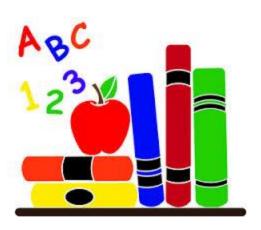
EDUCATION COMMITTEE

One-Hundredth Fifth Nebraska Legislature First Session 2017 SUMMARY AND DISPOSITION OF BILLS



Senator Mike Groene, Chairperson
Senator Rick Kolowski, Vice-Chairperson
Senator Laura Ebke
Senator Steve Erdman
Senator Lou Ann Linehan
Senator Adam Morfeld
Senator Patty Pansing Brooks
Senator Lynne Walz

Committee Staff: LaMont Rainey, Committee Counsel Charles Garman, Committee Counsel Kristina McGovern, Committee Clerk

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LB/LR	INTRODUCER	ONE-LINER	HEARING DATE	COMMITTEE DISPOSITION	FINAL DISPOSITION	COMMENTS
LB 14	Krist	Require successful completion of a civics examination as a prerequisite to high school graduation	3/20			
LB58	Kintner/ Craighead	Change provisions relating to participation in extracurricular activities	1/30			
LB62	Scheer	Eliminate prohibition on teachers wearing religious garb	1/17	Advanced to General File		
LB 103	Murante	Change provisions relating to accelerated or differentiated curriculum and require establishment of focus groups	1/23			
LB 109	Blood	Provide for a temporary teaching certificate or permit for military spouses	1/23			
LB 119	Groene	Change dates related to certifications and distributions of state aid to schools	1/17	Advanced to General File	Governor signed into law 2/15/2017	
LB 123	Pansing Brooks	Provide for reimbursement when certain postsecondary institutions terminate operations	1/24	Amended into LB 512		
LB124	Baker	Increase the probationary period of	1/24	Advanced to General File		

		community college staff			
LB 144	Friesen	Change agricultural and horticultural adjusted valuations for calculating state aid to schools	2/6		
LB 155	Brasch	Require successful completion of a civics examination as a prerequisite to high school graduation	3/20		
LB 175	Morfeld	Adopt the Student Online Personal Protection Act	1/31	Amended into LB 512	
LB 214	Halloran	Terminate the Master Teacher Program	1/31		
LB 235	Walz	Clarify grant requirements for the Summer Food Service Program	1/23	Amended into LB 512	
LB 246	Morfeld	Provide a budget exception for Expanded Learning Opportunities	2/14	Advanced to General File	
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LB 308	Brasch	Change provisions relating to the committee on Americanism	3/20		
LB 377	Ed. Cmte	Change provisions relating to classification of	1/31	Advanced to General File	

		school districts				
LB 396	Morfeld	Change residency provisions relating to postsecondary educational institutions	1/24			
LB 398	Wayne	Provide requirements for public school districts relating to swimming activities	2/27	Amended into LB 512		
LB 409	Groene	Change the base limitation and local effort rate for school districts	3/21	Advanced to General File	Governor signed into law 5/10/2017	Committee Priority Bill
LB 427	Vargas	Require breastfeeding accommodations for student- parents	1/30	Advanced to General File	Governor signed into law 5/8/2017	
LB428	Vargas	Require schools and the State Department of Education to Adopt policies relating to pregnant and parenting students	1/30	Advanced to General File and amended into LB 427		
LB 457	Briese	Change exceptions to school district levy and budget exceptions for voluntary termination agreements	1/31	Amended into LB 512		
LB 484	Kolowski	Create the School Financing Review Commission	3/6			
LB 490	Walz	Adopt the College Choice Grant Program Act	2/27	Advanced to General File		
LB 511	Ed. Cmte	Change provisions for payment of educational costs for state wards and students in	2/28			

		residential settings				
LB 512	Ed. Cmte	Change provisions related to education	2/28	Advanced to General File	Governor signed into law 5/22/2017	Committee Priority Bill
LB 521	Walz	Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act	2/28			
LB 525	Morfeld	Change distribution provisions related to the Education Innovation Fund	2/14			
LB 540	Stinner	Provide for a temporary aid adjustment factor in the Tax Equity and Educational Opportunities Support Act (TEEOSA)	3/21			
LB 554	Smith	Provide for a financial transparency web site for schools, school districts, and educational service units	2/7			
LB 568	Erdman	Change provisions related to temporary teaching certificates	3/14			
LB 569	Friesen	Establish the Community College Task Force and sunset community college levies	2/27			
LB 571	Friesen	Change state aid for education relating to allocated income tax funds	2/6			

LB 575	Kolowski	Provide funding for schools offering certain programs and courses as prescribed	2/14			
LB 595	Groene	Provide for the use of physical force or physical restraint or removal from a class in response to student behavior	2/7	Advanced to General File		
LB 608	Linehan	Adopt the Parental Choice Scholarship Program	2/13			
LB 630	Larson	Adopt the Independent Public Schools Act	3/14			
LB 634	Wayne	Include virtual school students in the state aid to schools formula	3/6	Advanced to General File		
LB 645	Pansing Brooks	Add dyslexia for purposes of special education	2/7	Advanced to General File	Governor signed into law 5/10/2017	
LB 650	Linehan	Change provisions for teaching certificates	3/14			
LB 651	Linehan	Adopt the Nebraska Reading Improvement Act	3/7	Placed on Gen File via vote of majority of legislature (Pull Motion)		
LB 662	Linehan	Establish a grading system for schools and school districts	3/7			

BILLS PASSED DURING THE 2017 LEGISLATIVE SESSION

LB 62 (Scheer) Eliminate prohibition on teachers wearing religious garb

LB 62 repeals sections 79-898 and 79-899 of the Nebraska Revised Statutes. 79-898 prohibits a teacher from wearing any dress or garb in school or while engaged in the performance of his or her duty that identifies the teacher as a member or adherent of any religious order, sect or denomination. Violation of this section results in being found guilty of a misdemeanor and can be fined up to \$100, costs of prosecution or a jail term not exceeding 30 days.

