining due
13 to the eligible institution attended by the eligible student after
14 applying all awarded federal and state financial aid grants and
15 scholarships;

16 (c) The eligible student shall begin teaching special education at a
17 Nebraska elementary or secondary school within one year after graduating
18 with a degree in education; and

19 (d) The eligible student shall teach special education at a Nebraska
20 elementary or secondary school for:

21 (i) Five consecutive years after graduating with a degree in
22 education; or

23 (ii) The equivalent number of years of loans taken.

24 (5)(a) When an eligible student who was awarded any forgivable loan
25 under this section graduates from an eligible institution, the department
26 shall determine the dollar amount of forgivable loans such student
27 received each year and the overall total dollar amount of forgivable
28 loans paid to such eligible student.

29 (b)(i) Except as provided in subdivision (b)(ii) of this subsection,
30 for each year after graduating from an eligible institution that an
31 eligible student complies with the terms of the contract under this

1 section, the department shall forgive twenty percent of the total dollar
2 amount of forgivable loans paid to such eligible student. After the fifth
3 consecutive year of compliance with the terms of the contract, the
4 department shall notify the eligible student that the total amount of
5 forgivable loans provided under this section that were owed by such
6 eligible student are forgiven.

7 (ii) For an eligible student that received less than five total
8 years of forgivable loans pursuant to this section, for each year after
9 graduating from an eligible institution that an eligible student complies
10 with the terms of the contract under this section, the department shall
11 forgive the amount of one year's worth of forgivable loans paid to such
12 eligible student. After the eligible student complies with the terms of
13 the contract for the number of years that the eligible student received a
14 forgivable loan pursuant to this section, the department shall notify the
15 eligible student that the total amount of forgivable loans provided under
16 this section that were owed by such eligible student are forgiven.

17 (6) If an eligible student who accepted a forgivable loan under this
18 section fails to comply with the terms of the contract described in this
19 section, such eligible student may receive a deferment from the
20 obligation of repayment as specified in rules and regulations adopted and
21 promulgated under the Special Education Teacher Forgivable Loan Program
22 Act.

23 (7) Any eligible student who accepted a forgivable loan under this
24 section who fails to comply with the terms of the contract described in
25 this section and who does not receive a deferment from the obligation of
26 repayment as described in this section shall repay the remaining balance
27 of any forgivable loan with simple interest at a rate of five percent per
28 year. Any repayment under this section shall be remitted to the State
29 Treasurer for credit to the General Fund.

30 (8) The department shall provide each eligible student who accepts a
31 forgivable loan under this section with a description of the obligations

1 of such eligible student under the terms of the contract described in
2 this section.

3 **Sec. 11.** The State Board of Education may adopt and promulgate
4 rules and regulations relating to the Special Education Teacher
5 Forgivable Loan Program Act.

6 **Sec. 12.** (1) For purposes of this section:

7 (a) Core curriculum instruction time means the time during which a
8 student is scheduled to receive instruction in the fundamental academic
9 subjects of reading, English language arts, mathematics, science, and
10 social studies;

11 (b) Educational decisionmaker has the same meaning as in section
12 79-530;

13 (c) Released time course means a course in religious instruction,
14 taught by a sponsoring entity, during which a student is excused from
15 public school to attend;

16 (d) School district has the same meaning as in section 79-101;

17 (e) Secular evaluation criteria includes, but is not limited to:

18 (i) The number of hours of classroom instruction;

19 (ii) A review of the course syllabus that reflects course
20 requirements and materials used;

21 (iii) The methods of student assessment used in the course; and

22 (iv) The qualifications of the course instructor; and

23 (f) Sponsoring entity means a private entity that offers students an
24 elective course in religious instruction pursuant to this section.

25 (2) A school district may adopt a policy that excuses any student of
26 such school district to attend a released time course for at least one
27 class period per week. Such policy shall require:

28 (a) The parent, guardian, or educational decisionmaker of the
29 student to provide written consent for the student to attend the released
30 time course;

31 (b) The sponsoring entity to maintain attendance records and make

1 such records available to the school district the student attends;

2 (c) The sponsoring entity, parent, guardian, or educational
3 decisionmaker to provide transportation to and from the place of
4 instruction;

5 (d) The sponsoring entity to make provision and assume liability for
6 each student that attends its released time course while under the
7 control of the sponsoring entity;

8 (e) No school district funds to be expended other than de minimis
9 administrative costs;

10 (f) A released time course not be scheduled during a student's core
11 curriculum instruction time, and that each released time course be no
12 less than forty-two and no more than one hundred twenty consecutive
13 minutes in length; and

14 (g) A released time course not to be held on school district
15 property unless permitted under a neutral policy of equal access that
16 opens school district property for use by community groups.

17 (3) For any period of time a student is excused from a school
18 district to attend a released time course in accordance with this
19 section, such student shall be considered as attending the school from
20 which such student is excused for the purpose of determining school
21 funding and satisfying attendance requirements.

22 (4) A school district may adopt a policy that awards academic credit
23 for the completion of a released time course. In determining the amount
24 of credit to award for completion of such a course, the school district
25 shall evaluate the course based on purely secular criteria that are
26 substantially the same criteria used to evaluate similar courses. The
27 decision to award credit for a released time course shall be neutral to,
28 and shall not involve any test for, religious content or denominational
29 affiliation.

30 (5) Nothing in this section shall be interpreted to deny a released
31 time course or the sponsoring entity equal access to funds, benefits, or

1 services that the school district may provide or make available to
2 community groups or other independent entities.

3 (6) Any person or organization aggrieved by a violation of this
4 section may bring an action against the school district responsible for
5 the violation and seek appropriate relief. For purposes of this
6 subsection, appropriate relief includes:

7 (a) Actual damages;

8 (b) Such preliminary and other equitable or declaratory relief as
9 may be appropriate; and

10 (c) Reasonable attorney's fees and other litigation costs reasonably
11 incurred.

