

AMENDMENTS TO LB937

(Amendments to Standing Committee amendments, AM2454)

Introduced by DeBoer, 10.

1 1. Insert the following new sections:

2 **Sec. 13.** Section 79-1054, Revised Statutes Supplement, 2025, is
3 amended to read:

4 79-1054 (1)(a) The State Board of Education shall establish an
5 improvement grant program in areas including, but not limited to, (i)
6 teacher recruitment and retention, (ii) improvement for schools and
7 school districts, (iii) improvement in student performance in the subject
8 areas of reading and mathematics, (iv) cybersecurity, and (v) ~~(iv)~~ other
9 improvement areas identified by the state board. Such grants shall be
10 funded using lottery funds under section 79-3501.

11 (b) On or before December 1 of each calendar year, the state board
12 shall electronically submit a report to the Clerk of the Legislature on
13 all such grant programs, including, but not limited to, the recipients of
14 the programs and evaluations of the effectiveness of each grant program.
15 The state board may adopt and promulgate rules and regulations to carry
16 out this subsection.

17 (2)(a) This subsection applies beginning January 1, 2024.

18 (b) For purposes of this subsection, learning platform means a
19 three-dimensional, game-based learning platform for use by middle school
20 and high school students.

21 (c)(i) The State Board of Education shall establish a grant program
22 to procure or purchase an annual license for learning platforms for use
23 in schools to engage students in coursework and careers in science,
24 technology, engineering, and mathematics. Such grants shall be funded
25 using lottery funds pursuant to section 79-3501.

26 (ii) The State Board of Education shall establish standards that a

1 learning platform shall meet in the subject areas of chemistry, physical
2 science, and mathematics. The state board shall develop the criteria to
3 prioritize the grant applications.

4 (iii) A developer may apply to the Commissioner of Education in a
5 manner prescribed by the state board for a grant under this subsection
6 for a learning platform that:

7 (A) Is designed to teach information related to chemistry, physical
8 science, or mathematics;

9 (B) Aligns with the standards established by the state board
10 relating to chemistry, physical science, or mathematics;

11 (C) Connects such standards with real-world technologies and
12 applications;

13 (D) Highlights science, technology, engineering, and mathematics
14 career pathways in Nebraska; and

15 (E) Meets any additional requirements set out by the State Board of
16 Education.

17 (iv) Any developer that receives a grant under this subsection shall
18 provide access to and use of its learning platform to all Nebraska school
19 districts.

20 (v) Any grant awarded pursuant to this subsection shall be awarded
21 by July 1 of each year.

22 (d) On or before December 1 of each calendar year, the state board
23 shall electronically submit a report to the Clerk of the Legislature on
24 the grant program, including, but not limited to, the recipients of the
25 program and evaluations of the effectiveness of the grant program. The
26 State Board of Education may adopt and promulgate rules and regulations
27 to carry out this subsection.

28 (3) The State Department of Education Improvement Grant Fund is
29 created. The fund shall be administered by the State Department of
30 Education and shall consist of transfers pursuant to section 79-3501,
31 repayments of grant funds, and interest payments received in the course

1 of administering this section. The fund shall be used to carry out this
2 section and for the centralized education records system for students
3 under the jurisdiction of a juvenile court and the employment of
4 registrars as provided under subsection (5) of section 79-303.01.
5 Transfers may be made from the fund to the Education Future Fund at the
6 direction of the Legislature. Any money in the State Department of
7 Education Improvement Grant Fund available for investment shall be
8 invested by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.