79-899 states that a teacher found guilty under 79-898 shall be suspended for a year for a first offense and permanently disqualified from teaching at that school. Any school board member refusing to comply with this section is guilty of a Class V misdemeanor and can be fined up to \$100 and the costs of prosecution. Under LB 810, a retailer who serves alcohol to a noticeably intoxicated adult is liable for any resulting injury, death, or damage if the retailer was negligent or reckless in serving the intoxicated adult.

LB 62 advanced to General File by a 5-0 vote with 3 members absent. LB 62 was signed by the governor on March 27, 2017.

LB 119 (Groene) Change dates related to certifications and distributions of state aid to schools

LB 119 would delay the deadline for certifying state aid, budget authority, and applicable allowable reserve percentages under the Tax Equity and Educational Opportunities Support Act (TEEOSA) from March 1st to <u>June 1st</u> for 2017 only. LB 119 advanced from the Education Committee by a 5-0 vote with 3 members absent on January 23, 2017. The bill was passed on Final Reading by the Legislature by a 45-0 vote with 4 members not voting on February 13, 2017, upon which date the bill was presented to the Governor for his signature.

The governor signed the bill into law on February 5, 2017.

LB 409 (Groene) Change the base limitation and local effort rate for school districts

LB 409 would revise the Tax Equity and Educational Opportunities Support Act (TEEOSA), by reducing the base limitation rate for school districts found under section 77-3446 to 0% for school fiscal year 2017-18 and 2018-19. The effect of this change would be to decrease the amount of TEEOSA Aid provided by the state to school districts for 2017-18 and 2018-19. The budget growth for 2017-18 would be 2.5%.

LB 409 also amends section 79-1015.01(Local system formula resources; local effort rate yield; determination) to change the local effort rate from \$1.00 to \$1.01 for the purposes of increasing the level of resources available to school districts for school fiscal years 2017-18 and 2018-19.

LB 409 contains an emergency clause which requires passage with at least 33 votes on Final Reading. LB 409 was amended in Committee by AM 955 which made the following changes:

- Changed the base limitation rate under the bill from "0" to "1.5%", the current rate is set at 2.5%;
- Changed the Local Effort Rate from "1.01" to "1.02030", the current rate is at "1.00":
- Reduced Net Option Funding by 4.5%, and finally;
- Would clarify that Community Achievement Aid is to be considered as a resource, which would have an impact when determining Transition Aid.

LB 409 as amended by AM955 was advanced from Committee by an 8-0 vote. The governor signed the bill into law on May 10, 2017.

LB 427 (Vargas) require breastfeeding accommodations for student-parents

LB 427 is a bill that would expand the current law that allows a mother to breast-feed her child in any public or private location where she otherwise is authorized to be, to include mothers who attend public, private, denominational or parochial day schools. The bill would require those schools to provide private or appropriate facilities or accommodation for milk expression and storage for their students. LB 427 was advanced from Committee by a 6-2 vote. LB 427 was amended on general file by AM739, which added provisions from LB 428 to require school districts to adopt a written policy providing standards and guidelines to accommodate pregnant and parenting students.

School policies would be required to include the minimum standards contained in a model policy that would be developed by the state Department of Education. At a minimum, the policy would provide for student absences due to pregnancy and provide for private and hygienic spaces to express breast milk. It also would provide alternative methods for keeping pregnant or parenting students in the classroom by allowing them to complete coursework at home or by providing online classes or visits from tutors. AM739 was adopted 27-9.

LB 427 was passed by the Legislature on May 2, 2017 and was signed into law by the governor on May 8, 2017.

LB 512 (Ed. Cmte) Change provisions related to education

LB 512 was introduced at the request of the Nebraska Department of Education and would make the following changes to the Nebraska Revised statutes:

- The bill amends section 9-812 to eliminate outdated language and to eliminate limitation of a specific fiscal year that NDE may use improvement funds for the ACT,
- Amends section 79-237 to permit "current year" application for Enrollment Option Program,
- Amends section 79-2,144 to extend the date for completion of the assessment of every public school building by the NDE state school security director by 2 years to reflect budget cuts,
- Amends section 79-319 for State Board duties to include language required under current federal law for Perkins career and technical education and permit the Legislature to outright repeal 8 sections of statute (79-321, 79-738, 79-739, 79-740, 79-741, 79-742, 79-743, 79-744) that were adopted to comply with federal law in the 1950's for "vocational education",
- Amends Section 79-575 to permit a school board to designate someone else to carry out the duties set forth in that section of statute for the secretary of the school board.
- Amends a definition in Section 79-1003 for TEEOSA to strike the "best practices allowance" which is to be implemented in 2021-22, in the formula and to eliminate outdated language,
- Eliminates references to "best practices allowance" in statute; · Amends section 79-1054 to eliminate reference to the "best practice allowance" from an innovative grant awarded to be included in TEEOSA that would occur in the 2021-22 TEEOSA certification of aid,
- Amends two sections of statute that would permit NDE to utilize state funds for special education for a specific school district to repay the US Department of Education for that school district's failure to meet federal maintenance of effort requirements for IDEA instead of the school district having to send state funds to NDE and then NDE having to send those state funds to US Department of Education.
- Amends Section 79-1108.02 to strike the reference to section 9-812 (lottery funds) as being the source for high ability aid funds as high ability funds are now general funds,

LB 512 was amended in Committee to add LB 123 (Pansing Brooks), LB 175 (Morfeld), LB 235 (Walz), LB 398 (Wayne), LB 457 (Briese) and an provision to amend our Veteran's Postsecondary tuition provisions which utilize Post 9/11 GI Bill benefits to meet federal compliance. LB 512 advanced to Select File on a 32-2-10 vote.

