

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 937

FINAL READING

Introduced by Education Committee: Murman, 38, Chairperson; Conrad, 46;
Juarez, 5; Lonowski, 33; Meyer, G., 17; Sanders, 45.

Read first time January 09, 2026

Committee: Education

1 A BILL FOR AN ACT relating to education; to amend sections 79-209,
2 79-239, 79-308, 79-528, 79-816, 79-8,113, 79-8,114, 79-1035,
3 79-1248, 79-1601, 79-3407, 79-3703, and 79-3704, Reissue Revised
4 Statutes of Nebraska, and sections 28-710, 79-2,136, 79-1054, and
5 79-3501, Revised Statutes Supplement, 2025; to define terms; to
6 prohibit the transfer or disenrollment of students in certain
7 circumstances; to change provisions relating to school absences,
8 option enrollment, and extracurricular activities; to eliminate
9 obsolete provisions relating to grants for an evaluation model,
10 learning community levies, and funding from solar or wind agreements
11 on school lands; to change provisions relating to certain reports;
12 to provide requirements relating to applications for employment at a
13 school; to change provisions relating to the Nebraska Teacher
14 Apprenticeship Program and the Nebraska Teacher Recruitment and
15 Retention Act; to prohibit persons convicted of certain crimes from
16 monitoring or providing instruction at a school which elects not to
17 meet accreditation or approval requirements; to provide for grants;
18 to change a deadline under the School District Property Tax
19 Limitation Act; to change provisions relating to the College Pathway
20 Program Act; to adopt the Prior Learning Act and the K-12 Education
21 Cybersecurity Act; to eliminate provisions relating to the Junior

1 Mathematics Prognosis Examination; to harmonize provisions; to
2 repeal the original sections; and to outright repeal sections
3 79-309.01 and 79-718, Reissue Revised Statutes of Nebraska.
4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 28-710, Revised Statutes Supplement, 2025, is
2 amended to read:

3 28-710 (1) Sections 28-710 to 28-727 and section 2 of this act shall
4 be known and may be cited as the Child Protection and Family Safety Act.

5 (2) For purposes of the Child Protection and Family Safety Act:

6 (a) Alternative response means a comprehensive assessment of (i)
7 child safety, (ii) the risk of future child abuse or neglect, (iii)
8 family strengths and needs, and (iv) the provision of or referral for
9 necessary services and support. Alternative response is an alternative to
10 traditional response and does not include an investigation or a formal
11 determination as to whether child abuse or neglect has occurred, and the
12 subject of the report shall not be entered into the central registry of
13 child protection cases maintained pursuant to section 28-718;

14 (b) Child abuse or neglect means knowingly, intentionally, or
15 negligently causing or permitting a minor child to be:

16 (i) Placed in a situation that endangers his or her life or physical
17 or mental health;

18 (ii) Cruelly confined or cruelly punished;

19 (iii) Deprived of necessary food, clothing, shelter, or care;

20 (iv) Left unattended in a motor vehicle if such minor child is six
21 years of age or younger;

22 (v) Placed in a situation to be sexually abused;

23 (vi) Placed in a situation to be sexually exploited through sex
24 trafficking of a minor as defined in section 28-830 or by allowing,
25 encouraging, or forcing such person to engage in debauchery, public
26 indecency, or obscene or pornographic photography, films, or depictions;
27 or

28 (vii) Placed in a situation to be a trafficking victim as defined in
29 section 28-830;

30 (c) Child advocacy center means a community-based organization that

31 (i) provides an appropriate site for conducting forensic interviews as

1 defined in section 28-728 and referring victims of child abuse or neglect
2 and appropriate caregivers for such victims to needed evaluation,
3 services, and supports, (ii) assists county attorneys in facilitating
4 case reviews, developing and updating protocols, and arranging training
5 opportunities for the teams established pursuant to sections 28-728 and
6 28-729, and (iii) is a member, in good standing, of a state chapter as
7 defined in 34 U.S.C. 20302;

8 (d) Comprehensive assessment means an analysis of child safety, risk
9 of future child abuse or neglect, and family strengths and needs on a
10 report of child abuse or neglect using an evidence-informed and validated
11 tool. Comprehensive assessment does not include a finding as to whether
12 the child abuse or neglect occurred but does determine the need for
13 services and support, if any, to address the safety of children and the
14 risk of future abuse or neglect;

15 (e) Department means the Department of Health and Human Services;

16 (f) Educational decisionmaker has the same meaning as in section
17 79-530;

18 (g) Exempt school means a school which elects pursuant to section
19 79-1601 not to meet accreditation or approval requirements;

20 (h) ~~(f)~~ Investigation means fact gathering by the department, using
21 an evidence-informed and validated tool, or by law enforcement related to
22 the current safety of a child and the risk of future child abuse or
23 neglect that determines whether child abuse or neglect has occurred and
24 whether child protective services are needed;

25 (i) ~~(g)~~ Kin caregiver means a person with whom a child in foster
26 care has been placed or with whom a child is residing pursuant to a
27 temporary living arrangement in a non-court-involved case, who has
28 previously lived with or is a trusted adult that has a preexisting,
29 significant relationship with the child or with a sibling of such child
30 placed pursuant to section 43-1311.02;

31 (j) ~~(h)~~ Law enforcement agency means the police department or town

1 marshal in incorporated municipalities, the office of the sheriff in
2 unincorporated areas, and the Nebraska State Patrol;

3 (k) ~~(i)~~ Member of a military family means an individual who is:

4 (i) Serving active duty service in the armed forces of the United
5 States, including any reserve component or the National Guard; or

6 (ii) Is a dependent, as defined in 50 U.S.C. 3911, of a person
7 described in subdivision (2)(k)(i) ~~(2)(i)(i)~~ of this section;

8 (l) ~~(j)~~ Non-court-involved case means an ongoing case opened by the
9 department following a report of child abuse or neglect in which the
10 department has determined that ongoing services are required to maintain
11 the safety of a child or alleviate the risk of future abuse or neglect
12 and in which the family voluntarily engages in child protective services
13 without a filing in a juvenile court;

14 (m) ~~(k)~~ Out-of-home child abuse or neglect means child abuse or
15 neglect occurring outside of a child's family home, including in day care
16 homes, foster homes, day care centers, residential child-caring agencies
17 as defined in section 71-1926, other child care facilities or
18 institutions, and the community. Out-of-home child abuse or neglect also
19 includes cases in which the subject of the report of child abuse or
20 neglect is not a member of the child's household, no longer has access to
21 the child, is unknown, or cannot be identified;

22 (n) ~~(l)~~ Relative caregiver means a person with whom a child is
23 placed by the department and who is related to the child, or to a sibling
24 of such child pursuant to section 43-1311.02, by blood, marriage, or
25 adoption or, in the case of an Indian child, is an extended family member
26 as defined in section 43-1503;

27 (o) ~~(m)~~ Report means any communication received by the department or
28 a law enforcement agency pursuant to the Child Protection and Family
29 Safety Act that describes child abuse or neglect and contains sufficient
30 content to identify the child who is the alleged victim of child abuse or
31 neglect;

1 (p) ~~(n)~~ Review, Evaluate, and Decide Team means an internal team of
2 staff within the department and shall include no fewer than two
3 supervisors or administrators and two staff members knowledgeable on the
4 policies and practices of the department, including, but not limited to,
5 the structured review process. County attorneys, child advocacy centers,
6 or law enforcement agency personnel may attend team reviews upon request
7 of a party;

8 (q) ~~(o)~~ School employee means a person nineteen years of age or
9 older who is employed by a public, private, denominational, or parochial
10 school approved or accredited by the State Department of Education;

11 (r) ~~(p)~~ Student means a person less than nineteen years of age
12 enrolled in or attending a public, private, denominational, or parochial
13 school approved or accredited by the State Department of Education, or
14 who was such a person enrolled in or who attended such a school within
15 ninety days of any violation of section 28-316.01;

16 (s) ~~(q)~~ Traditional response means an investigation by a law
17 enforcement agency or the department pursuant to section 28-713 which
18 requires a formal determination of whether child abuse or neglect has
19 occurred; and

20 (t) ~~(r)~~ Subject of the report of child abuse or neglect or subject
21 of the report means the person or persons identified in the report as
22 responsible for the child abuse or neglect.

