

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB1218

Hearing Date: Monday January 31, 2022
Committee On: Education
Introducer: Education
One Liner: Change provisions relating to certification of school employees and student loan forgiveness

Roll Call Vote - Final Committee Action:

Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Lynne Walz
Jenni Benson

Brian Halstead
April Buschelman
Desiree Feria Smith
Tim Frey
Sara Skretta
Colby Coash
John Skretta
Ann Hunter-Pirtle
Paul Turman
Christy Flaherty-Colling

Representing:

Introducer
Nebraska State Education Association, Nebraska Council of School Administrators, Nebraska Child Health & Education Alliance, Nebraska Rural Community School Association
Nebraska Department of Education
Nebraska Association for Colleges of Teacher Education
Self
Doane University
University of Nebraska System
Nebraska Association of School Boards
STANCE, Educational Service Unit Coordinating Council
Stand For Schools
Nebraska State College System
Self

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 1218 is an education workforce bill that accomplishes the following:

Section 1:

Adds legislative findings and intent language to Neb. Rev. Stat. 79-806 regarding the certification requirements for educators in Nebraska.

Section 2:

Modifies the definition of basic skills competency in Neb. Rev. Stat. 79-807 to allow this certification requirement to be achievable by the successful completion of a college admission examination, college course work or successful employment experiences.

It also harmonizes the definition of special education with federal statute to accurately refer to an individualized education program (versus plan).

Section 3:

LB1218 changes the fee structure for teacher certificates from being explicitly set in statute to being set by the Commissioner with a not to exceed amount.

Section 4:

LB1218 offers an additional \$1000 of student loan forgiveness to participants in the Attracting Excellence to Teaching Program after the successful completion of their student teaching.

Explanation of amendments:

The Committee considered and adopted AM2213 which substitutes for the bill and revises the language of LB1218 as introduced. It adds amended provisions of LB945. The original provisions of LB1218 are amended as follows:

Modifies Neb. Rev. Stat. 79-318 to clarify that the State Board of Education's (Board) authority to approve teacher education programs in Nebraska does not allow such approval to require a statewide examination as an entrance requirement related to basic skills competency.

AM2213 further revises the definition of basic skills competency allowing it to be demonstrated by:

- a) taking an examination designed by the board and, if necessary, correcting any score deficiencies by either retaking that portion of the exam or earning a minimum grade or above in college courses designated by the board related to the deficiency or
- b) through experience as an educator in another state.

Adds a new provision to Neb. Rev. Stat. 79-811 to allow teachers from other states that hold a similar certificate or permit to demonstrate eligibility for a certificate or permit to teach in Nebraska by experience as an educator in such other state that demonstrates the academic and professional preparation of the applicant.

AM2213 expands the provisions of Neb. Rev. Stat. 79-813 to, in addition of applying to military spouses, apply to an out-of-state teacher who has been offered employment to teach, administer, or provide special services by an accredited school district or an approved or accredited private, denominational, or parochial school in Nebraska.

The amended provisions of LB1218 can be found in AM2213 Sections 10-16.

LB945 (Linehan) Adopt the Teach in Nebraska Today Act, provide for student loan repayment assistance, and appropriate General Funds

Section 1:

Names the act.

Section 2:

Definitions section.

Section 3:

Creates the program.

Section 4:

Establishes student loan repayment assistance under the program and determines that it shall only be available to applicants who meet these criterion:

- a. Resident of Nebraska
- b. Teaching full-time or has a contract to teach full-time at the time of application to the program.

Allows no more than \$5000 per year in repayment assistance for up to five years. The total amount awarded to any one applicant shall not exceed \$25,000. The five years of awards are not required to be consecutive, but shall not extend beyond eight years in total.

States that if money available for repayment assistance in a period for which assistance is awarded is insufficient to provide assistance to all eligible applicants, NDE shall establish priorities for awarding repayment assistance with renewal applications given first priority. For initial applications, priority shall be given to applicants who demonstrate financial need.

Student loan repayment assistance may be received for any student loan in the applicant's name for his or her own educational expenses at any accredited public or private nonprofit college or university in this state or any other state received from any lender. If the loan is not a state or federal guaranteed student loan, the note or other writing governing the terms of the loan must require the loan proceeds to be used for expenses incurred by the applicant to attend an accredited public or private college or university in this state or any other state.

Section 5:

Applications for the program must be submitted no later than June 10, 2023, and no later than June 10 of each year thereafter, on a form developed by NDE. NDE shall determine all application statuses and provide notification of such by September 10 of each year. Repayment assistance awarded under the program shall be paid, in whole or in part as provided in section 6, no later than November 10 of each year.

Section 6:

Allows student loan repayment assistance under this program to be applied to either principal or interest and paid in one of three ways as directed by the applicant on his or her application.

1. Directly to the lender or loan servicer in one lump-sum payment.

2. Directly to the lender or loan servicer in monthly payments that can span up to 24 months. This would allow applicants, if eligible and interested, to coordinate the repayment assistance under this act with the federal Public Service Loan Forgiveness program.

3. Directly to the applicant for the purpose of making student loan payments. This option is only available if the applicant is not in default on any student loans at the time of application. Documentation is required that such award was used for student loan payments when applying to the program in subsequent years and for claiming an adjustment to federal adjusted gross income pursuant to section 77-2716 (Section 9 of the bill).

Allows NDE to contract with a third-party vendor to administer the repayment assistance provided pursuant to the program.

Section 7:

States the total amount of student loan repayment assistance awarded pursuant to the program shall not exceed \$5 million in any fiscal year.

Section 8:

Allows the Board to adopt and promulgate rules and regulations to carry out this act.

Section 9:

Adds a provision to Neb. Rev. Stat. 77-2716, related to income tax adjustments, that recipients of student loan repayment assistance under this program shall have their federal adjusted gross income reduced by the amount received to the extent that such amount is included in federal adjusted gross income.

The amended provisions of LB945 can be found in AM2213 Sections 1-9.

Testifiers for LB945 (February 1, 2022)

Proponents:

- Senator Lou Ann Linehan, Introducer
- Brian Halstead, Nebraska Department of Education
- Kyle McGowan, Nebraska Council of School Administrators, Nebraska State Education Association, Nebraska Association of School Boards
- Rachel Gibson, League of Women Voters Nebraska
- Jack Moles, Nebraska Rural Community Schools Association
- Sara Skretta, Nebraska Association of Colleges for Teacher Education
- Carri Collins, Omaha Public Schools
- Treva Haugaard, Council of Nebraska Independent Colleges
- Tim Frey, Doane University
- John Skretta, ESU Coordinating Council, STANCE

Opponents:

- None

Neutral:

- None

The Committee vote to incorporate the amended provisions of LB945 into LB1218 was:

AYE: 8 Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz

NAY: 0

PRESENT NOT VOTING: 0

ABSENT: 0

Lynne Walz, Chairperson