AM970 (Sen. Briese) was adopted on select file and would for fiscal year 2018'-19', exempt from budget and levy limits the amounts levied to pay for 75 percent of the funds used for voluntary termination agreements. That would decrease to 50 percent for FY2019-20 and 25 percent for FY2020-21.

AM1083 (Sen. Harr) was also adopted on select file and would allow school districts already at their maximum levy to exempt from budget and levy limitations up to \$35,000

of payments for a teacher's voluntary termination agreement that is not part of a collective bargaining agreement. The provision would not apply to administrators.

On final reading, LB 512 was too returned to Select File for a specific amendment, AM1346. AM 1346 included the provisions contained in the previously adopted AM 970 and AM1083, as by procedure AM1083 was believed to have replaced AM970 as both amendments addressed the same section of statute, the amendment adopted last has been interpreted by the courts to be the intent of the legislature. AM1346 also returned the requirement that school districts demonstrate to the state board of education that the payment of incentives in exchange for a voluntary termination of employment will result in a net savings in salary and benefit costs to the district over a five-year period, as well as the requirement to report all incentives paid in exchange for voluntary terminations of employment on the annual financial report, which requirements were already in statute but had been removed under LB 457 as introduced. AM1346 was adopted by a 42-0 vote and was passed on Final Reading. LB 512 was signed by the governor on May 22, 2017.

LB 645 (Pansing Brooks) Add dyslexia for purposes of special education

LB 645 would add dyslexia to the list of defined disabilities, which includes blindness, deafness and autism. Dyslexia would be defined, in part, as a learning disability that is characterized by difficulty with accurate or fluent word recognition and by poor spelling and decoding abilities. LB 645 was advanced from Education Committee with AM106 attached, which amendment was technical in nature and tied the term dyslexia to the list of specific learning disabilities contained in subdivision (13) under section 79-1118.0. AM106 was adopted and LB 645 was advanced from the Education Committee by an 8-0 vote.

LB 645 was signed by the governor on May 10, 2017.

BILLS ADVANCED TO SELECT FILE DURING THE 2017 SESSION

BILLS ADVANCED TO GENERAL FILE DURING THE 2017 SESSION

LB 246 (Sen Morfeld) Provide a budget exception for Expanded Learning Opportunities

LB 246 would allow schools with more than one thousand students to exceed its budget by expenditures up to \$100,000 and schools with less than one thousand students to exceed its budget by expenditures up to \$50,000 for expanded, school based opportunities for students.

LB 377 (Ed. Cmte) Change provisions relating to classification of school districts

LB 377 would eliminate three of the current six school classifications. The three classifications being eliminated under this act are: <u>Class I, Class II</u> and <u>Class VI</u> school districts. This change would classify all Nebraska Public Schools as either a <u>Class III</u>, <u>Class IV</u> or <u>Class V</u> school district, with Lincoln Public Schools remaining as the only Class IV and Omaha Public Schools remaining as the only Class V.

The six school classifications were implemented in 1949 when Nebraska had over 6,500 school districts, today we have 245 school districts. The qualifications for receiving one of the six classifications under current statutes are:

- Class I which are a district with only elementary grades under a single school board:
- Class II which are a district with one thousand (1,000) or less inhabitants that maintains both elementary and high school grades under a single school board;
- Class III which are a district with more than one thousand (1,000) but less one hundred fifty thousand (150,000) inhabitants that maintains both elementary and high school grades under a single school board;
- Class IV which are a district with a city of the primary class that maintains both elementary and high school grades under a single school board;
- Class V which are a district that has a city of the metropolitan class and whose employees participate in a retirement system established under the Class V retirement act that maintains both elementary and high school grades under a single school board; and
- Class VI which are districts that maintain only high school grades under a single school board.

LB 377 also eliminates the minimum inhabitant language from the definition of Class III school districts so that the 18 current Class II school districts automatically become Class III school districts upon the effective date of the bill.LB 377 advanced from the Education Committee by an 8-0 vote.

LB 428 (Vargas) require schools and the State Department of Education to adopt policies relating to pregnant and parenting students

LB 428 would require school districts to adopt a written policy providing standards and guidelines to accommodate pregnant and parenting students. The bill would direct the state Department of Education to develop and distribute a model policy to districts that they could implement. At a minimum, the policy would require districts to provide for student absences due to pregnancy and eliminate requirements for physician approval to return to school or participate in extracurricular activities after pregnancy. They also would be required to provide alternative methods for keeping pregnant or parenting students in the classroom by allowing them to complete coursework at home or by providing online classes or visits from tutors.

The model policy developed under LB 428 would require districts to ensure that students have private, hygienic spaces to express breast milk during the school day. Finally, if schools do not have an in-school child care facility, the proposed policy would identify local child care providers or designate staff to assist student parents in placing their children in child care facilities that collaborate with the school.

The department's model policy would be developed and distributed to districts by Dec. 1, 2017, and individual districts would be required to adopt a policy by May 1, 2018. The policies would be implemented at the start of the 2018-2019 school year.

In addition to creating a model policy, the department also would offer training for teachers, counselors and administrators on school districts' adopted policies.