23 **Sec. 2.** (1) For any report of child abuse or neglect resulting in
24 an active investigation by the department where the subject of the report
25 is a parent or legal guardian of a student or an educational
26 decisionmaker for a student, the department shall notify the
27 superintendent of such student's resident school district and the
28 Commissioner of Education that such student shall not be transferred or
29 otherwise disenrolled from the student's current school by a parent,
30 legal guardian, or educational decisionmaker for fourteen days after
31 receipt of the notice or until further notice from the department,

1 whichever occurs first.

2 (2) The subject of the report for whom a notice has been provided in
3 accordance with this section shall not transfer or otherwise disenroll
4 such student from the student's current school for fourteen days after
5 receipt of the notice or until further notice from the department,
6 whichever occurs first. Any new election filed under section 79-1601 for
7 such student to attend an exempt school shall be invalid during such time
8 period.

9 (3) If an election is filed under section 79-1601 in violation of
10 this section or if such student's resident school district receives a
11 request to transfer or disenroll such student or a notification of a
12 request to transfer or disenroll from a school that is not operated by
13 the resident school district, the Commissioner of Education or the school
14 district shall immediately notify the department of the filing or the
15 request and that such notice is being given pursuant to this section.

16 (4) Notices pursuant to this section are confidential investigation
17 records and shall not contain any information other than the name of the
18 student and whether or not to allow such student to transfer or otherwise
19 disenroll from the school pursuant to this section.

20 (5) The department may adopt and promulgate rules and regulations to
21 carry out this section.

22 **Sec. 3.** Section 79-209, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 79-209 (1) In all school districts in this state, any
25 superintendent, principal, teacher, or member of the school board who
26 knows of any violation of subsection (2) of section 79-201 shall within
27 three days report such violation to the attendance officer of the school,
28 who shall immediately investigate the case. When of his or her personal
29 knowledge or by report or complaint from any resident of the district,
30 the attendance officer believes that there is a violation of subsection
31 (2) of section 79-201, the attendance officer shall immediately

1 investigate such alleged violation.

2 (2) All school boards shall have a written policy on attendance
3 developed and annually reviewed in collaboration with the county attorney
4 of the county in which the principal office of the school district is
5 located. The policy shall include a provision indicating how the school
6 district will handle cases in which excessive absences are due to
7 illness. The policy shall also state the circumstances and number of
8 absences or the hourly equivalent upon which the school shall render all
9 services to address barriers to attendance. Such services shall be
10 provided upon twenty days of absence, and shall include, but not be
11 limited to:

12 (a) Written communication by school officials with the person or
13 persons who have legal or actual charge or control of any child; and

14 (b) One or more meetings between, at a minimum, a school attendance
15 officer, a school social worker, or a school administrator or his or her
16 designee, the person who has legal or actual charge or control of the
17 child, the person who is responsible for making educational decisions on
18 behalf of the child if that person is someone other than the person who
19 has legal or actual charge or control of the child, and the child, when
20 appropriate, to address the barriers to attendance. The result of the
21 meeting or meetings shall be to develop a collaborative plan to reduce
22 barriers identified to improve regular attendance. The plan shall
23 include, if agreed to by the person who is responsible for making
24 educational decisions on behalf of the child, an educational evaluation
25 to determine whether any intellectual, academic, physical, or social-
26 emotional barriers are contributing factors to the lack of attendance.
27 The plan shall also consider, but not be limited to:

28 (i) The physical, mental, or behavioral health of the child;

29 (ii) Educational counseling;

30 (iii) Referral to community agencies for economic services;

31 (iv) Family or individual counseling;

1 (v) Assisting the family in working with other community services;
2 and

3 (vi) Referral to restorative justice practices or services.

4 (3)(a) (3) The school may report to the county attorney of the
5 county in which the person resides when the school has documented the
6 efforts it has made as required by subsection (2) of this section that
7 the collaborative plan to reduce barriers identified to improve regular
8 attendance has not been successful and that the child has accrued twenty
9 days or more of unexcused absences during the school year. Absences shall
10 be excused by a parent, guardian, or educational decision maker, as
11 defined in section 79-530, of the child for physical or mental illness
12 and as documented by a credentialed health professional, provided the
13 documentation supports such absence. In the instance of chronic illness,
14 documentation shall be reviewed each semester. ~~been absent more than~~
15 twenty days per school year.

16 (b) The school shall notify the child's family in writing prior to
17 referring the child to the county attorney. Failure by the school to
18 document the efforts required by subsection (2) of this section is a
19 defense to prosecution under section 79-201 and to adjudication under
20 subdivision (3)(a) or (3)(b) of section 43-247 based upon such absences.
21 Illness that makes attendance impossible or impracticable shall not be
22 the basis for referral to the county attorney.

23 (4) Nothing in this section shall preclude a county attorney from
24 being involved at any stage in the process to address excessive
25 absenteeism.

26 **Sec. 4.** Section 79-239, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-239 (1) If an application is rejected by the option school
29 district or if the resident school district rejects a request for release
30 under subsection (1) of section 79-237, the rejecting school district
31 shall provide written notification to the parent or guardian stating (a)

1 the specific reasons for the rejection including, for students with an
2 individualized education program under the federal Individuals with
3 Disabilities Education Act, 20 U.S.C. 1400 et seq., or with a diagnosed
4 disability as defined in section 79-1118.01, a description of services
5 and accommodations required that the school district does not have the
6 capacity to provide, and (b) the process for appealing such rejection to
7 the State Board of Education. Such notification shall be sent by
8 certified mail.

9 (2) The parent or legal guardian may appeal a rejection to the State
10 Board of Education by filing a written request, together with a copy of
11 the rejection notice, with the State Board of Education. Such request and
12 copy of the notice must be received by the board within thirty days after
13 the date the notification of the rejection was received by the parent or
14 legal guardian. Such hearing shall be held in accordance with the
15 Administrative Procedure Act and shall determine whether the procedures
16 of sections 79-234 to 79-241 have been followed. Any rejection based upon
17 capacity limitations established under section 79-238 shall be the
18 responsibility of the school district to prove in any appeal filed with
19 the state board.

20 (3)(a) As part of the end-of-the-school-year annual statistical
21 summary required pursuant to section 79-528, Beginning July 1, 2024, and
22 on or before July 1 of each year thereafter, each school district shall
23 provide ~~to the State Department of Education~~ information prescribed by
24 the Commissioner of Education relating to all applications received
25 pursuant to section 79-237 ~~rejected by the option~~ school district. Such
26 information shall include, but not be limited to, (a) the number of
27 applications approved and the number of applications rejected by in each
28 ~~public school in~~ such school district, (b) an explanation why each
29 rejected application was rejected, (c) whether each application for
30 option enrollment indicated that the student had an individualized
31 education program under the federal Individuals with Disabilities

1 Education Act, 20 U.S.C. 1400 et seq., or had been identified as a
2 student with a disability as defined in section 79-1118.01, and (d) if
3 the school district is in a learning community, whether information
4 regarding the requirements of subsection (4) of section 79-238 was
5 provided to the applicant.