10 **Sec. 14.** Section 79-1248, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-1248 The powers and duties of the Educational Service Unit
13 Coordinating Council include, but are not limited to:

14 (1) Providing public access to lists of qualified distance education
15 courses;

16 (2) Collecting and providing school schedules for participating
17 educational entities;

18 (3) Facilitation of scheduling for qualified distance education
19 courses;

20 (4) Brokering of qualified distance education courses to be
21 purchased by educational entities;

22 (5) Assessment of distance education needs and evaluation of
23 distance education services;

24 (6) Compliance with technical standards as set forth by the Nebraska
25 Information Technology Commission and academic standards as set forth by
26 the State Department of Education related to distance education;

27 (7) Establishment of a system for scheduling courses brokered by the
28 council and for choosing receiving educational entities when the demand
29 for a course exceeds the capacity as determined by either the technology
30 available or the course provider;

31 (8) Administration of learning management systems, either through

1 the staff of the council or by delegation to an appropriate educational
2 entity, with the funding for such systems provided by participating
3 educational entities; ~~and~~

4 (9) Coordination with educational service units and postsecondary
5 educational institutions to provide assistance for instructional design
6 for both two-way interactive video distance education courses and the
7 offering of graduate credit courses in distance education; ~~and -~~

8 (10) Facilitating coordination and collaboration with the State
9 Board of Education, the department, the office of Chief Information
10 Officer, and educational service units to support the implementation of
11 the K-12 Education Cybersecurity Act. The council shall serve in a
12 nonregulatory capacity, providing technical assistance, statewide
13 alignment, and implementation support to educational service units and
14 schools as defined in section 27 of this act.

15 **Sec. 17.** Section 79-3501, Revised Statutes Supplement, 2025, is
16 amended to read:

17 79-3501 (1) For fiscal years through fiscal year 2023-24, the money
18 available to be used for education pursuant to subdivision (3)(b) of
19 section 9-812 shall be transferred to the Nebraska Education Improvement
20 Fund.

21 (2) For fiscal years 2024-25 through 2028-29, the money available to
22 be used for education pursuant to subdivision (3)(b) of section 9-812
23 shall be transferred as follows:

24 (a) Eight percent to the Behavioral Training Cash Fund;

25 (b) Two percent to the College Pathway Program Cash Fund;

26 (c) Seven percent to the Community College Gap Assistance Program
27 Fund;

28 (d) Ten percent to the State Department of Education Improvement
29 Grant Fund;

30 (e) Three percent to fund distance education incentives pursuant to
31 section 79-1337;

1 (f) One percent to the Door to College Scholarship Fund;
2 (g) Eight percent to the Excellence in Teaching Cash Fund;
3 (h) One and one-half percent to the Expanded Learning Opportunity
4 Grant Fund;

5 (i) One and one-half percent to the Mental Health Training Cash
6 Fund; and

7 (j) Fifty-eight percent to the Nebraska Opportunity Grant Fund.

8 (3) For fiscal year 2029-30 and each fiscal year thereafter, the
9 money available to be used for education pursuant to subdivision (3)(b)
10 of section 9-812 shall be transferred as the Legislature may direct.

11 (4)(a) The Nebraska Education Improvement Fund is created. The fund
12 shall consist of money transferred pursuant to subsection (1) of this
13 section and any other funds transferred by the Legislature. Transfers may
14 be made from the fund to the Education Future Fund at the direction of
15 the Legislature. The Nebraska Education Improvement Fund shall be
16 allocated, after actual and necessary administrative expenses, as
17 provided in this subsection for fiscal years 2016-17 through 2023-24. A
18 portion of each allocation for fiscal year 2023-24 may be retained by the
19 agency to which the allocation is made or the agency administering the
20 fund to which the allocation is made for actual and necessary expenses
21 incurred by such agency for administration, evaluation, and technical
22 assistance related to the purposes of the allocation, except that no
23 amount of the allocation to the Nebraska Opportunity Grant Fund may be
24 used for such purposes.

25 (b) For fiscal years 2017-18 through 2023-24, an amount equal to ten
26 percent of the revenue received by the Nebraska Education Improvement
27 Fund in the prior fiscal year shall be retained in the fund at all times
28 plus any interest earned during the current fiscal year. The balance of
29 the fund on July 26, 2024, less three percent of the money received for
30 the fourth quarter of fiscal year 2023-24, shall be transferred to the
31 Behavioral Training Cash Fund.