LB 595 (Groene) Provide for the use of physical force or physical restraint or removal from a class in response to student behavior

LB 595 would allow teachers and administrators to use physical force to restrain or subdue a student that becomes physically violent toward himself or herself, another student, a teacher or an administrator. A teacher or administrator also could physically restrain a student who is destroying school property. The proposal would allow a teacher to remove a student from class if the student's behavior interferes with the teacher's ability to communicate with students or with the students' ability to learn.

A student removed from a classroom for disruptive behavior could not return the student to the classroom from which they were removed without the teacher's consent.

The bill would prevent legal action or administrative discipline against teachers who protect students or themselves, protect school property or remove a disruptive student from a classroom. LB 595 was amended in committee by AM581 which made the following changes: it clarified that the teacher's actions have to be reasonable and that a disruptive student can be returned to a teacher's classroom over the teacher's objection if required by the federal Individuals with Disabilities Act or after a conference between the

principal, the teacher and the student's parent or legal guardian. LB 595 as amended was advanced to General File by a 7-2 vote, with 1 member present but not voting.

LB 651 (Linehan) Adopt the Nebraska Reading Improvement Act

LB 651 establishes the Nebraska Reading Improvement Act ("The Act"). Under this act, schools are to identify children that read below their grade level in kindergarten, first, second, and third grade using state approved local or statewide assessments. Upon identification, schools shall offer to those students within 30 days an accelerated reading intervention program to address reading deficiencies. If the student still has a reading deficiency in the third grade, the student shall not be promoted to the next grade unless the student has demonstrated adequate performance through alternative means identified in statute. Any student not promoted shall be provided by the school with an intensive reading intervention program. The bill further provides for an intensive accelerated reading program for students retained in third grade who had previously been retained. Finally, the bill establishes notice provisions for the students' parents and a reporting requirement of the school board to the department of education on reading deficiencies and progress.

LB 651 was not advanced by the Education Committee but was pulled onto the floor by a 30-13 vote.

BILLS HELD DURING THE 2017 SESSION

LB 103 (Murante) Change provisions relating to accelerated or differentiated curriculum and require establishment of focus groups

LB 103 would require each school district in a learning community that offers an accelerated or differentiated curriculum program to create a high-ability learners focus group. The focus groups would consist of teachers, parents and administrators and also may include representatives from organizations that advocate for meeting the educational needs of high-ability learners. The groups would look for ways that parents and students can play a role in their district's accelerated or differentiated curriculum program and study issues related to high-ability learners.

The bill would require school districts to provide the focus groups with the district's criteria for identifying students with high ability and the number of those students participating in accelerated programs. It also would require districts to disclose how much they spend on programs for high-ability learners.

LB 109 (Blood) Provide for a temporary teaching certificate or permit for military spouses

LB 109 would amend section 79-813 in order to provide for a process that issues temporary teaching certificates or permits to military spouses if those spouses meets the comparable and equivalent requirements to teach in Nebraska. The certificate is valid for six months, allowing the recipient the time needed to receive their permanent certificate or permit to be issued.

LB 123 (Pansing Brooks) Provide for reimbursement when certain postsecondary institutions terminate operations

LB 123 would authorize the Coordinating Commission on Postsecondary Education to assess a fee on for-profit post-secondary institutions that have a physical presence in the state and direct the proceeds to a cash fund. The commission then would receive, evaluate and pay claims to students to recover lost tuition and fees resulting from the closure of a for-profit institution.

Each for-profit postsecondary institution would be assessed the fee until the cash fund reaches a minimum of \$250,000; the fund would be capped at \$500,000. Schools would be required to maintain a surety bond to provide protection to students until the fund reaches the minimum level.

The bill also would require that student records be maintained and transferred when a school closes. Finally, it would require for-profit institutions, if they close, to reimburse the Nebraska Opportunity Grant Fund for academic terms not completed by students who received awards from the fund. (*LB 123 was amended into LB 512*)

LB 144 (*Friesen*) Change agricultural and horticultural adjusted valuations for calculating state aid to schools

LB 144 lowers the percentage of actual value of agricultural and horticultural land for purposes of TEEOSA as follows:

- In school fiscal years prior to FY 2018-19, the percentage is 72%;
- FY 2018-19, the percentage is 50%;
- FY 2019-20, the percentage is 40%;
- FY 2020-21, the percentage is 30%;
- FY 2021-22, the percentage is 20%.

LB 175 (Morfeld) Adopt the Student Online Personal Protection Act

LB 175 is a bill that would implement the Nebraska version of a Student Online Personal Information Protection Act (SOPIPA), which would prohibit technology companies who contract with schools from using student data and student information for targeted advertising or creating student profiles for non-educational purposes such as for providing credit or insurance. (*LB 175 was amended into LB 512*)

LB 214 (Halloran) Terminate the Master Teacher Program

LB 214 would end the master teacher program, which provides aid to teachers seeking a National Board for Professional Teaching Standards credential.

Teachers who apply for the program are eligible to receive an award amounting to 50 percent of the registration fees. They may apply for an award to receive the other half of the fees after completing the program. After fees are reimbursed, the remainder of the fund is used to pay a \$5,000 salary bonus to teachers who have the credential.

The Legislature appropriated \$500,000 to the program in fiscal year 2015-16 and again in FY2016-17.

LB 235 (Walz) Clarify grant requirements for the Summer Food Service Program

LB 235 would authorize sponsors of a summer food service program to spend a grant's full amount when starting or expanding a child nutrition program. Currently sponsors of a summer food service program are eligible to apply for up to \$15,000 in grants annually to expand or start additional programs. Qualifying expenses include equipment, staff salaries, training and vehicles used to transport food.