6 (b) The Commissioner of Education shall annually compile the
7 information received pursuant to this subsection and provide a report on
8 such information electronically to the Legislature beginning on September
9 1, 2024, and on or before September 1 of each year thereafter. The State
10 Board of Education may adopt and promulgate rules and regulations to
11 carry out this subsection.

12 **Sec. 5.** Section 79-2,136, Revised Statutes Supplement, 2025, is
13 amended to read:

14 79-2,136 (1) Each school board shall allow the part-time enrollment
15 of students, for all courses selected by the students, who are residents
16 of, or admitted to, the school district pursuant to subsection (1), (2),
17 or (11) of section 79-215 and who are also enrolled in a private,
18 denominational, or parochial school or in a school which elects pursuant
19 to section 79-1601 not to meet accreditation or approval requirements and
20 shall establish policies and procedures for such part-time enrollment.
21 Such policies and procedures may include provisions permitting the part-
22 time enrollment of such students who are not residents of, or admitted
23 to, such school districts to the extent permitted pursuant to section
24 79-215 and may require part-time students to follow school policies that
25 apply to other students at any time the part-time student is present on
26 school grounds or at a school-sponsored activity or athletic event. Part-
27 time enrollment shall not entitle a student to transportation or
28 transportation reimbursements pursuant to section 79-611.

29 (2) Each school board shall establish policies and procedures to
30 allow any student who is a resident of, or admitted to, the school
31 district pursuant to subsection (1), (2), or (11) of section 79-215 and

1 who is enrolled in a school which elects pursuant to section 79-1601 not
2 to meet accreditation or approval requirements to participate in any
3 extracurricular activities as defined in section 79-2,126, including, but
4 not limited to, interschool competitions, to the same extent and subject
5 to the same requirements, conditions, and procedures as a student
6 enrolled in a public school governed by such board, except that any
7 school which elects pursuant to section 79-1601 not to meet accreditation
8 or approval requirements shall set the standards for satisfactory
9 academic performance for a student from the school to participate in
10 extracurricular activities pursuant to this subsection and shall provide
11 assurances of compliance with such academic standards.

12 (3) School board policies and procedures adopted pursuant to
13 subsection (2) of this section:

14 (a) ~~Shall shall~~ require any student desiring to participate in
15 extracurricular activities regulated by an athletics or activities
16 association to which such school is a member ~~pursuant to such subsection~~
17 to be enrolled in five credit hours offered by the school district in any
18 semester in order to participate in such extracurricular activities, but
19 may not prohibit a student from enrolling in more than five credit
20 hours; ~~τ~~

21 (b) Shall require any student desiring to participate in an
22 extracurricular activity that is governed by a national or state
23 organization other than an athletics or activities association to be
24 enrolled only in the minimum number of credit hours offered by the school
25 district as required by such national or state organization in order to
26 participate in such extracurricular activity, but may not prohibit a
27 student from enrolling in more than such minimum credit hours;

28 (c) May require any student desiring to participate in an
29 extracurricular activity that is not governed by a national or state
30 organization or an athletics or activities association to be enrolled in
31 up to five credit hours offered by the school district in any semester in

1 order to participate in such extracurricular activity, but may not
2 prohibit a student from enrolling in more than such required number of
3 credit hours;

4 (d) Shall ~~shall~~ not allow any preference in the selection of a
5 student for participation in an extracurricular activity based on such
6 student's status as a full-time student in the school district; ~~τ~~ and

7 (e) May ~~(e) may~~ require any student participating in extracurricular
8 activities pursuant to such subsection to follow school policies that
9 apply to other students when present on school grounds or at a school-
10 sponsored activity or athletic event.

11 (4) Participation in extracurricular activities pursuant to
12 subsection (2) of this section shall not entitle a student to
13 transportation, except to and from practices and events to the same
14 extent as public school students participating in such activities, or
15 transportation reimbursement pursuant to section 79-611.

16 (5) ~~(4)~~ Nothing in this section shall be construed to exempt any
17 student from the compulsory attendance provisions of section 79-201 or
18 any statutes relating to habitual truancy.

19 **Sec. 6.** Section 79-308, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 79-308 ~~(1)~~ The Commissioner of Education shall organize institutes
22 and conferences at such times and places as he or she deems practicable.
23 He or she shall, as far as practicable, attend such institutes and
24 conferences, provide proper instructors for the same, and in other ways
25 seek to improve the efficiency of teachers and advance the cause of
26 education in the state.

27 ~~(2) The Legislature finds that (a) an educator-effectiveness system~~
28 ~~includes a quality evaluation system with the primary goal of improving~~
29 ~~instruction and learning in every school district and (b) school~~
30 ~~districts have an opportunity to receive training on the quality~~
31 ~~evaluation models.~~

1 ~~(3) Beginning with the 2016-17 school year through the 2020-21~~
2 ~~school year, school districts may apply to the State Department of~~
3 ~~Education for grant funding for a period of up to two years to implement~~
4 ~~an evaluation model for effective educators and to obtain the necessary~~
5 ~~training for administrators and teachers for such model.~~

6 **Sec. 7.** Section 79-528, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-528 (1)(a) On or before October 15 ~~July 20~~ in all school
9 districts, the superintendent shall file with the State Department of
10 Education a report showing the number of children from five through
11 eighteen years of age belonging to the school district according to the
12 census taken as provided in sections 79-524 and 79-578.

13 (b) The board of any district neglecting to take and report the
14 enumeration shall be liable to the school district for all school money
15 which such district may lose by such neglect.

16 (2) On or before June 30 the superintendent of each school district
17 shall file with the Commissioner of Education a report described as an
18 end-of-the-school-year annual statistical summary showing (a) the number
19 of children attending school during the year under five years of age, (b)
20 the length of time the school has been taught during the year by a
21 qualified teacher, (c) the length of time taught by each substitute
22 teacher, (d) information regarding option enrollment applications as
23 required under subdivision (3)(a) of section 79-239, and (e) ~~(d)~~ such
24 other information as the Commissioner of Education directs.

25 (3) On or before November 1 the superintendent of each school
26 district shall submit to the Commissioner of Education a report described
27 as the annual financial report showing (a) ~~(i)~~ the amount of money
28 received from all sources during the year and the amount of money
29 expended by the school district during the year, ~~(b) ~~(ii)~~ the amount of~~
30 bonded indebtedness, ~~(c) ~~(iii)~~ such other information as shall be~~
31 necessary to fulfill the requirements of the Tax Equity and Educational

1 Opportunities Support Act and section 79-1114, and (d) ~~(iv)~~ such other
2 information as the Commissioner of Education directs.

3 (4)(a) On or before October 15 of each year, the superintendent of
4 each school district shall file with the commissioner the fall school
5 district membership report, which report shall include the number of
6 children from birth through twenty years of age enrolled in the district
7 on October 1 of a given school year. The report shall enumerate (i)
8 students by grade level, (ii) school district levies and total assessed
9 valuation for the current fiscal year, (iii) students enrolled in the
10 district as option students, resident students enrolled in another
11 district as option students, students enrolled in the district as open
12 enrollment students, and resident students enrolled in another district
13 as open enrollment students, and (iv) such other information as the
14 Commissioner of Education directs.