1 (c) For fiscal year 2023-24, the Nebraska Education Improvement Fund
2 shall be allocated as follows:

3 (i) One percent of the allocated funds to the Expanded Learning
4 Opportunity Grant Fund to carry out the Expanded Learning Opportunity
5 Grant Program Act;

6 (ii) Seventeen percent of the allocated funds to the State
7 Department of Education Improvement Grant Fund to be used for competitive
8 innovation grants and cybersecurity pursuant to section 79-1054;

9 (iii) Nine percent of the allocated funds to the Community College
10 Gap Assistance Program Fund to carry out the community college gap
11 assistance program;

12 (iv) Eight percent of the allocated funds to the Excellence in
13 Teaching Cash Fund to carry out the Excellence in Teaching Act;

14 (v) Sixty-two percent of the allocated funds to the Nebraska
15 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in
16 conjunction with appropriations from the General Fund; and

17 (vi) Three percent of the allocated funds to fund distance education
18 incentives pursuant to section 79-1337.

19 (d) For fiscal year 2029-30 and each fiscal year thereafter, the
20 Nebraska Education Improvement Fund shall be allocated as the Legislature
21 may direct.

22 (e) Any money in the fund available for investment shall be invested
23 by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 (5) A portion of each transfer pursuant to subdivisions (2)(c), (e),
26 (f), (g), (h), and (i) of this section may be retained by the agency
27 administering the fund to which such transfer is made for actual and
28 necessary expenses incurred by such agency for administration,
29 evaluation, and technical assistance related to the purposes of the
30 transfer.

31 (6)(a) On or before September 20, 2022, and on or before each

1 September 20 thereafter, (i) any department or agency receiving a
2 transfer or acting as the administrator for a fund receiving a transfer
3 pursuant to subsection (2) or (4) of this section, (ii) any recipient or
4 subsequent recipient of money from any such fund, and (iii) any service
5 contractor responsible for managing any portion of any such fund or any
6 money disbursed from any such fund on behalf of any entity shall prepare
7 and submit an annual report to the Auditor of Public Accounts in a manner
8 prescribed by the auditor for the immediately preceding July 1 through
9 June 30 fiscal year detailing information regarding the use of such fund
10 or such money.

11 (b) The Auditor of Public Accounts shall annually compile a summary
12 of the annual reports received pursuant to subdivision (6)(a) of this
13 section, any audits related to transfers pursuant to subsection (2) or
14 (4) of this section conducted by the Auditor of Public Accounts, and any
15 findings or recommendations related to such transfers into a consolidated
16 annual report and shall submit such consolidated annual report
17 electronically to the Legislature on or before January 1, 2023, and on or
18 before each January 1 thereafter.

19 (c) For purposes of this subsection, recipient, subsequent
20 recipient, or service contractor means a nonprofit entity that expends
21 funds transferred pursuant to subsection (2) or (4) of this section to
22 carry out a state program or function, but does not include an individual
23 who is a direct beneficiary of such a program or function.

24 (7) On or before December 31, 2027, the Education Committee of the
25 Legislature shall electronically submit recommendations to the Clerk of
26 the Legislature regarding how the money used for education from the State
27 Lottery Operation Trust Fund should be allocated to best advance the
28 educational priorities of the state for the five-year period beginning
29 with fiscal year 2029-30.

30 **Sec. 26.** Sections 26 to 31 of this act shall be known and may be
31 cited as the K-12 Education Cybersecurity Act.