12 **Sec. 13.** (1) For purposes of this section:

13 (a) Contract means any agreement between a covered institution and a
14 foreign adversarial source for the acquisition by purchase, lease, or
15 barter of property or services, for the direct benefit or use of either
16 of the parties;

17 (b) Covered institution means any public or private two-year or
18 four-year college or university having a campus or place of business in
19 Nebraska;

20 (c) Foreign adversarial source means:

21 (i) A foreign adversary government, including an agency of a foreign
22 adversary government;

23 (ii) A legal entity, governmental or otherwise, created solely under
24 laws of a foreign adversary government;

25 (iii) An individual who is a citizen or a national of a foreign
26 adversary government; and

27 (iv) An agent of any entity or individual described in subdivision
28 (1)(c)(i), (ii), or (iii) of this section, including a subsidiary or
29 affiliate of a foreign adversary legal entity acting on behalf of any
30 such entity or individual;

31 (d) Foreign adversary means a foreign adversary as determined

1 pursuant to 15 C.F.R. 791.4, as such regulation existed on January 1,
2 2025; and

3 (e) Reportable funding means revenue or the fair-market value of
4 anything received as the result of any contract, gift, grant, endowment,
5 award, scholarship, or donation, including a conditional or unconditional
6 pledge of a contract, gift, grant, endowment, award, scholarship, or
7 donation from a foreign adversarial source.

8 (2)(a) Except as provided in subdivision (b) of this subsection,
9 each covered institution shall provide a report biannually to the
10 Coordinating Commission for Postsecondary Education, in a manner
11 prescribed by the commission, detailing all reportable funding received
12 by the covered institution. Unless the information is exempt or
13 prohibited from disclosure or deemed confidential under federal or state
14 law, the report shall include the following information:

15 (i) The amount of the reportable funding and the date that such
16 funding was received;

17 (ii) A description of the type of reportable funding and the purpose
18 for such funding, including whether the reportable funding is part of an
19 ongoing relationship with the foreign adversarial source;

20 (iii) A detailed description of the foreign adversarial source
21 providing the reportable funding, including the name of the foreign
22 adversarial source and, if not a foreign government, the country of
23 citizenship, if known, and the country of principal residence or domicile
24 of the foreign adversarial source; and

25 (iv) A copy of any contract, agreement, pledge, or memorandum of
26 understanding associated with the funding.

27 (b) This section shall not require reporting of payments made to a
28 covered institution by a natural person who would otherwise qualify as a
29 foreign adversarial source for tuition or related fees to support an
30 individual enrolled or planning to attend a covered institution.

31 (c) The Coordinating Commission for Postsecondary Education shall

1 post the report on its public website.

2 **Sec. 14.** Section 49-1493, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 49-1493 The individuals listed in subdivisions (1) through (14) ~~(13)~~
5 of this section shall file with the commission a statement of financial
6 interests as provided in sections 49-1496 and 49-1497 for the preceding
7 calendar year on or before March 1 of each year in which such individual
8 holds such a position. An individual who leaves office shall, within
9 thirty days after leaving office, file a statement covering the period
10 since the previous statement was filed. Disclosure of the interest named
11 in sections 49-1496 to 49-1498 shall be made by:

12 (1) An individual holding a state executive office as provided in
13 Article IV of the Constitution of Nebraska, including the Governor,
14 Lieutenant Governor, Secretary of State, Auditor of Public Accounts,
15 State Treasurer, Attorney General, Tax Commissioner, and heads of such
16 other executive departments as set forth in the Constitution or as may be
17 established by law;

18 (2) An individual holding the office of Commissioner of Education,
19 member of the State Board of Education, member of the Board of Regents of
20 the University of Nebraska with the exception of student members, or
21 member of the Coordinating Commission for Postsecondary Education;

22 (3) A member of the Board of Parole;

23 (4) A member of the Public Service Commission;

24 (5) A member of the Legislature;

25 (6) A member of the board of directors or an officer of a district
26 organized under the provisions of Chapter 70;

27 (7) A member of any board or commission of the state or any county
28 which examines or licenses a business or which determines rates for or
29 otherwise regulates a business;

30 (8) A member of a land-use planning commission, zoning commission,
31 or authority of the state or any county with a population of more than

1 one hundred thousand inhabitants;

2 (9) An elected official of a city of the primary or metropolitan
3 class;

4 (10) An elected county official;

5 (11) A member of the Nebraska Environmental Trust Board;

6 (12) An individual employed at the University of Nebraska-Lincoln in
7 the position of Head Football Coach, Men's Basketball Coach, or Women's
8 Basketball Coach; and

9 (13) An official or employee of the state designated by rules and
10 regulations of the commission who is responsible for taking or
11 recommending official action of a nonministerial nature with regard to:

12 (a) Contracting or procurement;

13 (b) Administering or monitoring grants or subsidies;

14 (c) Land-use planning or zoning;

15 (d) Inspecting, licensing, regulating, or auditing any person; or

16 (e) Any similar action; and -

17 (14) An individual employed by a school board as a superintendent
18 for a school district.

19 **Sec. 15.** (1) Any contract for employment as a superintendent of a
20 school district entered into or renewed on or after the effective date of
21 this act shall include a provision prohibiting the superintendent from
22 receiving employment income other than such individual's employment
23 income from the school district and any income specifically stipulated in
24 the contract during such contract term.

25 (2) For purposes of this section:

26 (a) Employment income means income paid or otherwise provided to an
27 employee by an employer in the education field resulting from the
28 employer-employee relationship or income resulting from a contract as an
29 independent contractor for certain contracted education-related work,
30 such as (i) work on any education-related foundation, board, commission,
31 or similar entity or (ii) consulting or advising on education-related

1 matters; and

2 (b) Employment income does not include income arising from (i)
3 teaching at a postsecondary educational institution, (ii) acting as a
4 hearing examiner for a long-term suspension, expulsion, or mandatory
5 reassignment hearing pursuant to section 79-269, (iii) an employer-
6 employee relationship if such employer is not engaged in the education
7 field, (iv) a contract as an independent contractor for non-education-
8 related work, (v) acting as an official, referee, or judge for an
9 activity or sporting event sponsored by a school or an activities or
10 athletics association, (vi) a farming and ranching operation, (vii)
11 leasing real estate, (viii) stocks, bonds, or other investments, or (ix)
12 any other source as specifically stipulated in the contract for
13 employment as a superintendent.