15 ~~(b) On or before October 15 of each year prior to 2017, each~~
16 ~~learning community coordinating council shall issue to the department a~~
17 ~~report which enumerates the learning community levies pursuant to~~
18 ~~subdivision (2)(b) of section 77-3442 and total assessed valuation for~~
19 ~~the current fiscal year.~~

20 (b) ~~(c)~~ When any school district fails to submit its fall membership
21 report by November 1, the commissioner shall, after notice to the
22 district and an opportunity to be heard, direct that any state aid
23 granted pursuant to the Tax Equity and Educational Opportunities Support
24 Act be withheld until such time as the report is received by the
25 department. In addition, the commissioner shall direct the county
26 treasurer to withhold all school money belonging to the school district
27 until such time as the commissioner notifies the county treasurer of
28 receipt of such report. The county treasurer shall withhold such money.

29 **Sec. 8. (1) For purposes of this section:**

30 (a) Child abuse means an offense committed under section 28-707; and

31 (b) Sexual misconduct means any verbal, nonverbal, written, or

1 electronic communication, or any other act directed toward or with a
2 student that is designed to establish a sexual relationship with the
3 student, including a sexual invitation, dating or soliciting a date,
4 engaging in sexual dialogue, making sexually suggestive comments, self-
5 disclosure or physical exposure of a sexual or erotic nature, and any
6 other sexual, indecent, or erotic contact with a student. Sexual
7 misconduct includes sexual abuse by a school worker pursuant to section
8 28-316.01 or violations of a policy adopted pursuant to section 79-879
9 relating to relationships with students.

10 (2) Beginning with the 2027-28 school year, no school board of a
11 school district or governing authority of an approved or accredited
12 private, denominational, or parochial school shall hire any person to
13 serve in a position which involves regular contact with students unless
14 the school board or governing authority, in addition to any other
15 requirements:

16 (a) Requires the applicant to provide:

17 (i) A list, including name, address, telephone number, and other
18 relevant contact information for:

19 (A) The applicant's current employer at the time of the application,
20 if any;

21 (B) All former schools that such applicant was employed by within
22 the seven years preceding such application; and

23 (C) All former employers that the applicant was employed by within
24 the seven years preceding such application that involved direct contact
25 with children;

26 (ii) A written authorization for the release and disclosure of any
27 records related to the information requested under subdivisions (2)(a)(i)
28 and (2)(b) of this section by the applicant's employers listed under
29 subdivision (2)(a)(i) of this section to the school district or school.
30 Such written authorization shall also release employers from liability
31 that may arise from the disclosure or release of such records; and

1 (iii) A written statement as to whether the applicant:

2 (A) Has been the subject of a report of child abuse, unless the
3 investigation resulted in a finding that the allegations were false or
4 the alleged incident of child abuse or neglect was not substantiated;

5 (B) Has ever been disciplined, discharged, nonrenewed, asked to
6 resign from employment, or resigned from or otherwise separated from any
7 employment while allegations of child abuse or neglect or sexual
8 misconduct were pending or under investigation, or due to an adjudication
9 or finding of child abuse or neglect or sexual misconduct; or

10 (C) Has ever had a license, professional license, or certificate
11 suspended, surrendered, or revoked while allegations of child abuse or
12 neglect or sexual misconduct were pending or under investigation, or due
13 to an adjudication or finding of child abuse or neglect or sexual
14 misconduct; and

15 (b) Conducts a review of the employment history of the applicant by
16 contacting the employers listed by the applicant under subdivision (2)(a)
17 of this section and requesting the following information:

18 (i) The dates of employment of the applicant; and

19 (ii) A statement as to whether, to the extent the employer has
20 knowledge, the applicant:

21 (A) Has been the subject of a report of child abuse, unless the
22 investigation resulted in a finding that the allegations were false or
23 the alleged incident of child abuse or neglect was not substantiated;

24 (B) Has ever been disciplined, discharged, nonrenewed, asked to
25 resign from employment, or resigned from or otherwise separated from any
26 employment while allegations of child abuse or neglect or sexual
27 misconduct were pending or under investigation, or due to an adjudication
28 or finding of child abuse or neglect or sexual misconduct; or

29 (C) Has ever had a license, professional license, or certificate
30 suspended, surrendered, or revoked while allegations of child abuse or
31 neglect or sexual misconduct were pending or under investigation, or due

1 to an adjudication or finding of child abuse or neglect or sexual
2 misconduct.

3 (3) The review of an applicant's employment history and background
4 information as provided pursuant to this section may be conducted through
5 telephonic, electronic, or written communications. If the review is
6 conducted by telephone, the results of the review shall be documented in
7 writing by the prospective employer.

8 (4)(a) An applicant who willfully provides false information or
9 willfully fails to disclose information required in subdivision (2)(a) of
10 this section shall be subject to discipline up to, and including, (i)
11 termination or denial of employment, (ii) reporting to the state agency
12 or other entity with authority to revoke any relevant certificate or
13 license, or (iii) being subject to a civil penalty of not more than five
14 hundred dollars. Any penalty collected pursuant to this subsection shall
15 be distributed pursuant to Article VII, section 5, of the Constitution of
16 Nebraska.

17 (b) The school board or the governing authority of an approved or
18 accredited private, denominational, or parochial school shall include a
19 notification of the penalties set forth in this section on all
20 applications for employment for positions which involve regular contact
21 with students.

22 (c) The school board or the governing authority of an approved or
23 accredited private, denominational, or parochial school shall have the
24 right to immediately terminate an individual's employment or rescind an
25 offer of employment if:

26 (i) The applicant is offered employment or commences employment or
27 contracted services with the school following the effective date of this
28 act;

29 (ii) Information regarding the applicant's history of child abuse or
30 sexual misconduct is subsequently discovered or obtained by the employer
31 that the employer determines disqualifies the applicant or employee from

1 employment with the school; and

2 (iii) The termination of employment pursuant to this subdivision (4)
3 (c) shall not be subject to any grievance or appeals procedures or tenure
4 proceedings pursuant to any collective bargaining or negotiated
5 agreement.

6 (5) After reviewing the information disclosed under subdivision (2)
7 (a) of this section and finding an affirmative response to any of the
8 inquiries in subdivision (2)(a)(iii) of this section, the school board or
9 governing authority, prior to determining to continue with the
10 applicant's job application process, shall make further inquiries of the
11 applicant's current or former employer to ascertain additional details
12 regarding the matter disclosed.

13 (6) A school board or a governing authority of an approved or
14 accredited private, denominational, or parochial school may employ or
15 contract with an applicant on a provisional basis for a period not to
16 exceed ninety days pending review by the school board or the governing
17 authority of information received pursuant to subsection (2) of this
18 section, provided that all of the following conditions are satisfied:

19 (a) The applicant has complied with subsection (2) of this section;

20 (b) The school board or the governing authority has no knowledge or
21 information pertaining to the applicant that the applicant is required to
22 disclose pursuant to subdivision (2)(a)(iii) of this section; and

23 (c) The school board or the governing authority determines that
24 special or emergent circumstances exist that justify the temporary
25 employment of the applicant.

26 (7) Information received by a school board or a governing authority
27 under this section shall not be considered a public record subject to
28 disclosure pursuant to sections 84-712 to 84-712.09.

