

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 296

FINAL READING

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

Read first time January 15, 2025

Committee: Education

1 A BILL FOR AN ACT relating to education; to amend sections 79-303.01,
2 79-729, and 79-1054, Reissue Revised Statutes of Nebraska; to
3 require the State Department of Education to create a centralized
4 education records system for students under the jurisdiction of the
5 juvenile court and employ registrars as prescribed; to provide
6 powers and duties to the Commissioner of Education related to
7 issuing high school diplomas to students under the jurisdiction of
8 the juvenile court as prescribed; to change provisions related to
9 graduation requirements; to change provisions relating to the
10 improvement grant program established by the State Board of
11 Education and the authorized uses of the State Department of
12 Education Improvement Grant Fund; and to repeal the original
13 sections.

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

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

3 79-303.01 (1) On or before October 1, 2023, the State Department of
4 Education, the Department of Health and Human Services, the Office of
5 Probation Administration, and the State Court Administrator shall enter
6 into a memorandum of understanding for the sharing of data relevant to
7 students who are under the jurisdiction of the juvenile court. The
8 purpose for the sharing of data is to provide systems-wide coordination
9 to improve educational opportunities and outcomes and to facilitate
10 service coordination for such students. The memorandum shall include the
11 intent for the State Department of Education to contract with an outside
12 consultant with expertise in the education of court-involved students to
13 assist in the development of such policies and procedures.

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

16 (a) Identifying and defining the population of students whose data
17 should be collected and shared;

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

19 (c) Identifying shared data systems;

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

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

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

26 (3) The development of such policies and procedures for the sharing
27 of data shall be collaborative and shall include input from the
28 appropriate entities including, but not limited to, the State Department
29 of Education, the Department of Health and Human Services, the Office of
30 Probation Administration, the State Court Administrator, the juvenile
31 court system, the superintendent of schools for the youth and

1 rehabilitation centers, public school districts, educators, and court-
2 involved students and their parents. The consultant shall provide a draft
3 report containing the recommendations described in subsection (2) of this
4 section to the appropriate agency representatives and to the Commissioner
5 of Education, the chief executive officer of the Department of Health and
6 Human Services, and the Chief Justice of the Supreme Court on or before
7 September 1, 2024.

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

16 (5)(a) The State Department of Education shall create a centralized
17 education records system for students under the jurisdiction of a
18 juvenile court and employ registrars to ensure (i) the education services
19 of such students are not disrupted, (ii) the education records for such
20 students are promptly and appropriately shared, and (iii) credit hours
21 are awarded for academic work completed by such students.

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

30 (c)(i) On and after July 1, 2026, the Commissioner of Education
31 shall employ registrars who shall be responsible for ensuring the

1 education records of students under the jurisdiction of a juvenile court
2 are maintained in an accurate and timely manner in the centralized
3 education records system created pursuant to subdivision (5)(a) of this
4 section.

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

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

20 (6) The cost of the centralized education records system and
21 registrars employed pursuant to subsection (5) of this section shall be
22 paid from the State Department of Education Improvement Grant Fund.

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

25 79-729 (1) The Legislature recognizes the importance of assuring
26 that all persons who graduate from Nebraska high schools possess certain
27 minimum levels of knowledge, skills, and understanding. Each high school
28 student shall complete a minimum of two hundred high school credit hours
29 prior to graduation. At least eighty percent of the minimum credit hours
30 shall be core curriculum courses prescribed by the State Board of
31 Education.

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

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

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

9 (3)(a) Except as provided in subsection (4) of this section
10 ~~Beginning in school year 2024-25~~, each public high school student shall
11 complete and submit to the United States Department of Education a Free
12 Application for Federal Student Aid prior to graduating from such high
13 school except as otherwise provided in this subsection.

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

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

23 (ii) The school principal or the school principal's designee signs
24 the appropriate form prescribed by the Commissioner of Education pursuant
25 to subdivision (3)(c) of this section authorizing such student to decline
26 to complete and submit a Free Application for Federal Student Aid for
27 good cause as determined by the school principal or the school
28 principal's designee; or

29 (iii) A student who is nineteen years of age or older or is an
30 emancipated minor signs and submits the appropriate form prescribed by
31 the Commissioner of Education pursuant to subdivision (3)(c) of this

1 section stating that such student declines to complete and submit a Free
2 Application for Federal Student Aid.

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

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

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

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

25 (e) On or before December 31, 2025, and on or before December 31 of
26 each year thereafter, the Commissioner of Education shall electronically
27 submit a report with the information received by the State Department of
28 Education pursuant to subdivision (3)(d) of this section to the Clerk of
29 the Legislature.