Under current rules, sponsors must prorate their expenses. For example, if a sponsor needed to buy a refrigerator that would only be used during the summer, the grant would

cover only a fraction of its cost to correspond with the days of use, leaving the program to come up with the remaining amount of funding to make the purchase. It is believed that the changes made under LB 235 allow for more low-income students to be served notably in rural Nebraska according to the introducer. (LB 235 was amended into LB 512)

LB 247 (Sen Morfeld) Provide for school district levy and bonding authority

LB 247 would add the ability for schools to levy for bonding purposes, improvements to address cybersecurity vulnerability under this section. LB 247 would also add school administration buildings as locations that may receive repairs and improvements under this section. Currently only existing school buildings or the grounds of such existing school buildings may utilize the funding mechanism. The expansion of levy and bonding authority under this section must fit within the three cent, per one hundred dollars of valuation limitation currently provided under section 79-10,110.02.

LB 265 (Friesen) Provide for a minimum amount of state aid based on the number of students in a local system

LB 265 would direct \$1,500 per student to school districts beginning with fiscal year 2018-19. The amount would increase incrementally each year until it reaches \$5,500 in FY2022-23. The bill would increase state aid to public schools by an estimated \$71.8 million in FY2018-19 and by \$152.6 million in FY2019-20.

LB 396 (*Morfeld*) Change residency provisions relating to postsecondary educational institutions

LB396 changes the determination of residency for state postsecondary institutions. LB396 provides that if a student has received an associate, bachelors, masters, doctoral degree, or the equivalent from any accredited college or university in the State of Nebraska, they would be considered a resident.

LB 398 (Wayne) Provide requirements for public school districts relating to swimming activities

LB 398 requires certification of swimming instructors and lifeguards at swimming pools located inside a public school and also provides for the requirement of certified swimming instructors and lifeguards during public school swimming activities. LB 398 was amended in the Education Committee to require that a certified lifeguard be present during school sponsored swimming activities. (LB 398 was amended into LB 512)

LB 457 (*Briese*) Change exceptions to school district levy and budget exceptions for voluntary termination agreements

LB 457 would remove the exemption from budget and levy limitations, voluntary termination agreements that are allowed under Nebraska Revised Statutes sections 77-3442, 79-1003, and 79-1028. (*LB 457 was amended into LB 512*)

LB 484 (Kolowski) Create the School Financing Review Commission

LB484 would create the School Financing Review Commission to examine the option of using income and sales taxes to fund public schools and to examine school financing methods used in other states to avoid an overreliance on property taxes. The commission also would explore options for funding pre-kindergarten services and college- and career-readiness programs.

The commission's 20 members, would include, three senators, one representative of the governor, the state property tax administrator and school representatives, who would be appointed by the commissioner for education. The commission would disband Dec. 31, 2016.

The commission would be required to submit a progress report to the Legislature by Dec. 31, 2017. A final report with recommendations would be due Dec. 1, 2018, to the governor, the State Board of Education and the Legislature. The Commission would also be tasked to provide on or before July 1 of each even-numbered year beginning in 2020, a report on the adequacy of school funding sources.

LB 511 (*Education Committee*) Change provisions for payment of educational costs for state wards and students in residential settings

LB 511 amends several statutes that pertain to the education requirement of State Wards. This bill also attempts to bring the state into compliance with the federal requirements under the Every Student Succeeds Act of 2015 and the Fostering Connections to Success and Increasing Adoptions Act of 2008.

LB 521 (Walz) Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act

LB 521 seeks to provide additional funding for Early Childhood education by creating an Early Child hood Allowance and increasing the amount available for Early Childhood State Aid under TEEOSA. This dual approach would make additional funding available to both equalized and non-equalized school districts for early childhood education by providing both an "allowance" and "aid" components. LB 521 would also allow ESU's to provide Early Childhood classes, with the students and the associated expenditure of a remaining with the school district from where the children came.

LB 525 (Sen Morfeld) Change distribution provisions related to the Education Innovation Fund

LB 525 would reduce from 17% to 16% the percentage of Lottery Funds directed towards Innovation Grants administered by the Nebraska Department of Education (NDE). LB 525 would direct the one percent of lottery funds deducted from the Innovation Grants to

the funding of the Master Teacher Program, which is currently funded by \$470,000 of General Funds.

LB 525 also amends section 79-8,129 to provide for the receipt of the 1% of lottery funds that was deducted from the Innovation Grants and is to be applied towards the funding of the Master Teacher Program Fund created under this section. It is estimated by the Legislative Fiscal Office that the 1% to be diverted under this act would amount to roughly \$216,000 in 2017-18'.

LB 540 (Stinner) Provide for a temporary aid adjustment factor in the Tax Equity and Educational Opportunities Support Act (TEEOSA)

LB 540 would provide for a reduction of the "Formula Needs" of a school district under the Tax Equity and Educational Opportunities Support Act (TEEOSA) by a yet to be determined amount as well as to reduce the Allocated Income Tax amount distributed to a school system by the amount of the Temporary Aid Adjustment Factor, with the total amount being unknown at this time. The Temporary Aid Adjustment under this bill would be in effect for school fiscal years 2017-18 and 2018-19.

LB 554 (*Smith*) Provide for a financial transparency website for schools, school districts, and educational service units

LB 554 would require the State Board of Education to contract for the creation of a web site that, at a minimum, translates expenditures for schools, school districts and educational service units into a format that is readable by a layperson. The bill requires the establishment of an advisory committee on financial policies and procedures to work with the Nebraska Department of Education (NDE) and the contracting entity. The web site is to be available before July 1, 2018 and is to be updated annually.

