

ENGROSSED LEGISLATIVE BILL 296

Introduced by Arch, 14; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to education; to amend sections 79-303.01, 79-729, and 79-1054, Reissue Revised Statutes of Nebraska; to require the State Department of Education to create a centralized education records system for students under the jurisdiction of the juvenile court and employ registrars as prescribed; to provide powers and duties to the Commissioner of Education related to issuing high school diplomas to students under the jurisdiction of the juvenile court as prescribed; to change provisions related to graduation requirements; to change provisions relating to the improvement grant program established by the State Board of Education and the authorized uses of the State Department of Education Improvement Grant Fund; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-303.01, Reissue Revised Statutes of Nebraska, is amended to read:

79-303.01 (1) On or before October 1, 2023, the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, and the State Court Administrator shall enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court. The purpose for the sharing of data is to provide systems-wide coordination to improve educational opportunities and outcomes and to facilitate service coordination for such students. The memorandum shall include the intent for the State Department of Education to contract with an outside consultant with expertise in the education of court-involved students to assist in the development of such policies and procedures.

(2) The consultant shall provide recommendations addressing issues that include, but need not be limited to, the following:

(a) Identifying and defining the population of students whose data should

be collected and shared;

(b) Defining the specific types of data to be collected and shared;

(c) Identifying shared data systems;

(d) Identifying the entities and persons for which the data should be accessible;

(e) Identifying both federal and state legal responsibilities and confidentiality parameters; and

(f) Developing a uniform approach for the transfer of educational credits.

(3) The development of such policies and procedures for the sharing of data shall be collaborative and shall include input from the appropriate entities including, but not limited to, the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, the State Court Administrator, the juvenile court system, the superintendent of schools for the youth and rehabilitation centers, public school districts, educators, and court-involved students and their parents. The consultant shall provide a draft report containing the recommendations described in subsection (2) of this section to the appropriate agency representatives and to the Commissioner of Education, the chief executive officer of the Department of Health and Human Services, and the Chief Justice of the Supreme Court on or before September 1, 2024.

(4) The State Department of Education shall complete a final report detailing the recommendations of the consultant and any policies and procedures that are being considered for adoption by the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, and the State Court Administrator. The report shall be delivered electronically to the Chief Justice of the Supreme Court, the Governor, and the Clerk of the Legislature on or before December 1, 2024.

(5)(a) The State Department of Education shall create a centralized education records system for students under the jurisdiction of a juvenile court and employ registrars to ensure (i) the education services of such students are not disrupted, (ii) the education records for such students are

promptly and appropriately shared, and (iii) credit hours are awarded for academic work completed by such students.

(b) On or after July 1, 2026, the State Department of Education shall maintain the centralized education records system created pursuant to subdivision (5)(a) of this section for students under the jurisdiction of a juvenile court. The system shall allow for the immediate transfer of education records as appropriate. Each approved or accredited school shall share education records with the department for inclusion in such centralized education records system immediately upon request for any student under the jurisdiction of a juvenile court.

(c)(i) On and after July 1, 2026, the Commissioner of Education shall employ registrars who shall be responsible for ensuring the education records of students under the jurisdiction of a juvenile court are maintained in an accurate and timely manner in the centralized education records system created pursuant to subdivision (5)(a) of this section.

(ii) Registrars employed pursuant to subdivision (5)(c)(i) of this section shall also analyze the education records of high school students under the jurisdiction of a juvenile court to determine if additional credit hours should be awarded by the Commissioner of Education for academic work that has been completed by such students.

(iii) The Commissioner of Education shall either upon request or in response to an analysis conducted by a registrar pursuant to subdivision (5)(c)(ii) of this section award credit hours pursuant to rules and regulations adopted and promulgated by the State Board of Education to any high school student who is or was under the jurisdiction of a juvenile court and has evidence of the completion of academic work that would generally be required for such credit hours. Any credit hours awarded by the commissioner shall be recognized by any approved or accredited school and shall count toward meeting any graduation requirements related to the subject area of the credit hours.

(6) The cost of the centralized education records system and registrars employed pursuant to subsection (5) of this section shall be paid from the

State Department of Education Improvement Grant Fund.

Sec. 2. Section 79-729, Reissue Revised Statutes of Nebraska, is amended to read:

79-729 (1) The Legislature recognizes the importance of assuring that all persons who graduate from Nebraska high schools possess certain minimum levels of knowledge, skills, and understanding. Each high school student shall complete a minimum of two hundred high school credit hours prior to graduation. At least eighty percent of the minimum credit hours shall be core curriculum courses prescribed by the State Board of Education.

(2) Except as provided in subsection (4) of this section, for students attending a public school:

(a) Beginning in school year 2023-24, at least five of the minimum credit hours shall be a high school course in personal finance or financial literacy; and

(b) Beginning in school year 2027-28, at least five of the minimum credit hours shall include computer science and technology education as required under section 79-3304.

(3)(a) Except as provided in subsection (4) of this section, each public high school student shall complete and submit to the United States Department of Education a Free Application for Federal Student Aid prior to graduating from such high school except as otherwise provided in this subsection.