14 **Sec. 16.** Section 79-566, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 79-566 The board of education of a Class IV school district shall at
17 a regular meeting elect from outside its own members a superintendent, an
18 associate superintendent of instruction, an associate superintendent of
19 business affairs, a school district treasurer, and the number of
20 employees the board of education may deem necessary for the proper
21 conduct of the affairs of the school district at such salaries as the
22 board of education may determine. The board may contract with them for
23 terms not to exceed three years. A contract for employment as a
24 superintendent shall comply with section 15 of this act. The election of
25 all officers of the board of education and all elections for filling
26 vacancies on the board of education shall be by ballot. No person shall
27 be declared elected unless he or she receives the vote of a majority of
28 all the members of the board of education.

29 **Sec. 17.** Section 79-567, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 79-567 The members of the board of education of a Class V school

1 district, at their regular meeting in January each year, shall elect a
2 president and vice president from their own members, who shall serve for
3 terms of one year or until their successors are elected and qualified.
4 The members of the board of education may also select from outside their
5 own members one superintendent of public schools, one secretary, one
6 treasurer, and such other officers as the board may deem necessary for
7 the administration of the affairs of the school district, at such salary
8 as the board may deem just, and in their discretion they may enter into
9 contracts with such officers for terms of not to exceed three years. A
10 contract for employment as a superintendent shall comply with section 15
11 of this act. The board shall have the power to elect its president and
12 vice president and to select its officers and employees in accordance
13 with rules adopted by the board.

14 **Sec. 18.** Section 79-594, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 79-594 The school board in a Class I, II, III, or IV school district
17 may also elect at any regular meeting one superintendent of public
18 instruction with such salary as the board deems best and may enter into
19 contract with him or her at its discretion, for a term not to exceed
20 three years. Such contract shall comply with section 15 of this act.

21 **Sec. 19.** Section 79-1028.01, Reissue Revised Statutes of Nebraska,
22 is amended to read:

23 79-1028.01 (1) For each school fiscal year, a school district may
24 exceed its budget authority for the general fund budget of expenditures
25 as calculated pursuant to section 79-1023 for such school fiscal year by
26 a specific dollar amount for the following exclusions:

27 (a) Expenditures for repairs to infrastructure damaged by a natural
28 disaster which is declared a disaster emergency pursuant to the Emergency
29 Management Act;

30 (b) Expenditures for judgments, except judgments or orders from the
31 Commission of Industrial Relations, obtained against a school district

1 which require or obligate a school district to pay such judgment, to the
2 extent such judgment is not paid by liability insurance coverage of a
3 school district;

4 (c) Expenditures pursuant to the Retirement Incentive Plan
5 authorized in section 79-855 or the Staff Development Assistance
6 authorized in section 79-856;

7 (d) Expenditures of amounts received from educational entities as
8 defined in section 79-1201.01 for providing distance education courses
9 through the Educational Service Unit Coordinating Council to such
10 educational entities;

11 ~~(e)(i) (e)~~ Expenditures to pay for employer contributions pursuant
12 to subsection (2) of section 79-958 to the School Employees Retirement
13 System of the State of Nebraska to the extent that such expenditures
14 exceed the employer contributions under such subsection that would have
15 been made at a contribution rate of seven and thirty-five hundredths
16 percent. ÷

17 (ii) For school fiscal years 2025-26 and 2026-27, the amount of the
18 expenditures described in subdivision (1)(e)(i) of this section for
19 school fiscal year 2024-25 may be carried over and included in the budget
20 authority for the general fund budget of expenditures for school fiscal
21 years 2025-26 and 2026-27;

22 (f) Expenditures to pay for school district contributions pursuant
23 to subdivision (1)(c)(i) or (1)(d)(i) of section 79-9,113 to the
24 retirement system established pursuant to the Class V School Employees
25 Retirement Act to the extent that such expenditures exceed the school
26 district contributions under such subdivision that would have been made
27 at a contribution rate of seven and thirty-seven hundredths percent;

28 (g) Expenditures for incentives agreed to be paid by a school
29 district to certificated employees in exchange for a voluntary
30 termination of employment occurring prior to July 1, 2009, occurring on
31 or after the last day of the 2010-11 school year and prior to the first

1 day of the 2013-14 school year, or, to the extent that a district
2 demonstrates to the State Board of Education pursuant to subsection (3)
3 of this section that the agreement will result in a net savings in salary
4 and benefit costs to the school district over a five-year period,
5 occurring on or after the first day of the 2013-14 school year and prior
6 to September 1, 2017;

7 (h) Expenditures by a school district with budgeted expenditures
8 otherwise equal to the budget authority for the general fund budget of
9 expenditures for such school district as calculated pursuant to section
10 79-1023 for such school fiscal year for current and future qualified
11 voluntary termination incentives for certificated teachers pursuant to
12 subsection (3) of section 79-8,142 that are not otherwise included in an
13 exclusion pursuant to this subsection;

14 (i) Expenditures by a school district with budgeted expenditures
15 otherwise equal to the budget authority for the general fund budget of
16 expenditures for such school district as calculated pursuant to section
17 79-1023 for such school fiscal year for seventy-five percent of
18 incentives agreed to be paid to certificated employees in exchange for a
19 voluntary termination of employment occurring between September 1, 2017,
20 and August 31, 2018, as a result of a collective-bargaining agreement in
21 force and effect on September 1, 2017, that are not otherwise included in
22 an exclusion pursuant to this subsection;