29 (8)(a) A school board or a governing authority that receives a
30 request for information or records regarding an applicant pursuant to and
31 in accordance with this section from another school board or board of

1 education shall provide such information and respond to such inquiries as
2 soon as practicable.

3 (b) An employer that provides information or records about a current
4 or former employee or applicant shall be immune from criminal and civil
5 liability for the disclosure of the information, unless the information
6 or any record provided was knowingly false. The immunity shall be in
7 addition to and not in limitation of any other immunity provided by law.

8 (9)(a) On or after the effective date of this act, a school board or
9 a governing authority of an approved or accredited public, private,
10 denominational, or parochial school may not enter into an agreement, an
11 employment contract, an agreement for resignation or termination, a
12 severance agreement, or any other contract or agreement or take any
13 action that:

14 (i) Has the effect of suppressing or destroying information relating
15 to an investigation related to a report of suspected child abuse or
16 sexual misconduct by a current or former employee;

17 (ii) Affects the ability of the school board or the governing
18 authority to report suspected child abuse or sexual misconduct to the
19 appropriate authorities; or

20 (iii) Requires the school board or the governing authority to
21 expunge information about allegations or findings of suspected child
22 abuse or sexual misconduct from any documents maintained by the school
23 unless, after investigation, the allegations are found to be false or the
24 alleged incident of child abuse or sexual misconduct has not been
25 substantiated.

26 (b) Any provision of an employment contract or agreement for
27 resignation or termination or a severance agreement that is entered into,
28 amended, or renewed after the effective date of this act and that is
29 contrary to this section shall be void and unenforceable.

30 (10) The State Department of Education shall establish a public
31 awareness campaign to publicize the provisions of this section and to

1 ensure applicants and employers are aware of their respective rights and
2 responsibilities under this section. The department shall post on its
3 website guidance documents and any other informational materials that may
4 assist applicants and employers in the implementation of and compliance
5 with this section.

6 **Sec. 9.** Section 79-816, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-816 (1) The State Department of Education shall create and
9 administer the Nebraska Teacher Apprenticeship Program. The purpose of
10 the program is to help recruit and increase the number of teachers
11 throughout the state by utilizing an apprenticeship model for training.
12 The program shall provide for an applicant who successfully completes the
13 program to obtain a certificate or permit issued by the Commissioner of
14 Education. The department may work with standard institutions of higher
15 education as defined in section 79-807, the Department of Labor, and
16 other entities the State Department of Education deems necessary to
17 develop and implement the program.

18 (2) An individual may apply for participation in the program if the
19 individual (a) is an employee of a school approved or accredited by the
20 State Department of Education or (b) has a contract to begin working for
21 a school approved or accredited by the State Department of Education at
22 the start of the school year for which the individual is applying for
23 participation in the program.

24 (3) The department shall determine requirements for completion of
25 the program by an applicant. The requirements shall include, but need not
26 be limited to:

27 (a) The completion of a one-year apprenticeship in a classroom;

28 (b) A baccalaureate degree from a standard institution of higher
29 education; and

30 (c) Successful completion of a subject area examination as
31 determined by the Commissioner of Education and pedagogy examination

1 ~~created by the department as part of the program.~~

2 (4) The Commissioner of Education shall issue a certificate to teach
3 as set forth pursuant to the rules and regulations adopted and
4 promulgated pursuant to sections 79-806 to 79-815 to an applicant who
5 successfully completes the program.

6 (5) It is the intent of the Legislature to appropriate one million
7 dollars for fiscal year 2023-24 and each fiscal year thereafter from the
8 Education Future Fund to the State Department of Education for the
9 program.

10 **Sec. 10.** Section 79-8,113, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-8,113 For purposes of the Nebraska Teacher Recruitment and
13 Retention Act:

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

15 (2) Dual enrollment means a course taught to students for credit at
16 both a high school and a postsecondary institution;

17 (3) (2) Grant means a grant for teacher recruitment and retention
18 payments under the Nebraska Teacher Recruitment and Retention Act; and

19 (4) (3) Teacher means a person who holds a valid certificate to
20 teach in Nebraska issued by the Commissioner of Education and is employed
21 in Nebraska for the instruction of students in elementary or high school
22 grades.

23 **Sec. 11.** Section 79-8,114, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 79-8,114 (1) A teacher may apply to the department for a grant. The
26 department shall not prioritize a grant based upon the school where the
27 applicant teaches.

28 (2) A teacher is eligible to apply for:

29 (a) A retention one grant of two thousand five hundred dollars if
30 the teacher has signed a contract to complete such teacher's second
31 complete school year of full-time employment as a teacher at a Nebraska

1 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

2 (b) A retention two grant of two thousand five hundred dollars if
3 the teacher has signed a contract to complete such teacher's fourth
4 complete school year of full-time employment as a teacher at a Nebraska
5 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

6 (c) A retention three grant of two thousand five hundred dollars if
7 the teacher has signed a contract to complete such teacher's sixth
8 complete school year of full-time employment as a teacher at a Nebraska
9 school in school year 2023-24, 2024-25, 2025-26, or 2026-27; and

10 (d)(i) A high-need retention grant of five thousand dollars if on or
11 after June 2, 2023, a teacher:

12 (A) Obtains an endorsement in special education, mathematics,
13 science, or technology , ~~or dual credit~~; and ~~(B)(I) For an application~~
14 ~~submitted prior to April 17, 2024, signs a contract to complete a school~~
15 ~~year of full-time employment as a teacher at a Nebraska school in school~~
16 ~~year 2024-25, 2025-26, or 2026-27; or (II) For an application submitted~~
17 ~~on or after April 17, 2024, signs a contract to complete a school year of~~
18 full-time employment as a teacher to teach in such endorsement area at a
19 Nebraska school in school year 2024-25, 2025-26, or 2026-27; or -

20 (B) Signs a contract to complete a school year of full-time
21 employment as a teacher at a Nebraska school in school year 2026-27 and
22 teaches at least one dual enrollment course during such school year.

23 (ii) A teacher shall only be eligible to receive one high-need
24 retention grant.

25 **Sec. 12.** Section 79-1035, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 79-1035 (1) ~~(1)(a)~~ The State Treasurer shall, on or before January
28 25 of each year, make a complete exhibit of all money belonging to the
29 permanent school fund and the temporary school fund as returned to him or
30 her from the several counties, together with the amount derived from
31 other sources, and deliver such exhibit duly certified to the

1 Commissioner of Education and the chairperson of the Education Committee
2 of the Legislature.

3 ~~(b) Through 2021, the exhibit required in subdivision (1)(a) of this~~
4 ~~section shall include a separate accounting, not to exceed an amount of~~
5 ~~ten million dollars, of the income from solar and wind agreements on~~
6 ~~school lands. The amount of income from solar and wind agreements on~~
7 ~~school lands shall be used to fund the grants described in section~~
8 ~~79-308. The Board of Educational Lands and Funds shall provide the State~~
9 ~~Treasurer with the information necessary to make the exhibit required by~~
10 ~~this subsection. Separate accounting shall not be made for income from~~
11 ~~solar or wind agreements on school lands that exceeds the sum of ten~~
12 ~~million dollars.~~

13 (2) On or before February 25 following receipt of the exhibit from
14 the State Treasurer pursuant to subsection (1) of this section, the
15 Commissioner of Education shall make the apportionment of the temporary
16 school fund to each school district as follows: From the whole amount,
17 there shall be paid to those districts in which there are school or
18 saline lands, which lands are used for a public purpose, an amount in
19 lieu of tax money that would be raised if such lands were taxable, to be
20 fixed in the manner prescribed in section 79-1036; and the remainder
21 shall be apportioned to the districts according to the pro rata
22 enumeration of children who are five through eighteen years of age in
23 each district last returned from the school district. The calculation of
24 apportionment for each school fiscal year shall include any corrections
25 to the prior school fiscal year's apportionment.