(b) A public high school student shall not be required to comply with subdivision (3)(a) of this section if:

(i) A parent or legal guardian of or a person standing in loco parentis to such student signs and submits to the school principal the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section indicating that such parent, legal guardian, or person standing in loco parentis authorizes such student to decline to complete and submit a Free Application for Federal Student Aid;

(ii) The school principal or the school principal's designee signs the appropriate form prescribed by the Commissioner of Education pursuant to

subdivision (3)(c) of this section authorizing such student to decline to complete and submit a Free Application for Federal Student Aid for good cause as determined by the school principal or the school principal's designee; or

(iii) A student who is nineteen years of age or older or is an emancipated minor signs and submits the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section stating that such student declines to complete and submit a Free Application for Federal Student Aid.

(c) The Commissioner of Education shall prescribe the forms to be used by each public high school for purposes of compliance with subdivision (3)(b) of this section. Such forms shall be made available:

(i) By each public high school to students, parents and legal guardians of students, and persons standing in loco parentis to students; and

(ii) In English, Spanish, and any other language spoken by a majority of the students enrolled in any English learner program at such public high school.

(d) The school principal or the school principal's designee of each public high school shall provide such compliance information to the school district or governing authority for such public high school and to the State Department of Education without disclosing, for any student who has complied with the requirements of this subsection, personally identifiable information distinguishing whether such compliance was pursuant to subdivision (3)(a) or (b) of this section. Such school principal or school principal's designee shall provide separately the aggregate number of students who have not complied with this subsection, who complied pursuant to subdivision (3)(a) of this section, and who complied pursuant to subdivision (3)(b) of this section, unless otherwise prohibited by federal or state law regarding the confidentiality of student educational information.

(e) On or before December 31, 2025, and on or before December 31 of each year thereafter, the Commissioner of Education shall electronically submit a report with the information received by the State Department of Education

pursuant to subdivision (3)(d) of this section to the Clerk of the Legislature.

(4)(a) Beginning with the 2026-27 school year, for a student who meets the requirements of subsection (1) of this section and who was at any point during high school under the jurisdiction of a juvenile court and residing in an out-of-home placement pursuant to such jurisdiction:

(i) A public high school shall, upon request, allow such student to graduate with a high school diploma from such school without any additional requirements if such student was enrolled at any point in such high school; or

(ii) If such student does not graduate from an approved or accredited high school pursuant to subdivision (4)(a)(i) of this section, the Commissioner of Education shall, upon request, award a state high school diploma.

(b) No student, parent, or guardian may make any request under this subsection (4) that would result in a student receiving more than one high school diploma.

(5) The State Board of Education may establish recommended statewide graduation guidelines.

(6) This section does not apply to high school students whose individualized education programs prescribe a different course of instruction.

(7) For purposes of this section, high school means grades nine through twelve and credit hour shall be defined by appropriate rules and regulations of the State Board of Education but shall not be less than the amount of credit given for successful completion of a course which meets at least one period per week for at least one semester.

(8) The State Board of Education may adopt and promulgate rules and regulations as necessary to implement this section. Such rules and regulations may include, but are limited to:

(a) A timeline for the distribution of the Free Application for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section by public high schools and for the submission of the Free Application for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section; and

(b) Standards regarding the information that a public high school must provide to students regarding:

(i) Instructions for filling out the Free Application for Federal Student Aid;

(ii) The options available to a student under subdivision (3)(b) of this section if a student wishes to decline to complete and submit a Free Application for Federal Student Aid; and

(iii) The method by which a student shall provide proof to the public high school that such student has completed and submitted the Free Application for Federal Student Aid or a form prescribed pursuant to subdivision (3)(c) of this section.

Sec. 3. Section 79-1054, Reissue Revised Statutes of Nebraska, is amended to read:

79-1054

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

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

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

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

(c)(i) The State Board of Education shall establish a grant program to procure or purchase an annual license for learning platforms for use in schools

to engage students in coursework and careers in science, technology, engineering, and mathematics. Such grants shall be funded using lottery funds pursuant to section 79-3501.

(ii) The State Board of Education shall establish standards that a learning platform shall meet in the subject areas of chemistry, physical science, and mathematics. The state board shall develop the criteria to prioritize the grant applications.

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

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

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

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

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

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

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

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

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

(3) The State Department of Education Improvement Grant Fund is created.

The fund shall be administered by the State Department of Education and shall consist of transfers pursuant to section 79-3501, repayments of grant funds, and interest payments received in the course of administering this section. The fund shall be used to carry out this section and for the centralized education records system for students under the jurisdiction of a juvenile court and the employment of registrars as provided under subsection (5) of section 79-303.01. Transfers may be made from the fund to the Education Future Fund at the direction of the Legislature. Any money in the State Department of Education Improvement Grant Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 4. Original sections 79-303.01, 79-729, and 79-1054, Reissue Revised Statutes of Nebraska, are repealed.

PRESIDENT OF THE LEGISLATURE

*THIS IS TO CERTIFY that the within LB 296 was passed by the One Hundred Ninth
Legislature of Nebraska at its First Session on the day
of 20.....*

CLERK OF THE LEGISLATURE

Approved:

..... 20....., o'clockM.

GOVERNOR