23 (j) Expenditures by a school district with budgeted expenditures
24 otherwise equal to the budget authority for the general fund budget of
25 expenditures for such school district as calculated pursuant to section
26 79-1023 for such school fiscal year for fifty percent of incentives
27 agreed to be paid to certificated employees in exchange for a voluntary
28 termination of employment occurring between September 1, 2018, and August
29 31, 2019, as a result of a collective-bargaining agreement in force and
30 effect on September 1, 2017, that are not otherwise included in an
31 exclusion pursuant to this subsection;

1 (k) Expenditures by a school district with budgeted expenditures
2 otherwise equal to the budget authority for the general fund budget of
3 expenditures for such school district as calculated pursuant to section
4 79-1023 for such school fiscal year for twenty-five percent of incentives
5 agreed to be paid to certificated employees in exchange for a voluntary
6 termination of employment occurring between September 1, 2019, and August
7 31, 2020, as a result of a collective-bargaining agreement in force and
8 effect on September 1, 2017, that are not otherwise included in an
9 exclusion pursuant to this subsection;

10 (l) The special education budget of expenditures;

11 (m) Expenditures of special grant funds; and

12 (n) Expenditures of funds received as federal impact aid pursuant to
13 20 U.S.C. 7701 to 7714, as such sections existed on January 1, 2016, due
14 to a district having land within its boundaries that is federal property
15 classified as Indian lands under 20 U.S.C. 7713(7), as such section
16 existed on January 1, 2016, and funds received as impact aid due to
17 children in attendance who resided on Indian lands in accordance with 20
18 U.S.C. 7703(a)(1)(C), as such section existed on January 1, 2016; and -

19 (o) Beginning with school fiscal year 2026-27, expenditures to pay
20 for the cost of hiring substitute teachers for the first three weeks of a
21 covered employee's leave taken under the federal Family and Medical Leave
22 Act of 1993 as reimbursed from the State Education Leave Fund pursuant to
23 the Education Leave and Support Act.

24 (2) For each school fiscal year, a school district may exceed its
25 budget authority for the general fund budget of expenditures as
26 calculated pursuant to section 79-1023 for such school fiscal year by a
27 specific dollar amount and include such dollar amount in the budget of
28 expenditures used to calculate budget authority for the general fund
29 budget of expenditures pursuant to section 79-1023 for future years for
30 the following exclusions:

31 (a) The first school fiscal year the district will be participating

1 in Network Nebraska for the full school fiscal year, for the difference
2 of the estimated expenditures for such school fiscal year for
3 telecommunications services, access to data transmission networks that
4 transmit data to and from the school district, and the transmission of
5 data on such networks as such expenditures are defined by the department
6 for purposes of the distance education and telecommunications allowance
7 minus the dollar amount of such expenditures for the second school fiscal
8 year preceding the first full school fiscal year the district
9 participates in Network Nebraska;

10 (b) Expenditures for new elementary attendance sites in the first
11 year of operation or the first year of operation after being closed for
12 at least one school year if such elementary attendance site will most
13 likely qualify for the elementary site allowance in the immediately
14 following school fiscal year as determined by the state board;

15 (c) For the first school fiscal year for which early childhood
16 education membership is included in formula students for the calculation
17 of state aid, expenditures for early childhood education equal to the
18 amount the school district received in early childhood education grants
19 pursuant to section 79-1103 for the prior school fiscal year, increased
20 by the basic allowable growth rate; and

21 (d) For school fiscal year 2013-14, an amount not to exceed two
22 percent over the previous school year if such increase is approved by a
23 seventy-five percent majority vote of the school board of such district.

24 (3) The state board shall approve, deny, or modify the amount
25 allowed for any exclusions to the budget authority for the general fund
26 budget of expenditures pursuant to this section.

27 **Sec. 20.** Section 85-304, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 85-304 (1) The Board of Trustees of the Nebraska State Colleges
30 shall have the power:

31 (a) To appoint a president and such other persons as may be required

1 for each state college;

2 (b) To fix their compensation and prescribe their duties;

3 (c) To remove all persons appointed, but the affirmative votes of
4 four members of the board shall be necessary to remove a president or an
5 assistant during the time for which such persons were appointed;

6 (d) Through an extension division, to provide for holding of classes
7 at various localities throughout the state, avoiding unnecessary
8 duplication of courses offered by other educational institutions in such
9 localities;

10 (e) To acquire real and personal property and dispose of the same
11 whenever any of the state colleges will be benefited thereby, but no
12 grounds upon which any buildings of any of the state colleges are located
13 shall be disposed of without the consent of the Legislature;

14 (f) To pay expenses for recruitment of academic, administrative,
15 professional, and managerial personnel; ~~and~~

16 (g) To provide benefits for all present and future employees,
17 including group life insurance, group hospital-medical insurance, and
18 group long-term disability income insurance; and -

19 (h) To engage in any activity granted to the board pursuant to
20 section 21 of this act.

21 (2) The board shall have the duty:

22 (a) To institute a continuing program of preventive maintenance and
23 a program of deferred maintenance consistent with the provisions of the
24 Deferred Building Renewal Act; and

25 (b) To consult with the Nebraska Arts Council and acquire works of
26 art for the original construction of any public building under its
27 supervision consistent with sections 82-317 to 82-329 and 85-304 to
28 85-304.03.

29 **Sec. 21.** (1) The Board of Trustees of the Nebraska State Colleges
30 may enter into long-term leases, lease-purchase agreements, or financing
31 contracts with any person, firm, governmental entity, or corporation to

1 finance or refinance student housing or student activity facilities for
2 use by the state colleges. The board of trustees may also convey, lease,
3 or lease back all or any part of its student housing or student activity
4 facilities and the land on which any such facility is situated to such
5 person, firm, governmental entity, or corporation as the board of
6 trustees may contract with to facilitate the long-term payment of the
7 cost of such facilities. Any such long-term lease, lease-purchase
8 agreement, or financing contract may include payments over multiple years
9 from any source legally available to the board of trustees exclusive of
10 state tax funds, may include student housing or student activity
11 facilities on property owned by the Board of Trustees of the Nebraska
12 State Colleges or on property owned by any other person, firm,
13 governmental entity, or corporation, and shall include such other terms
14 and provisions as may be determined necessary or appropriate by, or at
15 the direction of, the board of trustees. Any such financing for a new
16 student housing project shall be subject to the receipt of project
17 approval from the Coordinating Commission for Postsecondary Educations as
18 required by subsection (10) of section 85-1414, as long as state tax
19 funds are not being used for the project.