30 (4)(a) Beginning with the 2026-27 school year, for a student who
31 meets the requirements of subsection (1) of this section and who was at

1 any point during high school under the jurisdiction of a juvenile court
2 and residing in an out-of-home placement pursuant to such jurisdiction:

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

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

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

14 (5) (4) The State Board of Education may establish recommended
15 statewide graduation guidelines.

16 (6) (5) This section does not apply to high school students whose
17 individualized education programs prescribe a different course of
18 instruction.

19 (7) (6) For purposes of this section, high school means grades nine
20 through twelve and credit hour shall be defined by appropriate rules and
21 regulations of the State Board of Education but shall not be less than
22 the amount of credit given for successful completion of a course which
23 meets at least one period per week for at least one semester.

24 (8) (7) The State Board of Education may adopt and promulgate rules
25 and regulations as necessary to implement this section. Such rules and
26 regulations may include, but are limited to:

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

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

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

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

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

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

14 79-1054 ~~(1)(a) This subsection applies until July 1, 2024.~~

15 ~~(b) The State Board of Education shall establish a competitive
16 innovation grant program with funding from the Nebraska Education
17 Improvement Fund pursuant to section 79-3501. Grantees shall be a school
18 district, an educational service unit, or a combination of entities that
19 includes at least one school district or educational service unit. For
20 grantees that consist of a combination of entities, a participating
21 school district or educational service unit shall be designated to act as
22 the fiscal agent and administer the program funded by the grant. The
23 state board shall only award grants pursuant to applications that the
24 state board deems to be sufficiently innovative and to have a high chance
25 of success.~~

26 ~~(c) An application for a grant pursuant to this subsection shall
27 describe:~~

28 ~~(i) Specific measurable objectives for improving education outcomes
29 for early childhood students, elementary students, middle school
30 students, or high school students or for improving the transitions
31 between any successive stages of education or between education and the~~

1 workforce;

2 ~~(ii) The method for annually evaluating progress toward a measurable~~
3 ~~objective, with a summative evaluation of progress submitted to the state~~
4 ~~board and electronically to the Education Committee of the Legislature on~~
5 ~~or before July 1, 2019;~~

6 ~~(iii) The potential for the project to be both scalable and~~
7 ~~replicable; and~~

8 ~~(iv) Any cost savings that could be achieved by reductions in other~~
9 ~~programs if the funded program is successful.~~

10 ~~(d) Based on evaluations received on or before July 1, 2019, for~~
11 ~~each grant, the State Board of Education shall recommend the grant~~
12 ~~project as:~~

13 ~~(i) Representing a best practice;~~

14 ~~(ii) A model for a state-supported program; or~~

15 ~~(iii) A local issue for further study.~~

16 ~~(e) On or before December 1, 2017, and on or before December 1 of~~
17 ~~each year thereafter, the state board shall electronically submit a~~
18 ~~report to the Clerk of the Legislature on all such grants, including, but~~
19 ~~not limited to, the results of the evaluations for each grant. The state~~
20 ~~board may adopt and promulgate rules and regulations to carry out this~~
21 ~~subsection, including, but not limited to, application procedures,~~
22 ~~selection procedures, and annual evaluation reporting procedures.~~

23 ~~(2)(a) This subsection applies beginning July 1, 2024.~~

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

31 (b) ~~(c)~~ On or before December 1 of each calendar year, the state

1 board shall electronically submit a report to the Clerk of the
2 Legislature on all such grant programs, including, but not limited to,
3 the recipients of the programs and evaluations of the effectiveness of
4 each grant program. The state board may adopt and promulgate rules and
5 regulations to carry out this subsection.

6 (2)(a) ~~(3)(a)~~ This subsection applies beginning January 1, 2024.

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

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

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

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

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

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

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

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

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

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

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

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

12 (3) (4)(a) The State Department of Education Improvement Grant Fund
13 is created. The fund shall be administered by the State Department of
14 Education and shall consist of transfers pursuant to section 79-3501,
15 repayments of grant funds, and interest payments received in the course
16 of administering this section. The fund shall be used to carry out this
17 section and for the centralized education records system for students
18 under the jurisdiction of a juvenile court and the employment of
19 registrars as provided under subsection (5) of section 79-303.01.
20 Transfers may be made from the fund to the Education Future Fund at the
21 direction of the Legislature. Any money in the State Department of
22 Education Improvement Grant Fund available for investment shall be
23 invested by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 ~~(b) Of the ten percent of funds transferred to the fund pursuant to~~
26 ~~section 79-3501, eight and three-fourths percent shall be used for~~
27 ~~improvement grants pursuant to subsection (3) of this section and the~~
28 ~~remaining one and one-fourth percent shall be used for grants pursuant to~~
29 ~~subsection (2) of this section.~~

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