LB 568 (Erdman) Change provisions related to temporary teaching certificates

LB 568 would create a new temporary teaching certificate for substitute teachers called the Temporary Substitute Teacher's Certificate. This teaching certificate satisfies the need to recruit more substitute teachers for both private and public schools. LB 568 would provide that beginning August 1, 2018 the Nebraska State Board of Education may issue a temporary teaching certificate that is valid for <u>5 years</u>, which is an increase from the current <u>2 year</u> time period. LB 568 provides that qualifications for the temporary certificate created under this act as follows:

- 1. The applicant must be 21 years old;
- 2. Have a valid high school diploma;
- 3. Complete 24 hours of in-service training;
- 4. Complete 10 hours of classroom observation at the elementary, middle and high school level for a total of 30 hours;
- 5. Complete and pass a course on the U.S. Constitution that is administered by the department with a score of at least 80%;

- 6. Complete and pass a course on the Neb. Constitution that is administered by the department with a score of at least 80%;
- 7. Submit fingerprints for the purpose of criminal history background check provided under section 79-814.01;
- 8. Complete an application for a "Temporary Teaching Certificate";
- 9. Submit an application fee not to exceed \$80 for a resident who has resided in Nebraska for 2 years or \$100 for any other applicant.

LB 569 (*Friesen*) Establish the Community College Task Force and sunset community college levies

LB 569 would establish a nine-member Community College Task Force for the purpose of evaluating duplication of educational services and funding sources for community colleges. The task force is to develop a report by December 1, 2018 outlining findings related to duplication of educational services, cost of funding duplicate services, and cost of outstanding bond obligations. The report is also to recommend alternative funding mechanisms for community colleges. The task force would terminate on January 1, 2020.

In addition to provisions relating to the Community College Task Force, LB569 provides that the authority of community college area boards to levy property taxes would be eliminated after FY2019-20.

LB 571 (Sen Friesen) Change state aid for education relating to allocated income tax funds

LB 571 would increase the amount of school district residents' income taxes collected and returned to school districts as allocated income tax funds. Presently, roughly 2% of a district residents' income tax liability is used for school funding purposes. The bill increases it to 20% which was the percentage when the TEEOSA formula was created.

LB 575 (Kolowski) Provide funding for schools offering certain programs and courses as prescribed

LB 575 would provide implementation grants for programs of excellence and reimbursements based on the students successfully completing such programs.

LB 608 (Linehan) Adopt the Parental Choice Scholarship Program

LB 608 would allow K-12 students zoned to the lowest performing schools in the state, based on the Nebraska Department of Education's accountability system, to take a portion of the per-pupil funding provided to the school identified as failing as a scholarship and use those funds to attend a school of their family's choice, including a state approved or accredited private school. If the previously identified failing school improves so that it no longer falls into the lowest performing school status, students zoned to that school, but not yet taking advantage of the scholarship, would no longer be eligible. A student taking advantage of this act, may continue to attend the private school on scholarship

until graduation or upon reaching age 21, whichever comes first. Students participating in the scholarship program are counted as students in their school district of residence for purposes of state aid calculated pursuant to the Tax Equity and Educational Opportunities Support Act (TEEOSA).

The scholarship amount paid by a resident district to a private participating school is the lesser of: 75% anticipated revenue per student for the school year or actual cost of tuition, books, and uniforms. Resident school districts are responsible for transportation. Resident school districts are to establish property tax relief funds with the other 25% of the anticipated revenue per student. The fund is to be used to reduce the property tax request in the following year after the school district budget has been adopted

LB 630 (Larson) Adopt the Independent Public Schools Act

Legislative Bill 630 would create the Independent Public Schools Act to authorize independent public schools. Each school would be managed by a board of trustees pursuant to a compact granted by the Independent Public School Authorizing and Accountability Commission (Commission) or the local school district in which the Independent Public School operates. Funding would be provided by the resident school districts of the students.

LB 634 (Wayne) Include virtual school students in the state aid to schools formula

LB 634 is a bill that would place in statute a definition of Virtual Schools and implement a procedure for reporting the attendance of virtual school students based on the number of classes attended under the calculation procedure for state aid under the Tax Equity and Educational Opportunities Support Act (TEEOSA).

LB 650 (Linehan) Change provisions for teaching certificate

LB 650 would provide that in addition to the certificates provided under 79-806 to 79-815 the State Board of Education will expand the manner in which a person could obtain a teaching certificate by creating an Alternative Certificate and an Adjunct Teaching Certificate. Teaching certificates would be granted under this act upon passage of an appropriate subject area examination designed by the State Board of Education, as well as for the following:

- For college credit earned;
- To a person who presents a valid doctoral degree accredited by a regional accrediting agency, though the certificate will be limited to the area of study of the degree;
- To a person holding a valid teaching certificate issued by a national or regional educator credentialing agency approved by the Board, the certificate is required to be annually maintained;
- To any person who possesses a valid teaching certificate from another state and who annually completes the requirements to maintain either the certification from

such other state or certification pursuant to rules and regulations of the board;

- Pursuant to an alternative certification program approved by the board; and
- To any person who has at least two years of teaching experience at the postsecondary level.

LB 650 would also create an "Adjunct Teaching Certificate" and would be available to those individuals who are subject area experts as proved through passage of subject area exams identified by the Board. The Adjunct Teaching Certificate is only valid for part-time teaching positions. The Certificate is valid for five years and is renewable upon satisfactory performance during each year of the certificate.

LB 662 (Linehan) Establish a grading system for schools and school districts

LB 662 would create an A-F school grading and accountability system applicable to all public schools and districts in Nebraska. School grades would be based on student performance measures, to include growth (improvement) from year to year, as well as graduation rates. The Nebraska Department of Education would be responsible for creating recognition awards for high performing schools and would also be responsible for creating school and district report cards to be made available to the public.

