

E AND R AMENDMENTS TO LB 306

Introduced by Guereca, 7, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           **Section 1.** Section 79-215, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           79-215 (1) Except as otherwise provided in this section, a student  
6 is a resident of the school district where he or she resides and shall be  
7 admitted to any such school district upon request without charge.

8           (2) A school board shall admit a student upon request without charge  
9 if at least one of the student's parents resides in the school district.

10          (3) A school board shall admit any homeless student upon request  
11 without charge if the district is the district in which the student (a)  
12 is currently located, (b) attended when permanently housed, or (c) was  
13 last enrolled.

14          (4) A school board may allow a student whose residency in the  
15 district ceases during a school year to continue attending school in such  
16 district for the remainder of that school year.

17          (5) A school board may admit nonresident students to the school  
18 district pursuant to a contract with the district where the student is a  
19 resident and shall collect tuition pursuant to the contract.

20          (6) A school board may admit nonresident students to the school  
21 district pursuant to the enrollment option program as authorized by  
22 sections 79-232 to 79-246, and such admission shall be without charge.

23          (7) In order to carry out the provisions of section 79-2201, a  
24 school board shall permit children of military families to enroll  
25 preliminarily in a school district if a parent presents evidence of  
26 military orders that the military family will be stationed in this state  
27 during the current or following school year. A student of a military

1 family shall be admitted to the school district without charge upon  
2 arrival in Nebraska if the requirements of this section are met.

3 (8) A school board may admit a student who is a resident of another  
4 state to the school district and collect tuition in advance at a rate  
5 determined by the school board.

6 (9) When a student as a ward of the state or as a ward of any court  
7 (a) has been placed in a school district other than the district in which  
8 he or she resided at the time he or she became a ward and such ward does  
9 not reside in a foster family home licensed or approved by the Department  
10 of Health and Human Services or a foster home maintained or used pursuant  
11 to section 83-108.04 or (b) has been placed in any institution which  
12 maintains a special education program which has been approved by the  
13 State Department of Education and such institution is not owned or  
14 operated by the district in which he or she resided at the time he or she  
15 became a ward, the cost of his or her education and the required  
16 transportation costs associated with the student's education shall be  
17 paid by the state, but not in advance, to the receiving school district  
18 or approved institution under rules and regulations prescribed by the  
19 Department of Health and Human Services and the student shall remain a  
20 resident of the district in which he or she resided at the time he or she  
21 became a ward. Any student who is a ward of the state or a ward of any  
22 court who resides in a foster family home licensed or approved by the  
23 Department of Health and Human Services or a foster home maintained or  
24 used pursuant to section 83-108.04 shall be deemed a resident of the  
25 district in which he or she resided at the time he or she became a foster  
26 child, unless it is determined under section 43-1311 or 43-1312 that he  
27 or she will not attend such district in which case he or she shall be  
28 deemed a resident of the district in which the foster family home or  
29 foster home is located.

30 (10)(a) When a student is not a ward of the state or a ward of any  
31 court and is residing in a residential setting located in Nebraska for

1 reasons other than to receive an education and the residential setting is  
2 operated by a service provider which is certified or licensed by the  
3 Department of Health and Human Services or is enrolled in the medical  
4 assistance program established pursuant to the Medical Assistance Act and  
5 Title XIX or XXI of the federal Social Security Act, as amended, the  
6 student shall remain a resident of the district in which he or she  
7 resided immediately prior to residing in such residential setting. The  
8 resident district for a student who is not a ward of the state or a ward  
9 of any court does not change when the student moves from one residential  
10 setting to another.

11 (b) If a student is residing in a residential setting as described  
12 in subdivision (10)(a) of this section and such residential setting does  
13 not maintain an interim-program school as defined in section 79-1119.01  
14 or an approved or accredited school, the resident school district shall  
15 contract with the district in which such residential setting is located  
16 for the provision of all educational services, including all special  
17 education services and support services as defined in section 79-1125.01,  
18 unless a parent or guardian and the resident school district agree that  
19 an appropriate education will be provided by the resident school district  
20 while the student is residing in such residential setting. If the  
21 resident school district is required to contract, the district in which  
22 such residential setting is located shall contract with the resident  
23 district and provide all educational services, including all special  
24 education services, to the student. If the two districts cannot agree on  
25 the amount of the contract, the State Department of Education shall  
26 determine the amount to be paid by the resident district to the district  
27 in which such residential setting is located based on the needs of the  
28 student, approved special education rates, the department's general  
29 experience with special education budgets, and the cost per student in  
30 the district in which such residential setting is located. Once the  
31 contract has been entered into, all legal responsibility for special

1 education and related services shall be transferred to the school  
2 district in which the residential setting is located.