20 (2) The authority provided in this section shall be deemed to
21 provide a complete method for the measures and actions authorized in this
22 section and shall be regarded as supplemental and additional powers
23 conferred by other laws. The board of trustees, employing the authority
24 set forth in this section, shall not be required to comply with the
25 requirements of any other law applicable to entering into long-term
26 contracts, pledging revenue, the financing and approval of facilities
27 under the control of the board of trustees, and other related matters.

28 **Sec. 22.** Section 85-1402, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 85-1402 For purposes of the Coordinating Commission for
31 Postsecondary Education Act:

1 (1)(a) Capital construction project shall mean a project which
2 utilizes tax funds designated by the Legislature and shall be: Any
3 proposed new capital structure; any proposed addition to, renovation of,
4 or remodeling of a capital structure; any proposed acquisition of a
5 capital structure by gift, purchase, lease-purchase, or other means of
6 construction or acquisition that (i) will be directly financed in whole
7 or in part with tax funds designated by the Legislature totaling at least
8 the minimum capital expenditure for purposes of this subdivision or (ii)
9 is likely, as determined by the institution, to result in an incremental
10 increase in appropriation or expenditure of tax funds designated by the
11 Legislature of at least the minimum capital expenditure for the
12 facility's operations and maintenance costs in any one fiscal year within
13 a period of ten years from the date of substantial completion or
14 acquisition of the project. No tax funds designated by the Legislature
15 shall be appropriated or expended for any incremental increase of more
16 than the minimum capital expenditure for the costs of the operations and
17 utilities of any facility which is not included in the definition of
18 capital construction project and thus is not subject to commission
19 approval pursuant to the Coordinating Commission for Postsecondary
20 Education Act. No institution shall include a request for funding such an
21 increase in its budget request for tax funds designated by the
22 Legislature nor shall any institution utilize any such funds for such an
23 increase. The Governor shall not include in his or her budget
24 recommendations, and the Legislature shall not appropriate, such funds
25 for such increase.

26 (b) For purposes of this subdivision:

27 (i) Directly financed shall mean funded by:

28 (A) Appropriation of tax funds designated by the Legislature for the
29 specific capital construction project;

30 (B) Property tax levies authorized pursuant to subdivision (1)(b) of
31 section 85-1517 for fiscal years prior to fiscal year 2013-14 and

1 subdivision (2)(b) of section 85-1517 for fiscal year 2013-14 and each
2 fiscal year thereafter used to establish a capital improvement and bond
3 sinking fund as provided in section 85-1515; or

4 (C) That portion of tax funds designated by the Legislature and
5 appropriated by the Legislature for the general operation of the public
6 institution and utilized to fund the capital project;

7 (ii) Incremental increase shall mean an increase in appropriation or
8 expenditure of tax funds designated by the Legislature of at least the
9 minimum capital expenditure for a facility's operations and maintenance
10 costs, beyond any increase due to inflation, to pay for a capital
11 structure's operations and maintenance costs that are a direct result of
12 a capital construction project; and

13 (iii) Minimum capital expenditure shall mean:

14 (A) For purposes of subdivision (a)(i) of this subdivision, a base
15 amount of five ~~two~~ million dollars; and

16 (B) For the facility's operations and maintenance costs pursuant to
17 subdivision (a)(ii) of this subdivision, a base amount of two hundred
18 ~~eighty-five~~ thousand dollars for any one fiscal year.

19 ~~Both The base amounts amount for the facility's operations and~~
20 ~~maintenance costs~~ shall be subject to any inflationary or market
21 adjustments made by the commission pursuant to this subdivision. The
22 commission shall adjust the base amounts ~~amount~~ on a biennial basis
23 beginning January 1, 2026 ~~2010~~. The adjustments shall be based on
24 percentage changes in a construction cost index and any other published
25 index relevant to operations and utilities costs, both as selected by the
26 commission in cooperation with the public institutions. The index or
27 indices shall reflect inflationary or market trends for the applicable
28 operations and maintenance or construction costs;

29 (2) Commission shall mean the Coordinating Commission for
30 Postsecondary Education;

31 (3) Coordination shall mean:

1 (a) Authority to adopt, and revise as needed, a comprehensive
2 statewide plan for postsecondary education which shall include (i)
3 definitions of the role and mission of each public postsecondary
4 educational institution within any general assignments of role and
5 mission as may be prescribed by the Legislature and (ii) plans for
6 facilities which utilize tax funds designated by the Legislature;

7 (b) Authority to review, monitor, and approve or disapprove each
8 public postsecondary educational institution's programs and capital
9 construction projects which utilize tax funds designated by the
10 Legislature in order to provide compliance and consistency with the
11 comprehensive plan and to prevent unnecessary duplication; and

12 (c) Authority to review and modify, if needed to promote compliance
13 and consistency with the comprehensive statewide plan and prevent
14 unnecessary duplication, the budget requests of the governing boards or
15 any other governing board for any other public postsecondary educational
16 institution which may be established by the Legislature;

17 (4) Education center shall mean an off-campus branch of a public
18 institution or cooperative of either public or public and private
19 postsecondary educational institutions which offers instructional
20 programs to students;

21 (5) Governing board shall mean the Board of Regents of the
22 University of Nebraska, the Board of Trustees of the Nebraska State
23 Colleges, or the board of governors for each community college area;

24 (6) Program shall mean any program of instruction which leads
25 directly to a degree, diploma, or certificate and, for purposes of
26 section 85-1414, shall include public service programs and all off-campus
27 instructional programs, whether or not such programs lead directly to a
28 degree, diploma, or certificate. Program shall also include the
29 establishment of any new college, school, major division, education
30 center, or institute but shall not include reasonable and moderate
31 extensions of existing curricula which have a direct relationship to

1 existing programs;

2 (7) Public institution shall mean each campus of a public
3 postsecondary educational institution which is or may be established by
4 the Legislature, which is under the direction of a governing board, and
5 which is administered as a separate unit by the board; and

6 (8) Tax funds designated by the Legislature shall mean all state tax
7 revenue and all property tax revenue.