26 (3) The Commissioner of Education shall certify the amount of the
27 apportionment of the temporary school fund as provided in subsection (2)
28 of this section to the Director of Administrative Services. The Director
29 of Administrative Services shall issue payments to the various districts
30 for the respective amounts so certified by the Commissioner of Education.

31 ~~(4) For purposes of this section, agreement means any lease,~~

1 ~~easement, covenant, or other such contractual arrangement.~~

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

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

1 for a learning platform that:

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

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

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

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

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

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

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

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

23 (3) The State Department of Education Improvement Grant Fund is
24 created. The fund shall be administered by the State Department of
25 Education and shall consist of transfers pursuant to section 79-3501,
26 repayments of grant funds, and interest payments received in the course
27 of administering this section. The fund shall be used to carry out this
28 section and for the centralized education records system for students
29 under the jurisdiction of a juvenile court and the employment of
30 registrars as provided under subsection (5) of section 79-303.01.
31 Transfers may be made from the fund to the Education Future Fund at the

1 direction of the Legislature. Any money in the State Department of
2 Education Improvement Grant Fund available for investment shall be
3 invested by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.

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

7 79-1248 The powers and duties of the Educational Service Unit
8 Coordinating Council include, but are not limited to:

9 (1) Providing public access to lists of qualified distance education
10 courses;

11 (2) Collecting and providing school schedules for participating
12 educational entities;

13 (3) Facilitation of scheduling for qualified distance education
14 courses;

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

17 (5) Assessment of distance education needs and evaluation of
18 distance education services;

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

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

26 (8) Administration of learning management systems, either through
27 the staff of the council or by delegation to an appropriate educational
28 entity, with the funding for such systems provided by participating
29 educational entities; ~~and~~

30 (9) Coordination with educational service units and postsecondary
31 educational institutions to provide assistance for instructional design

1 for both two-way interactive video distance education courses and the
2 offering of graduate credit courses in distance education; and -

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

10 **Sec. 15.** Section 79-1601, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-1601 (1) Except as provided in subsections (2) through (6) of
13 this section, all private, denominational, and parochial schools in the
14 State of Nebraska and all teachers employed or giving instruction in such
15 schools shall be subject to and governed by the provisions of the general
16 school laws of the state so far as the same apply to grades,
17 qualifications, and certification of teachers and promotion of students.
18 All private, denominational, and parochial schools shall have adequate
19 equipment and supplies, shall be graded the same, and shall have courses
20 of study for each grade conducted in such schools substantially the same
21 as those given in the public schools which the students would attend in
22 the absence of such private, denominational, or parochial schools.

23 (2) All private, denominational, or parochial schools shall either
24 comply with the accreditation or approval requirements as prescribed
25 pursuant to section 79-318 or, for those schools which elect not to meet
26 accreditation or approval requirements, the requirements prescribed in
27 subsections (2) through (6) of this section. Standards and procedures for
28 approval and accreditation shall be based upon the program of studies,
29 guidance services, the number and preparation of teachers in relation to
30 the curriculum and enrollment, instructional materials and equipment,
31 science facilities and equipment, library facilities and materials, and

1 health and safety factors in buildings and grounds. Rules and regulations
2 governing procedures for private, denominational, and parochial schools
3 which elect, pursuant to the procedures prescribed in subsections (2)
4 through (6) of this section, not to meet state accreditation or approval
5 requirements shall be based upon an assurance that such schools offer a
6 program of instruction leading to the acquisition of basic skills in the
7 language arts, mathematics, science, social studies, and health. The
8 assurance required pursuant to this subsection shall be satisfied by a
9 signed statement by the parent, legal guardian, or educational
10 decisionmaker of a student that the education provided complies with
11 subsections (2) through (6) of this section. Rules and regulations which
12 govern procedures under this section are limited to procedures for
13 receiving information from a parent, legal guardian, or educational
14 decisionmaker of a student or a parent representative when such
15 individual files the election not to meet accreditation or approval
16 requirements under this section and procedures for carrying out section 2
17 of this act.

18 (3) The provisions of subsections (3) through (6) of this section
19 shall apply to any private, denominational, or parochial school in the
20 State of Nebraska which elects not to meet state accreditation or
21 approval requirements. Except as provided in section 2 of this act, an An
22 election pursuant to such subsections shall be effective when a statement
23 is received by the Commissioner of Education signed by a parent, legal
24 guardian, or educational decisionmaker of each student attending such
25 private, denominational, or parochial school, stating that (a) either
26 specifically (i) the requirements for approval and accreditation required
27 by law and the rules and regulations adopted and promulgated by the State
28 Board of Education violate sincerely held religious beliefs of the
29 parent, legal guardian, or educational decisionmaker or (ii) the
30 requirements for approval and accreditation required by law and the rules
31 and regulations adopted and promulgated by the State Board of Education

1 interfere with the decisions of the parent, legal guardian, or
2 educational decisionmaker in directing the student's education, (b) an
3 authorized representative of such parent, legal guardian, or educational
4 decisionmaker will annually submit to the Commissioner of Education an
5 assurance that the requirements of subdivisions (4)(a) through (c) of
6 this section are and will continue to be satisfied, (c) the school offers
7 the courses of instruction required by subsections (2), (3), and (4) of
8 this section, and (d) the parent, legal guardian, or educational
9 decisionmaker is satisfied that individuals monitoring instruction at
10 such school are qualified to monitor instruction in the basic skills as
11 required by subsections (2), (3), ~~and (4)~~, and (5) of this section.

12 (4) Each such private, denominational, or parochial school shall (a)
13 meet minimum requirements relating to health, fire, and safety standards
14 prescribed by state law and the rules and regulations of the State Fire
15 Marshal, (b) report attendance pursuant to section 79-201, (c) maintain a
16 sequential program of instruction designed to lead to basic skills in the
17 language arts, mathematics, science, social studies, and health, and (d)
18 comply with the immunization requirements in section 79-217 if the
19 statement signed by the parent, legal guardian, or educational
20 decisionmaker indicates a nonreligious reason pursuant to subdivision (3)
21 (a)(ii) of this section for the student attending a private,
22 denominational, or parochial school which elects not to meet state
23 accreditation or approval requirements. The State Board of Education
24 shall establish procedures for receiving information and reports required
25 by subsections (3) through (6) of this section from authorized parent
26 representatives who may act as agents for the parent, legal guardian, or
27 educational decisionmaker of a student attending such schools.

28 (5)(a) ~~(5)~~ Individuals employed or utilized by schools which elect
29 not to meet state accreditation or approval requirements shall not be
30 required to meet the certification requirements prescribed in sections
31 79-801 to 79-815.

1 (b) Individuals monitoring or providing instruction at a school
2 which elects not to meet state accreditation or approval requirements
3 shall not have been convicted of any felony offense under sections 28-319
4 to 28-322.05 or section 28-316.01, 28-323, 28-703, or 28-707.