3 (c) If a student is residing in a residential setting as described  
4 in subdivision (10)(a) of this section and such residential setting  
5 maintains an interim-program school as defined in section 79-1119.01 or  
6 an approved or accredited school, the department shall reimburse such  
7 residential setting for the provision of all educational services,  
8 including all special education services and support services, with the  
9 amount of payment for all educational services determined pursuant to the  
10 average per pupil cost of the service agency as defined in section  
11 79-1116. The resident school district shall retain responsibility for  
12 such student's individualized education plan, if any. The educational  
13 services may be provided through (i) such interim-program school or  
14 approved or accredited school, (ii) a contract between the residential  
15 setting and the school district in which such residential setting is  
16 located, (iii) a contract between the residential setting and another  
17 service agency as defined in section 79-1124, or (iv) a combination of  
18 such educational service providers.

19 (d) If a school district pays a school district in which a  
20 residential setting is located for educational services provided pursuant  
21 to subdivision (10)(b) of this section and it is later determined that a  
22 different school district was the resident school district for such  
23 student at the time such educational services were provided, the school  
24 district that was later determined to be the resident school district  
25 shall reimburse the school district that initially paid for the  
26 educational services one hundred ten percent of the amount paid.

27 (e) A student residing in a residential setting described in this  
28 subsection shall be defined as a student with a handicap pursuant to  
29 Article VII, section 11, of the Constitution of Nebraska, and as such the  
30 state and any political subdivision may contract with institutions not  
31 wholly owned or controlled by the state or any political subdivision to

1 provide the educational services to the student if such educational  
2 services are nonsectarian in nature.

3 (11) A school board shall admit a student upon request without  
4 charge for part-time enrollment for purposes of participating in  
5 extracurricular activities in accordance with section 79-2,136 if (a) the  
6 student is also enrolled in a private, denominational, or parochial  
7 school or in a school which elects pursuant to section 79-1601 not to  
8 meet accreditation or approval requirements and (b) either (i) the school  
9 district where such student or such student's parent resides does not  
10 offer the extracurricular activity in which the student desires to  
11 participate and the school district which the student is requesting to  
12 attend is the closest school district to the residence of such student or  
13 such student's parent that offers such extracurricular activity or (ii)  
14 the school district where such student or such student's parent resides  
15 does offer the extracurricular activity in which the student desires to  
16 participate but the school district the student is requesting to attend  
17 includes the closest school to the residence of such student or such  
18 student's parent that offers such extracurricular activity.

19 (12) ~~(11)~~ In the case of any individual eighteen years of age or  
20 younger who is a ward of the state or any court and who is placed in a  
21 county detention home established under section 43-2,110, the cost of his  
22 or her education shall be paid by the state, regardless of the district  
23 in which he or she resided at the time he or she became a ward, to the  
24 agency or institution which: (a) Is selected by the county board with  
25 jurisdiction over such detention home; (b) has agreed or contracted with  
26 such county board to provide educational services; and (c) has been  
27 approved by the State Department of Education pursuant to rules and  
28 regulations prescribed by the State Board of Education.

29 (13) ~~(12)~~ No tuition shall be charged for students who may be by law  
30 allowed to attend the school without charge.

31 (14) ~~(13)~~ The State Department of Education shall establish

1 procedures and criteria for collecting enrollment, admission, and related  
2 information needed for any student to attend a school district in this  
3 state which shall include, but not be limited to, having an adult with  
4 legal or actual charge or control of a student provide through electronic  
5 means or other means specified by the department the name of the student,  
6 the name of the adult with legal or actual charge or control of the  
7 student, the address where the student is or will be residing, and  
8 information on how and where the adult may generally be reached during  
9 the school day.

10 (15) ~~(14)~~ The department may adopt and promulgate rules and  
11 regulations to carry out the provisions of this section.