8 **Sec. 23.** Section 85-1412, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 85-1412 The commission shall have the following additional powers
11 and duties:

12 (1) Conduct surveys and studies as may be necessary to undertake the
13 coordination function of the commission pursuant to section 85-1403 and
14 request information from governing boards and appropriate administrators
15 of public institutions and other governmental agencies for research
16 projects. All public institutions and governmental agencies receiving
17 state funds shall comply with reasonable requests for information under
18 this subdivision. Public institutions may comply with such requests
19 pursuant to section 85-1417;

20 (2) Recommend to the Legislature and the Governor legislation it
21 deems necessary or appropriate to improve postsecondary education in
22 Nebraska and any other legislation it deems appropriate to change the
23 role and mission provisions in sections 85-917 to 85-966.01. The
24 recommendations submitted to the Legislature shall be submitted
25 electronically;

26 (3) Establish any advisory committees as may be necessary to
27 undertake the coordination function of the commission pursuant to section
28 85-1403 or to solicit input from affected parties such as students,
29 faculty, governing boards, administrators of the public institutions,
30 administrators of the private nonprofit institutions of postsecondary
31 education and proprietary institutions in the state, and community and

1 business leaders regarding the coordination function of the commission;

2 (4) Participate in or designate an employee or employees to
3 participate in any committee which may be created to prepare a
4 coordinated plan for the delivery of educational programs and services in
5 Nebraska through the telecommunications system;

6 (5) Seek a close liaison with the State Board of Education and the
7 State Department of Education in recognition of the need for close
8 coordination of activities between elementary and secondary education and
9 postsecondary education;

10 (6) Administer the Integrated Postsecondary Education Data System or
11 other information system or systems to provide the commission with
12 timely, comprehensive, and meaningful information pertinent to the
13 exercise of its duties. The information system shall be designed to
14 provide comparable data on each public institution. The commission shall
15 also administer the uniform information system prescribed in sections
16 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public
17 institutions shall supply the appropriate data for the information system
18 or systems required by the commission;

19 (7) Administer (a) the Access College Early Scholarship Program Act,
20 (b) the Community College Aid Act, (c) the Door to College Scholarship
21 Act and the Door to College Scholarship Fund, (d) the Nebraska Community
22 College Student Performance and Occupational Education Grant Fund under
23 the direction of the Nebraska Community College Student Performance and
24 Occupational Education Grant Committee, (e) the Nebraska Opportunity
25 Grant Act and the Nebraska Opportunity Grant Fund, (f) the Postsecondary
26 Institution Act, (g) the community college gap assistance program and the
27 Community College Gap Assistance Program Fund, and (h) the Excellence in
28 Teaching Act and the Excellence in Teaching Cash Fund;

29 (8) Accept and administer loans, grants, and programs from the
30 federal or state government and from other sources, public and private,
31 for carrying out any of its functions, including the administration of

1 privately endowed scholarship programs. Such loans and grants shall not
2 be expended for any other purposes than those for which the loans and
3 grants were provided. The commission shall determine eligibility for such
4 loans, grants, and programs, and such loans and grants shall not be
5 expended unless approved by the Governor;

6 (9) Serve as the primary coordinating entity to determine the most
7 efficient and effective manner to transition or devolve data collection,
8 grants, programs, and related responsibilities and functions from the
9 United States Department of Education to the governing boards and
10 administrators of public and private institutions of postsecondary
11 education in the state or to the commission.

12 (10) (9) On or before December 1 of each even-numbered year, submit
13 to the Legislature and the Governor a report of its objectives and
14 activities and any new private colleges in Nebraska and the
15 implementation of any recommendations of the commission for the preceding
16 two calendar years. The report submitted to the Legislature shall be
17 submitted electronically;

18 (11) (10) Provide staff support for interstate compacts on
19 postsecondary education; and

20 (12) (11) Request inclusion of the commission in any existing grant
21 review process and information system.

22 **Sec. 24.** Section 85-3003, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges
25 shall award a Nebraska Career Scholarship that does not exceed a maximum
26 of fifteen thousand dollars per year to any eligible state college
27 student (i) who achieved a composite score on any college admission test
28 equivalent to a standard college admission test equivalent to a score of
29 at least eighteen out of a maximum score of thirty-six or who had a high
30 school grade-point average of 3.0 or greater on a four-point scale and
31 (ii) who is enrolled in an eligible program of study.

1 (b) The Board of Trustees of the Nebraska State Colleges shall
2 allocate funds appropriated to the board under the Nebraska Career
3 Scholarship Act between the state college campuses, determine the
4 eligibility of students enrolled in a state college, receive and process
5 applications for awards to individual students, and disburse funds
6 directly to scholarship recipients during the fiscal year. Eligibility
7 criteria shall include being a first-time freshman or a transfer student
8 and enrollment in an eligible program of study.

9 (c) For purposes of this section, an eligible program of study
10 includes the following:

11 (i) A program of study at a state college in rangeland management,
12 industrial technology, criminal justice, business administration,
13 education, communication, the Reserve Officers' Training Corps, or
14 computer information systems; and

15 (ii) Beginning with academic year 2024-25, a program of study
16 designated by the Department of Economic Development, in collaboration
17 with the Board of Trustees of the Nebraska State Colleges, based on
18 periodic reviews of workforce needs in the state.