1 **Sec. 27.** For purposes of the K-12 Education Cybersecurity Act:

2 (1) Commission means the Nebraska Information Technology Commission;

3 (2) Consortium means a group of schools joined together for purposes
4 of receiving funding pursuant to the K-12 Education Cybersecurity Act for
5 use in purchasing and providing cybersecurity products and services for
6 such schools that is facilitated by an educational service unit;

7 (3) Coordinating council means the Educational Service Unit
8 Coordinating Council;

9 (4) Coordinating council director means the council director of the
10 Educational Service Unit Coordinating Council;

11 (5) Cybersecurity framework means a structured set of guidelines or
12 standards that are used by a governing board to identify, assess, and
13 manage such governing board's readiness for cybersecurity threats;

14 (6) Department means the State Department of Education;

15 (7) Governing board means the school board of a school district, the
16 governing board of a private, denominational, or parochial school, or the
17 board of directors of an educational service unit;

18 (8) Implementation coordinator means the individual assigned by the
19 coordinating council to assist educational service units in local
20 implementation of cybersecurity measures;

21 (9) Office means the office of Chief Information Officer; and

22 (10) School means a school district or an approved or accredited
23 private, denominational, or parochial school offering instruction in
24 elementary or high school grades.

25 **Sec. 28.** (1) The coordinating council shall serve as the statewide
26 point of contact for implementation of the K-12 Education Cybersecurity
27 Act. The coordinating council shall facilitate, support, and coordinate
28 cybersecurity initiatives across educational service units and schools,
29 with an emphasis on fostering partnerships, aligning statewide
30 strategies, and encouraging the leveraging of multiple funding sources to
31 sustain such initiatives.

1 (2) The coordinating council shall assign an implementation
2 coordinator to support educational service units for the local
3 implementation of the K-12 Education Cybersecurity Act. The coordinator
4 shall: (a) Serve as a liaison between the department, educational service
5 units, the office, and other key partners; (b) facilitate statewide
6 alignment and collaboration on cybersecurity priorities and activities,
7 including partnerships with other governmental entities, higher education
8 institutions, and private sector organizations; (c) support educational
9 service units in interpreting readiness assessments and translating
10 results into action plans; (d) provide training and support for
11 cybersecurity tools, cybersecurity frameworks, and cybersecurity best
12 practices tailored to the kindergarten through twelfth grade education
13 context; (e) help organize statewide or regional training opportunities,
14 technical assistance, and knowledge-sharing events; (f) assist in
15 monitoring progress toward statewide cybersecurity goals in order to
16 ensure transparency and accountability; and (g) identify and promote
17 opportunities to braid state, federal, and private funds to maximize
18 resources.

19 (3) Educational service units shall be responsible for direct
20 implementation of cybersecurity support and services for schools within
21 their service areas, including assisting schools with readiness
22 assessments and tool adoption.

23 **Sec. 29.** (1) The department shall, in coordination with the
24 coordinating council and subject to available funding, develop and
25 administer a program to provide funding for the purchase of cybersecurity
26 products and services for use in schools and educational service units.
27 The program shall be designed to:

28 (a) Address statewide and local cybersecurity priorities identified
29 through readiness assessments;

30 (b) Encourage cost-effective purchasing through shared procurement
31 models, public-private partnerships, and the leveraging of multiple

1 funding streams; and

2 (c) Support both immediate cybersecurity needs and long-term
3 cybersecurity capacity building.

4 (2) The program shall include:

5 (a) The process for application by and requirements for governing
6 boards to obtain funding pursuant to the K-12 Education Cybersecurity
7 Act, including deadlines for meeting the requirements to receive funding;

8 (b) The process of (i) application review and scoring by the
9 Commissioner of Education, coordinating council director, and office and
10 (ii) approval by the department. Scoring and review of applications shall
11 include criteria that prioritizes higher-need applications or proposals
12 that demonstrate regional collaboration;

13 (c) The creation of distribution methods and requirements for
14 funding disbursement, including (i) the calculation of funding for each
15 school and educational service unit pursuant to subdivision (3)(b)(i) of
16 this section and (ii) how a school or educational service unit may
17 receive or access funding, which may include via a consortium as provided
18 in subdivision (2)(d) of this section or otherwise, as established in
19 rules and regulations adopted and promulgated by the State Board of
20 Education in consultation with the coordinating council and the office;