5 (6) Any school which elects not to meet state accreditation or
6 approval requirements and does not meet the requirements of subsections
7 (2) through (6) of this section shall not be deemed a school, and the
8 parent, legal guardian, or educational decisionmaker of any students
9 attending such school shall be subject to prosecution pursuant to section
10 79-201 or any statutes relating to habitual truancy.

11 (7) For purposes of this section, educational decisionmaker means a
12 person designated or ordered by a court to make educational decisions on
13 behalf of a child.

14 **Sec. 16.** Section 79-3407, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 79-3407 The department shall prepare documents to be submitted by
17 school districts to aid the department in calculating each school
18 district's property tax request authority and unused property tax request
19 authority. Each school district shall submit such documents to the
20 department on or before October 15 ~~September 30~~ of each year. If a school
21 district fails to submit such documents to the department or if the
22 department determines from such documents that a school district is not
23 complying with the limits provided in the School District Property Tax
24 Limitation Act, the department shall notify the school district of its
25 determination. The Commissioner of Education shall then direct that any
26 state aid granted pursuant to the Tax Equity and Educational
27 Opportunities Support Act be withheld until such time as the school
28 district submits the required documents or complies with the School
29 District Property Tax Limitation Act. The state aid shall be held for six
30 months. If the school district complies within the six-month period, it
31 shall receive the suspended state aid. If the school district fails to

1 comply within the six-month period, the suspended state aid shall revert
2 to the General Fund.

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

5 79-3501 (1) For fiscal years through fiscal year 2023-24, the money
6 available to be used for education pursuant to subdivision (3)(b) of
7 section 9-812 shall be transferred to the Nebraska Education Improvement
8 Fund.

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

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

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

14 (c) Seven percent to the Community College Gap Assistance Program
15 Fund;

16 (d) Ten percent to the State Department of Education Improvement
17 Grant Fund;

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

20 (f) One percent to the Door to College Scholarship Fund;

21 (g) Eight percent to the Excellence in Teaching Cash Fund;

22 (h) One and one-half percent to the Expanded Learning Opportunity
23 Grant Fund;

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

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

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

30 (4)(a) The Nebraska Education Improvement Fund is created. The fund
31 shall consist of money transferred pursuant to subsection (1) of this

1 section and any other funds transferred by the Legislature. Transfers may
2 be made from the fund to the Education Future Fund at the direction of
3 the Legislature. The Nebraska Education Improvement Fund shall be
4 allocated, after actual and necessary administrative expenses, as
5 provided in this subsection for fiscal years 2016-17 through 2023-24. A
6 portion of each allocation for fiscal year 2023-24 may be retained by the
7 agency to which the allocation is made or the agency administering the
8 fund to which the allocation is made for actual and necessary expenses
9 incurred by such agency for administration, evaluation, and technical
10 assistance related to the purposes of the allocation, except that no
11 amount of the allocation to the Nebraska Opportunity Grant Fund may be
12 used for such purposes.

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

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

22 (i) One percent of the allocated funds to the Expanded Learning
23 Opportunity Grant Fund to carry out the Expanded Learning Opportunity
24 Grant Program Act;

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

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

31 (iv) Eight percent of the allocated funds to the Excellence in

1 Teaching Cash Fund to carry out the Excellence in Teaching Act;

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

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

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

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

13 (5) A portion of each transfer pursuant to subdivisions (2)(c), (e),
14 (f), (g), (h), and (i) of this section may be retained by the agency
15 administering the fund to which such transfer is made for actual and
16 necessary expenses incurred by such agency for administration,
17 evaluation, and technical assistance related to the purposes of the
18 transfer.

19 (6)(a) On or before September 20, 2022, and on or before each
20 September 20 thereafter, (i) any department or agency receiving a
21 transfer or acting as the administrator for a fund receiving a transfer
22 pursuant to subsection (2) or (4) of this section, (ii) any recipient or
23 subsequent recipient of money from any such fund, and (iii) any service
24 contractor responsible for managing any portion of any such fund or any
25 money disbursed from any such fund on behalf of any entity shall prepare
26 and submit an annual report to the Auditor of Public Accounts in a manner
27 prescribed by the auditor for the immediately preceding July 1 through
28 June 30 fiscal year detailing information regarding the use of such fund
29 or such money.

30 (b) The Auditor of Public Accounts shall annually compile a summary
31 of the annual reports received pursuant to subdivision (6)(a) of this

1 section, any audits related to transfers pursuant to subsection (2) or
2 (4) of this section conducted by the Auditor of Public Accounts, and any
3 findings or recommendations related to such transfers into a consolidated
4 annual report and shall submit such consolidated annual report
5 electronically to the Legislature on or before January 1, 2023, and on or
6 before each January 1 thereafter.

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

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

18 **Sec. 18.** Section 79-3703, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 79-3703 (1) The State Department of Education shall develop and
21 administer the College Pathway Program to provide funds ~~grants~~ on or
22 after July 1, 2024, to eligible providers to provide services in
23 accordance with subsection (2) of this section to underrepresented and
24 low-income students in high school and postsecondary education.

25 (2) A provider is eligible for funding ~~a grant~~ pursuant to the
26 College Pathway Program Act if the provider offers, exclusively to
27 underrepresented and low-income students, educational services that
28 provide materials, services, and supports to help a student graduate from
29 high school, apply for admission to a postsecondary institution, and
30 complete the requirements to receive an associate degree or a
31 baccalaureate degree. Such educational services may include:

1 (a) Assistance and tutorials which help students in completing
2 applications for a college or university, including applying for aid
3 through the Free Application for Federal Student Aid or other
4 scholarships;

5 (b) Assistance and materials which help students take the
6 appropriate high school classes in an area or field of study a student is
7 interested in and any classes necessary for a student to gain acceptance
8 at a postsecondary institution or complete the requirements and take the
9 appropriate postsecondary education classes to receive an associate
10 degree or a baccalaureate degree; and

11 (c) Any other services specified pursuant to rules and regulations
12 adopted and promulgated by the State Board of Education.

13 (3) Eligible providers may apply to the State Department of
14 Education for funding a grant in a manner prescribed by the Commissioner
15 of Education.

16 **Sec. 19.** Section 79-3704, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 79-3704 (1) On or before December 1, 2024, and each December 1
19 thereafter, the State Department of Education shall electronically submit
20 a report to the Clerk of the Legislature regarding the College Pathway
21 Program Act, including, but not limited to, the recipients of funding
22 grants and evaluations of the effectiveness of the grant program.

23 (2) The State Board of Education may adopt and promulgate rules and
24 regulations to carry out the College Pathway Program Act.

25 **Sec. 20.** Sections 20 to 25 of this act shall be known and may be
26 cited as the Prior Learning Act.

27 **Sec. 21.** For purposes of the Prior Learning Act:

28 (1) Commission means the Coordinating Commission for Postsecondary
29 Education;

30 (2) Cut score means the minimum score an individual is required to
31 achieve on a prior learning examination to receive postsecondary credit

1 from a Nebraska public postsecondary institution;

2 (3) Nebraska public postsecondary institution has the same meaning
3 as in section 85-2403; and

4 (4) Prior learning examination means a postsecondary level
5 examination approved by the commission pursuant to section 22 of this act
6 to assess whether a student, prior to taking a postsecondary course, has
7 already obtained knowledge and skills at a level substantially similar to
8 what is expected from a student who has successfully completed a
9 postsecondary course on the same subject.