19 (2) Each scholarship recipient shall register with the appropriate
20 campus office to obtain a Nebraska-based internship, apprenticeship,
21 clinical position, or employment in a major-related field prior to
22 completion of the student's eligible program of study.

23 (3) A Nebraska Career Scholarship may be used by a scholarship
24 recipient for tuition, fees, required tools and equipment, and room and
25 board.

26 (4) Each scholarship awarded under this section shall be
27 automatically renewed on an annual basis if the student remains enrolled
28 in good standing in the eligible program of study for which such
29 scholarship was awarded, except that no student shall receive a
30 scholarship renewal after four years of participation in such eligible
31 program of study.

1 (5) The Board of Trustees of the Nebraska State Colleges shall
2 collect information on each state college scholarship recipient and shall
3 report electronically to the Clerk of the Legislature and the Governor on
4 or before December 1 of each year the following information for the
5 eligible programs of study at a state college in the current or prior
6 academic year:

7 (a) The total number of students enrolled in each eligible program
8 of study in the immediately prior academic year and the total number of
9 students enrolled in each eligible program of study for the current
10 academic year, based upon official fall census data;

11 (b) The total number of scholarship recipients in each eligible
12 program of study for the current academic year and the total number of
13 such scholarship recipients who are newly enrolled in each eligible
14 program of study for such academic year, based upon official fall census
15 data;

16 (c) The total number of newly awarded scholarship recipients
17 retained across all eligible programs of study from the immediately prior
18 academic year to the current academic year and a comparison of the
19 retention rates between those of the newly awarded scholarship recipients
20 and the state college's overall first to second year retention rate
21 reported to the Integrated Postsecondary Education Data System for the
22 same year;

23 (d) The total number of scholarship recipients who graduated during
24 the immediately prior academic year and a comparison of the four-year
25 graduation rates between the scholarship recipients who graduated and the
26 state college's overall four-year graduate rate reported to the
27 Integrated Postsecondary Education Data System for the same year; and

28 (e) The number and percent of scholarship recipients who graduated
29 during the immediately prior calendar year who obtained employment in a
30 major-related field in the state.

31 **Sec. 25.** Section 85-3004, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 85-3004 (1)(a) The Board of Regents of the University of Nebraska
3 shall award a Nebraska Career Scholarship to any eligible university
4 student who is enrolled in an eligible program of study in an amount not
5 to exceed:

6 (i) Ten thousand dollars per year for any scholarship recipient who
7 is a transfer student; or

8 (ii) Except as provided in subdivision (1)(a)(i) of this section:

9 (A) Twenty-five thousand dollars per year for any scholarship
10 recipient who achieved a composite score on any college admission test
11 equivalent to a standard college admission test ~~equivalent to a score of~~
12 at least twenty-eight out of a maximum score of thirty-six; or

13 (B) Ten thousand dollars per year for any scholarship recipient who
14 achieved a composite score on any college admission test equivalent to a
15 standard college admission test ~~equivalent to a score of at least twenty~~
16 and less than twenty-eight out of a maximum score of thirty-six.

17 (b) The Board of Regents shall allocate funds appropriated to the
18 board under the Nebraska Career Scholarship Act between the university
19 campuses, determine the eligibility of students enrolled in the
20 university, receive and process applications for awards to individual
21 students, and disburse funds directly to scholarship recipients during
22 the fiscal year. Eligibility criteria shall include (i) being a first-
23 time freshman who achieved a composite score on any college admission
24 test equivalent to a standard college admission test ~~equivalent to a~~
25 score of at least twenty out of a maximum score of thirty-six or a
26 transfer student and (ii) enrollment in an eligible program of study.

27 (c) For purposes of this section, an eligible program of study
28 means:

29 (i) Through academic year 2023-24, a program of study offered by the
30 University of Nebraska in mathematics, engineering, health care, and
31 computer information systems;

1 (ii) Beginning with academic year 2024-25, a program of study
2 designated by the Department of Economic Development, in collaboration
3 with the Board of Regents, based on periodic reviews of workforce needs
4 in the state; and

5 (iii) Beginning with academic year 2024-25, a program of study in
6 special education.

7 (2) Each scholarship recipient shall register with the appropriate
8 campus office to obtain a Nebraska-based internship, apprenticeship,
9 clinical position, or employment in a major-related field prior to
10 completion of the student's eligible program of study.

11 (3) A Nebraska Career Scholarship may be used by a scholarship
12 recipient for tuition, fees, required tools and equipment, and room and
13 board.

14 (4) Each scholarship awarded under this section shall be
15 automatically renewed on an annual basis if the student remains enrolled
16 in good standing in the eligible program of study for which such
17 scholarship was awarded, except that no student shall receive a
18 scholarship renewal after four years of participation in such eligible
19 program of study.

20 (5) The Board of Regents shall collect information on each
21 university scholarship recipient and shall report electronically to the
22 Clerk of the Legislature and the Governor on or before December 1 of each
23 year the following information for the eligible programs of study at the
24 university in the current or prior academic year:

25 (a) The total number of students enrolled in each eligible program
26 of study in the immediately prior academic year and the total number of
27 students enrolled in each eligible program of study for the current
28 academic year, based upon official fall census data;

29 (b) The total number of scholarship recipients in each eligible
30 program of study for the current academic year and the total number of
31 such scholarship recipients who are newly enrolled in each eligible

1 program of study for such academic year, based upon official fall census
2 data;

3 (c) The total number of newly awarded scholarship recipients
4 retained across all eligible programs of study from the immediately prior
5 academic year to the current academic year and a comparison of the
6 retention rates between those of the newly awarded scholarship recipients
7 and the university's overall first to second year retention rate reported
8 to the Integrated Postsecondary Education Data System for the same year;

9 (d) The total number of scholarship recipients who graduated during
10 the immediately prior academic year and a comparison of the four-year
11 graduation rates between the scholarship recipients who graduated and the
12 university's overall four-year graduate rate reported to the Integrated
13 Postsecondary Education Data System for the same year; and

14 (e) The number and percent of scholarship recipients who graduated
15 during the immediately prior calendar year who obtained employment in a
16 major-related field in the state.