21 (d) The creation of consortiums for access to funding under the act,
22 including, but not limited to, the eligibility requirements and process
23 for a governing board to join a consortium. The program created pursuant
24 to this section shall allow for the creation of as many consortiums as
25 are necessary to facilitate compliance with the act and to incentivize
26 shared purchasing agreements to maximize buying power;

27 (e) The requirement that governing boards complete an annual
28 cybersecurity readiness assessment as provided in section 30 of this act;

29 (f) The creation, in consultation with the office, of a list of
30 approved cybersecurity products and services in a tiered system that (i)
31 aligns with nationally recognized frameworks, (ii) includes cost-

1 effective options for small or rural schools, and (iii) may be updated
2 annually to reflect the emerging threats and technologies; and

3 (g) Braided funding approaches, allowing schools and educational
4 service units to combine state funding under the K-12 Education
5 Cybersecurity Act with federal grants, local resources, and private
6 contributions, as long as such funding is used in compliance with the
7 approved product and service list.

8 (3)(a) A governing board shall be eligible for funding pursuant to
9 the K-12 Education Cybersecurity Act for use on approved cybersecurity
10 products and services in an amount calculated by the Commissioner of
11 Education pursuant to subdivision (b) of this subsection if such
12 governing board (i) submits evidence that such governing board has
13 completed the annual cybersecurity readiness assessment as provided in
14 section 30 of this act, (ii) submits evidence that such governing board
15 has adopted a cybersecurity policy and cybersecurity framework consistent
16 with the model policy and framework developed by the department pursuant
17 to section 30 of this act, and (iii) provides any other additional
18 information required by the department to demonstrate alignment with the
19 goals of the act.

20 (b)(i) The Commissioner of Education, in coordination with the
21 coordinating council director, shall annually calculate the amount of
22 funding each governing board may receive or access pursuant to the rules
23 and regulations adopted and promulgated by the State Board of Education
24 in consultation with the coordinating council. Funding allocations may be
25 adjusted based on readiness assessment results, risk level, and
26 demonstrated financial need.

27 (ii) The department shall use funds from the State Department of
28 Education Improvement Grant Fund to carry out the K-12 Education
29 Cybersecurity Act.

30 **Sec. 30.** (1)(a) The department shall, in consultation with the
31 coordinating council director and the office and subject to available

1 funding, develop a model cybersecurity policy and cybersecurity framework
2 based on nationally recognized best practices for kindergarten through
3 twelfth grade education cybersecurity. Such policy and framework shall
4 (i) define tiered levels of cybersecurity readiness, (ii) include
5 criteria for determining risk levels and priority needs, and (iii)
6 support alignment with both state and federal cybersecurity guidance.

7 (b) Each governing board shall adopt a policy consistent with the
8 model policy and framework developed pursuant to subdivision (a) of this
9 subsection in order to be eligible to receive funding pursuant to the
10 K-12 Education Cybersecurity Act.

11 (2) The department shall, in consultation with the coordinating
12 council director and the office and subject to available funding,
13 purchase or develop a standardized cybersecurity readiness assessment for
14 use by schools and educational service units. The assessment shall be
15 used to (a) determine the school's readiness tier placement in the
16 cybersecurity framework, (b) provide actionable recommendations for
17 addressing identified vulnerabilities, (c) inform funding priorities, and
18 (d) allow aggregation of statewide data to guide strategic planning and
19 resource allocation.

20 (3) Each governing board shall annually complete the cybersecurity
21 readiness assessment to be eligible for funding under the K-12 Education
22 Cybersecurity Act. Such assessment shall be provided at no cost to each
23 school and educational service unit, and results shall be used by the
24 coordinating council to measure progress over time and inform continuous
25 improvement efforts.

26 **Sec. 31.** The State Board of Education in consultation with the
27 coordinating council may adopt and promulgate rules and regulations to
28 carry out the K-12 Education Cybersecurity Act.

29 2. Renumber the remaining sections, correct internal references, and
30 correct the repealer accordingly.