Each school earning a grade of A or having improved at least two grade levels shall have greater authority over the allocation of the school's total budget, state categorical funds, grants and local funds as specified by NDE.

BILLS INDEFINATELY POSTPONED BY THE JUDICIARY COMMITTEE DURING THE 2017 SESSION

REPORT ON THE PRIORITIZING OF INTERIM STUDY RESOLUTIONS Pursuant to Rule 4, Section 3(c)

COMMITTEE: Education DATE: 5/16/2017

The following resolution	ons were referred to the Committee on
<u>5/15/2017</u>	
	The committee has prioritized the resolutions in the
following order:	·

Resolution No.	<u>Subject</u>
LR 170	Interim study to examine issues under the jurisdiction of the Education Committee
LR 130	Interim study to examine issues related to the use of substitute teachers
LR 149	Interim study to examine the administrative structure and organization of school districts across the state
LR 222	Interim study to examine dyslexia and reading literacy in Nebraska
LR 150	Interim study to examine the ratio of administration, faculty, and support staff to student enrollment within secondary education in Nebraska
LR 200	Interim study to examine issues related to dual enrollment and other courses that allow a student to obtain both high school and postsecondary education credit for such course
LR 218	Interim study to examine the feasibility of consolidating the University of Nebraska Medical Center and the University of Nebraska at Omaha to create a single University of Nebraska institution in Omaha
LR 217	Interim study to examine the programs and majors offered by the University of Nebraska at the Lincoln, Omaha, and Kearney campuses
LR 148	Interim study to examine school meal programs in Nebraska
LR 212	Interim study to identify K-12 and postsecondary education resources to meet industry needs in preparing students for employment in careers requiring knowledge and skills in science, technology, engineering, and math with an emphasis on jobs in the biosciences sector
LR 155	Interim study to examine university campus policies and efforts aimed at reducing incidents of campus sexual violence and protecting the victims of such violence in Nebraska
LR 166	Interim study to examine mental health education provided in Nebraska schools
LR 129	Interim study to explore best practices for incorporating the study of the Holocaust and other genocides into primary and secondary curriculum

FIRST SESSION

LEGISLATIVE RESOLUTION 170

Introduced by Groene, 42; Ebke, 32; Erdman, 47; Linehan, 39; Morfeld, 46. PURPOSE: The purpose of this resolution is to examine any issues within the jurisdiction of the Education Committee of the Legislature that may arise during the interim.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 130

Introduced by Groene, 42; Ebke, 32; Erdman, 47; Friesen, 34; Linehan, 39. PURPOSE: The purpose of this resolution is to examine issues related to the use of substitute teachers. The study shall focus on when and why substitute teachers are used, the use of substitute teachers due to sabbaticals or professional development activities and conference attendance by certificated teachers, how frequently substitute teachers are used for various purposes, the fiscal impact of using substitute teachers, and the relationship between collective bargaining agreements and the use of substitute teachers.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 149

Introduced by Linehan, 39; Wayne, 13.

PURPOSE: The purpose of this resolution is to study the administrative structure and organization of school districts across the state.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 222

Introduced by Pansing Brooks, 28; Baker, 30; Groene, 42; Kolterman, 24; Krist, 10; Linehan, 39; Walz, 15.

PURPOSE: Early reading literacy plays a key role in enabling the kind of early learning experiences that research shows are linked with academic achievement, reduced retention, higher graduation rates, less contact with the juvenile and adult criminal justice system, and enhanced productivity in adult life. Numerous states have created legislation specifying the process of screening for dyslexia and reading literacy. Nebraska is currently one of only eleven states that has no such legislation in place. During the 2016 session, the Legislature passed LB 645, which defined dyslexia as a specific learning disability in state statute. The Nebraska Department of Education estimates that there were more than 15,000 children with learning disabilities between the ages of six to twenty-one years in 2016, and somewhere between eighty to eighty-five percent of those children have dyslexia.

Dyslexia's most visible indicators are often easily recognized, and if not caught early, put those affected rapidly behind their peers. National figures show that those with learning disabilities have dropout rates two point five times higher than their peers, and that they are twice as likely to be unemployed.

The purpose of this interim study is to examine dyslexia and reading literacy in Nebraska, including strategies for teacher training, student assessment, student intervention, and demonstrable student outcomes. This study shall include, but not be limited to:

- (1) A review of current policies and procedures in place in schools across the state for screening and intervention in regards to dyslexia;
- (2) A review of the latest scientific research on specific interventions that are necessary to identify at-risk families and improve outcomes for

children with dyslexia, including the Orton-Gillingham method;

- (3) A review of the impact of pre-K schooling on reading outcomes;
- (4) A review of the impact of poverty on statewide reading outcomes;
- (5) A review of barriers preventing the state from successfully providing early reading interventions;
- (6) A review of what other states are doing to successfully provide appropriate interventions and outcomes to students with dyslexia;
- (7) A review of the role of the Nebraska Department of Education in addressing dyslexia and reading literacy statewide; and
- (8) A review of the role of the College of Education and Human Sciences at the University of Nebraska-Lincoln in addressing dyslexia and reading literacy statewide.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 150

Introduced by Hughes, 44; Groene, 42.

PURPOSE: The purpose of this resolution is to examine the ratio of administration, faculty, and support staff to student enrollment within secondary education in Nebraska. The study committee shall examine trends for the past ten and twenty years and the cost of each group.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 200

Introduced by Linehan, 39.

PURPOSE: The purpose of this study is to examine issues related to dual enrollment and other courses that allow a student to obtain both high school and postsecondary education credit for such course. The study shall specifically examine the following:

- (1) What are the costs associated with dual enrollment courses;
- (2) Who pays such costs; and
- (3) How are credits awarded to students from the high school and from a postsecondary institution?