17 **Sec. 26.** Section 85-3006, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 85-3006 (1)(a) The Coordinating Commission for Postsecondary
20 Education, in collaboration with private colleges that elect to
21 participate, shall award a Nebraska Career Scholarship that does not
22 exceed a maximum of ten thousand dollars per year to any private college
23 student who achieved a composite score on any college admission test
24 equivalent to a standard college admission test ~~equivalent to~~ a score of
25 at least eighteen out of a maximum score of thirty-six or who had a high
26 school grade-point average of 3.0 or greater on a four-point scale and
27 who is enrolled in an eligible program of study.

28 (b) Each participating private college, acting as an agent of the
29 state, shall determine the eligibility of students enrolled in the
30 private college, receive and process applications for awards to
31 individual students, and disburse funds directly to scholarship

1 recipients during the fiscal year. Eligibility criteria shall include
2 being a first-time freshman or a transfer student and enrollment in an
3 eligible program of study.

4 (c) For purposes of this section, an eligible program of study
5 means:

6 (i) Through academic year 2023-24, a program of study at a private
7 college in mathematics, health care, and computer information systems;
8 and

9 (ii) Beginning with academic year 2024-25, a program of study in
10 education or engineering and a program of study in shortage areas
11 designated by the Coordinating Commission for Postsecondary Education, in
12 consultation with the State Department of Education, the Department of
13 Labor, the Department of Economic Development, and any advisory committee
14 established by the Coordinating Commission for Postsecondary Education
15 for such purpose, based on periodic reviews of workforce needs in the
16 state.

17 ~~(2) Each scholarship recipient shall register with the appropriate~~
18 ~~campus office to obtain a Nebraska-based internship, apprenticeship,~~
19 ~~clinical position, or employment in a major-related field prior to~~
20 ~~completion of the student's eligible program of study.~~

21 (2) ~~(3)~~ A Nebraska Career Scholarship may be used by the scholarship
22 recipient for tuition, fees, required tools and equipment, and room and
23 board.

24 (3) ~~(4)~~ Each scholarship awarded under this section shall be
25 automatically renewed on an annual basis if the student remains enrolled
26 in good standing in the eligible program of study for which such
27 scholarship was awarded, except that no student shall receive a
28 scholarship renewal after four years of participation in such eligible
29 program of study.

30 (4) ~~(5)~~ Each participating private college shall collect information
31 on each scholarship recipient who has been awarded a Nebraska Career

1 Scholarship by such private college and shall share such information with
2 the Coordinating Commission for Postsecondary Education.

3 ~~(5)~~ (6) The Coordinating Commission for Postsecondary Education
4 shall report electronically to the Clerk of the Legislature and the
5 Governor on or before December 1 of each year the following information
6 for each eligible program of study at a private college in the current or
7 prior academic year:

8 (a) The total number of students enrolled in the program in the
9 immediately prior academic year and the total number of students enrolled
10 in the program as of September 30 for the current academic year;

11 (b) The total number of scholarship recipients in the program as of
12 September 30 for the current academic year and the total number of such
13 scholarship recipients who are newly enrolled in the program for such
14 academic year;

15 (c) The total number of students retained in the program and a
16 comparison of the retention rates between scholarship recipients and
17 nonscholarship students;

18 ~~(d) The number of students participating in an internship, an~~
19 ~~apprenticeship, a clinical position, or employment in a major-related~~
20 ~~field during the immediately prior academic year and a comparison of~~
21 ~~participation rates for scholarship recipients and nonscholarship~~
22 ~~students;~~

23 ~~(d)~~ (e) The total number of graduates for the immediately prior
24 academic year, the number of scholarship recipient graduates for such
25 academic year, and a comparison of the graduation rates for scholarship
26 recipients and nonscholarship students; and

27 ~~(e)~~ Using data from the Department of Labor, the ~~(f)~~ The number of
28 scholarship recipients obtaining employment in the state within five
29 fiscal quarters after completion of an eligible program of study
30 graduates from the immediately prior academic year who obtained
31 employment in a major-related field in the state within four months after

1 ~~graduation and the average starting salary for such graduates.~~

2 (6) ~~(7)~~ The Coordinating Commission for Postsecondary Education
3 shall allocate the amount appropriated to the commission to carry out
4 this section to private colleges that elect to participate under the
5 Nebraska Career Scholarship Act. The commission shall establish a
6 separate budget subprogram for such allocations.

7 **Sec. 27.** Section 85-3202, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 85-3202 For purposes of the Door to College Scholarship Act:

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

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

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

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

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

22 (a) Located in Nebraska;

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

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

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

31 (e) Which has adopted, and has available for inspection, award

1 refund and repayment policies;

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

3 (a) Graduated from high school from an accredited education program
4 at a youth rehabilitation and treatment center operated and utilized in
5 compliance with state law, or graduated from an approved or accredited
6 public, private, denominational, or parochial school or received a
7 diploma of high school equivalency issued by the Commissioner of
8 Education after being discharged from a youth rehabilitation and
9 treatment center 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. 28.** Section 13 of this act becomes operative on July 1, 2025.
31 Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20,

1 21, 22, 23, 24, 25, 26, 27, and 29 of this act become operative three
2 calendar months after the adjournment of this legislative session. The
3 other sections of this act become operative on their effective date.

4 **Sec. 29.** Original sections 49-1493, 79-566, 79-567, 79-594,
5 79-1028.01, 85-304, 85-1402, 85-1412, 85-3003, 85-3004, 85-3006, and
6 85-3202, Reissue Revised Statutes of Nebraska, are repealed.

7 **Sec. 30.** Since an emergency exists, this act takes effect when
8 passed and approved according to law.