10 **Sec. 22.** (1) On or before September 1, 2026, the commission shall,
11 in consultation with Nebraska public postsecondary institutions, approve
12 a list of prior learning examinations and the cut score for each such
13 examination. The list shall include commonly recognized prior learning
14 examinations, including, but not limited to:

15 (a) Prior learning examinations that are associated with
16 participation in high school courses specifically designed to prepare
17 students for such examinations;

18 (b) Prior learning examinations that are associated with
19 participation in high school courses using international curriculum
20 frameworks;

21 (c) Prior learning examinations that are not associated with high
22 school courses endorsed by the provider of the prior learning
23 examination; and

24 (d) Prior learning examinations that assess and certify foundational
25 workplace skills and are not associated with a specific high school
26 course.

27 (2) The commission shall, in consultation with Nebraska public
28 postsecondary institutions, set cut scores in a manner consistent with
29 national practices and shall utilize recommendations for such cut scores
30 contained in any comprehensive guide maintained by a national
31 organization recognized for expertise on the topic of appropriate cut

1 scores for prior learning examinations in the context of awarding
2 postsecondary academic credit.

3 (3) The commission shall, in consultation with Nebraska public
4 postsecondary institutions, update the list of prior learning
5 examinations and cut scores as necessary to provide options for students
6 while maintaining the academic integrity of such institutions.

7 (4) The commission shall post and maintain the list of prior
8 learning examinations and cut scores on the commission's website in a
9 location accessible to prospective postsecondary students and families.

10 **Sec. 23.** (1) On or before October 1, 2026, each Nebraska public
11 postsecondary institution shall develop and implement written policies
12 and procedures for awarding academic credit based on prior learning
13 examinations. The policies and procedures shall:

14 (a) Except as otherwise provided in this section, award academic
15 credit to students for each distinct prior learning examination for which
16 the student met or exceeded the cut score;

17 (b) Prioritize application of credit toward courses that meet
18 general education, major, or degree requirements over application of
19 credit towards courses that are elective for the student;

20 (c) Establish the process through which credits awarded under this
21 section shall be recorded on transcripts and transferred to other
22 Nebraska public postsecondary institutions; and

23 (d) Ensure that policies and procedures are publicly posted on the
24 institution's website in a location accessible to prospective students
25 and families.

26 (2) With approval from the commission, a Nebraska public
27 postsecondary institution may require a higher minimum score than the cut
28 score approved by the commission pursuant to section 22 of this act if
29 the chief academic officer of such institution determines, based on
30 evidence of student performance or course success rates, that a higher
31 score is necessary for success in a specific course or sequence.

1 (3) On or before October 15, 2026, each Nebraska public
2 postsecondary institution shall submit its policies and procedures
3 adopted under this section to the commission. The commission shall
4 compile all such policies and procedures and post a statewide summary on
5 the commission's website, including the justification for any higher
6 minimum score requirements approved by the commission pursuant to
7 subsection (2) of this section.

8 **Sec. 24.** (1) On or before December 31, 2028, and on or before
9 December 31 of each even-numbered year thereafter, each Nebraska public
10 postsecondary institution shall submit data to the commission including:

11 (a) The number of students awarded academic credit based on prior
12 learning examinations during the two preceding academic years; and

13 (b) The total number of academic credits awarded based on prior
14 learning examinations during the two preceding academic years.

15 (2) The commission shall post the data reported pursuant to
16 subsection (1) of this section on the commission's website.

17 (3) On or before December 31, 2029, the commission shall analyze the
18 prior learning examination cut score policies and procedures of each
19 Nebraska public postsecondary institution and the research used by each
20 Nebraska public postsecondary institution in determining the level of
21 credit and the number of credits provided for each prior learning
22 examination qualifying score and file a report that includes findings and
23 recommendations to the Education Committee of the Legislature.

24 (4) Each Nebraska public postsecondary institution shall provide the
25 commission with the data necessary to conduct the analysis required
26 pursuant to subsection (3) of this section.

27 (5) Data shall be provided, analyzed, and posted pursuant to this
28 section in a manner that complies with the federal Family Educational
29 Rights and Privacy Act of 1974, as such act existed on January 1, 2026.

30 (6) The commission may request the assistance of the Nebraska
31 Statewide Workforce and Education Reporting System for analysis and

1 reporting under this section.

2 **Sec. 25.** The commission may adopt and promulgate rules and
3 regulations as necessary to carry out the Prior Learning Act.

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

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

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

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

12 (3) Coordinating council means the Educational Service Unit
13 Coordinating Council;

14 (4) Coordinating council director means the council director of the
15 Educational Service Unit Coordinating Council;

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

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

20 (7) Governing board means the school board of a school district, the
21 governing board of a private, denominational, or parochial school, or the
22 board of directors of an educational service unit;

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

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

27 (10) School means a school district or an approved or accredited
28 private, denominational, or parochial school offering instruction in
29 elementary or high school grades.

30 **Sec. 28.** (1) The coordinating council shall serve as the statewide
31 point of contact for implementation of the K-12 Education Cybersecurity

1 Act. The coordinating council shall facilitate, support, and coordinate
2 cybersecurity initiatives across educational service units and schools,
3 with an emphasis on fostering partnerships, aligning statewide
4 strategies, and encouraging the leveraging of multiple funding sources to
5 sustain such initiatives.

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

24 (3) Educational service units shall be responsible for direct
25 implementation of cybersecurity support and services for schools within
26 their service areas, including assisting schools with readiness
27 assessments and tool adoption.

28 **Sec. 29.** (1) The department shall, in coordination with the
29 coordinating council and subject to available funding, develop and
30 administer a program to provide funding for the purchase of cybersecurity
31 products and services for use in schools and educational service units.

1 The program shall be designed to:

2 (a) Address statewide and local cybersecurity priorities identified
3 through readiness assessments;

4 (b) Encourage cost-effective purchasing through shared procurement
5 models, public-private partnerships, and the leveraging of multiple
6 funding streams; and

7 (c) Support both immediate cybersecurity needs and long-term
8 cybersecurity capacity building.

9 (2) The program shall include:

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

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

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

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

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

3 (f) The creation, in consultation with the office, of a list of
4 approved cybersecurity products and services in a tiered system that (i)
5 aligns with nationally recognized frameworks, (ii) includes cost-
6 effective options for small or rural schools, and (iii) may be updated
7 annually to reflect the emerging threats and technologies; and

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

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

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

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

4 **Sec. 30.** (1)(a) The department shall, in consultation with the
5 coordinating council director and the office and subject to available
6 funding, develop a model cybersecurity policy and cybersecurity framework
7 based on nationally recognized best practices for kindergarten through
8 twelfth grade education cybersecurity. Such policy and framework shall
9 (i) define tiered levels of cybersecurity readiness, (ii) include
10 criteria for determining risk levels and priority needs, and (iii)
11 support alignment with both state and federal cybersecurity guidance.

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

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

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

31 **Sec. 31.** The State Board of Education in consultation with the

1 coordinating council may adopt and promulgate rules and regulations to
2 carry out the K-12 Education Cybersecurity Act.

3 **Sec. 32.** Original sections 79-209, 79-239, 79-308, 79-528, 79-816,
4 79-8,113, 79-8,114, 79-1035, 79-1248, 79-1601, 79-3407, 79-3703, and
5 79-3704, Reissue Revised Statutes of Nebraska, and sections 28-710,
6 79-2,136, 79-1054, and 79-3501, Revised Statutes Supplement, 2025, are
7 repealed.

8 **Sec. 33.** The following sections are outright repealed: Sections
9 79-309.01 and 79-718, Reissue Revised Statutes of Nebraska.