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 218

Introduced by Riepe, 12; Erdman, 47; Groene, 42.

PURPOSE: The purpose of this resolution is to study the feasibility of consolidating the University of Nebraska Medical Center and the University of Nebraska – Omaha to create a single University of Nebraska institution in Omaha.

This study shall examine the following:

- (1) The feasibility of such a merger;
- (2) Possible benefits for the University of Nebraska system;
- (3) Possible negative impacts for the University of Nebraska system; and
- (4) Possible impact on the cost of tuition.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 217

Introduced by Riepe, 12; Erdman, 47; Groene, 42.

PURPOSE: The purpose of this resolution is to study the programs and majors offered by the University of Nebraska at the Lincoln, Omaha, and Kearney campuses. This study shall examine the following:

- (1) Programs and majors offered at the Lincoln, Omaha, and Kearney campuses;
 - (2) A history of enrollment in the programs and majors offered;
 - (3) A history of funding for such programs and majors;
- (4) A history of staffing patterns for teaching staff, including professors, and support staff for each program or major offered.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 148

Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to study school meal programs in Nebraska, barriers to participation, and potential strategies to maximize the role of school meal programs in addressing child hunger. This study shall include, but not be limited to, an examination of the following issues:

- (1) Participation rates in school meal programs;
- (2) Barriers to participation, establishment, and maintenance of school meal programs;
- (3) The policies and procedures schools and school districts have in place regarding students' unpaid food accounts;
- (4) Models for increasing school breakfast participation, including, but not limited to, the community eligibility option; and
 - (5) Any other related topics the study committee deems appropriate.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 212

Introduced by Morfeld, 46; Kuehn, 38.

PURPOSE: The purpose of this interim study is to identify existing and potential K-12 and postsecondary education resources to meet industry needs in preparing students for employment in careers requiring knowledge and skills in science, technology, engineering, and mathematics (STEM) with an emphasis on jobs in the biosciences sector.

Targeting existing resources to prepare our K-12 and postsecondary students for career opportunities in the biosciences sector is key to this state's economic growth and preparation of Nebraska's future workforce. As jobs go unanswered in careers that require knowledge and skills in science, technology, engineering, and math, it is imperative to determine how existing resources can be used to train the next generation of workers in those areas.

The study will focus on potential career opportunities in biosciences, a sector that is growing, highly technical, well compensated, and in need of workers trained to work in a regulatory environment. The study shall be conducted in conjunction with the Nebraska Department of Education and Coordinating Commission for Postsecondary Education and shall:

- (1) Determine knowledge and skills required for employment in the biosciences sector;
- (2) Assess existing resources available in K-12 and postsecondary education to meet those needs; and
- (3) Assess available training options, such as K-12 and postsecondary education programs, that prepare students for careers within the biosciences industry.

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1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 155

Introduced by Howard, 9.

PURPOSE: Nationally, an estimated 11 percent of students experience campus rape, sexual assault, or sexual violence, with rates as high as 23 percent for female undergraduate students. Campus policies, law enforcement, and proactive action all play a role in reducing rates of campus sexual assault and ensuring that victims are protected when they report such assaults.

The purpose of this interim study is to examine campus policies and efforts aimed at reducing incidents of campus sexual violence and protecting the victims of such violence in Nebraska. This study will also compare practices in Nebraska with national best practices in reducing campus sexual violence. The study shall include, but is not limited to:

- (1) A compilation and examination of campus policies surrounding rape, sexual assault, and any other category of campus sexual violence or behavior, for all campuses of the University of Nebraska, for all colleges in the Nebraska State College System, and for each community college. Additionally, private institutions of higher education are encouraged to participate; and
- (2) Recommendations as to any statutory changes the Legislature should make in order to promote campus actions that reduce sexual violence, recommendations to campuses to reduce rates of sexual violence, and any relevant recommendations to improve protection for victims of campus sexual violence.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
 - 2. That the committee shall upon the conclusion of its study make a report

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of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 166

Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to better understand the scope and breadth of mental health education currently provided in Nebraska schools and to study the reasons mental health education is, or is not, taught in K-12 health classes. Mental health amongst youth is a growing concern, with more young people being diagnosed with mental illnesses every year. In order to carry out the purposes of this resolution, the study committee shall seek the assistance and input of mental and physical health care professionals, teachers and administrators from public schools, staff members of the Nebraska Department of Education, and mental health advocates within the community. The study committee shall:

- (1) Obtain information regarding how many adolescents in Nebraska are currently diagnosed with a mental illness;
- (2) Determine the state of mental health education in various schools and the capacity of schools to offer this type of curriculum;
- (3) Understand the research on the potential effects of mental health education on students with mental health concerns and their peers, parents, and teachers;
- (4) Determine the appropriate scope and sequence for mental health education;
 - (5) Develop a plan of action to increase mental health education; and
- (6) Examine the training in teacher preparation programs related to mental health education.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to

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conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

FIRST SESSION

LEGISLATIVE RESOLUTION 129

Introduced by Kolowski, 31; Pansing Brooks, 28.

PURPOSE: Current education standards in Nebraska generally mandate that students analyze events in world history; however, there is no requirement for students to learn about any particular events, including genocides and, specifically, the Holocaust. The Holocaust represents one of the most horrific periods of human history, and it is imperative that students learn about it and other genocides and the conditions under which such events occur.

The purpose of this study is to examine the current level of education regarding genocides in primary and secondary education and to explore examples and best practices for incorporating the study of the Holocaust and other genocides into the curriculum.

- 1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.