12 **Sec. 2.** Section 79-2,136, Reissue Revised Statutes of Nebraska, 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  
17 ~~subsections (1), and (2), or (11)~~ of section 79-215 and who are also  
18 enrolled in a private, denominational, or parochial school or in a school  
19 which elects pursuant to section 79-1601 not to meet accreditation or  
20 approval requirements and shall establish policies and procedures for  
21 such part-time enrollment. Such policies and procedures may include  
22 provisions permitting the part-time enrollment of such students who are  
23 not residents of, or admitted to, such school districts to the extent  
24 permitted pursuant to section 79-215 and may require part-time students  
25 to follow school policies that apply to other students at any time the  
26 part-time student is present on school grounds or at a school-sponsored  
27 activity or athletic event. Part-time enrollment shall not entitle a  
28 student to transportation or transportation reimbursements pursuant to  
29 section 79-611.

30 (2) Each school board shall establish policies and procedures to  
31 allow any student who is a resident of, or admitted to, the school

1 district pursuant to subsection (1), ~~or (2)~~, or (11) of section 79-215  
2 and who is enrolled in a school which elects pursuant to section 79-1601  
3 not to meet accreditation or approval requirements to participate in any  
4 extracurricular activities as defined in section 79-2,126, including, but  
5 not limited to, interschool competitions, to the same extent and subject  
6 to the same requirements, conditions, and procedures as a student  
7 enrolled in a public school governed by such board, except that any  
8 school which elects pursuant to section 79-1601 not to meet accreditation  
9 or approval requirements shall set the standards for satisfactory  
10 academic performance for a student from the school to participate in  
11 extracurricular activities pursuant to this subsection and shall provide  
12 assurances of compliance with such academic standards.

13 (3) School board policies and procedures adopted pursuant to  
14 subsection (2) of this section (a) shall require any student desiring to  
15 participate ~~participating~~ in extracurricular activities regulated by an  
16 athletics or activities association to which such school is a member  
17 pursuant to such subsection to be enrolled in ~~no more and no less than~~  
18 five credit hours offered by the school district in any semester in order  
19 to participate in such extracurricular activities, but may not prohibit a  
20 student from enrolling in more than five credit hours, (b) shall not  
21 allow any preference in the selection of a student for participation in  
22 an extracurricular activity based on such student's status as a full-time  
23 student in the school district, and (c) may require any student  
24 participating in extracurricular activities pursuant to such subsection  
25 to follow school policies that apply to other students when present on  
26 school grounds or at a school-sponsored activity or athletic event.  
27 Participation in extracurricular activities pursuant to subsection (2) of  
28 this section shall not entitle a student to transportation, except to and  
29 from practices and events to the same extent as public school students  
30 participating in such activities, or transportation reimbursement  
31 pursuant to section 79-611.

1 (4) Nothing in this section shall be construed to exempt any student  
2 from the compulsory attendance provisions of section sections 79-201 or  
3 any statutes relating to habitual truancy to 79-210.

4 **Sec. 3.** Section 85-304, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 85-304 (1) The Board of Trustees of the Nebraska State Colleges  
7 shall have the power:

8 (a) To appoint a president and such other persons as may be required  
9 for each state college;

10 (b) To fix their compensation and prescribe their duties;

11 (c) To remove all persons appointed, but the affirmative votes of  
12 four members of the board shall be necessary to remove a president or an  
13 assistant during the time for which such persons were appointed;

14 (d) Through an extension division, to provide for holding of classes  
15 at various localities throughout the state, avoiding unnecessary  
16 duplication of courses offered by other educational institutions in such  
17 localities;

18 (e) To acquire real and personal property and dispose of the same  
19 whenever any of the state colleges will be benefited thereby, but no  
20 grounds upon which any buildings of any of the state colleges are located  
21 shall be disposed of without the consent of the Legislature;

22 (f) To pay expenses for recruitment of academic, administrative,  
23 professional, and managerial personnel; ~~and~~

24 (g) To provide benefits for all present and future employees,  
25 including group life insurance, group hospital-medical insurance, and  
26 group long-term disability income insurance; and -

27 (h) To engage in any activity granted to the board pursuant to  
28 section 4 of this act.

29 (2) The board shall have the duty:

30 (a) To institute a continuing program of preventive maintenance and  
31 a program of deferred maintenance consistent with the provisions of the

1 Deferred Building Renewal Act; and

2 (b) To consult with the Nebraska Arts Council and acquire works of  
3 art for the original construction of any public building under its  
4 supervision consistent with sections 82-317 to 82-329 and 85-304 to  
5 85-304.03.

6 **Sec. 4.** (1) The Board of Trustees of the Nebraska State Colleges  
7 may enter into long-term leases, lease-purchase agreements, or financing  
8 contracts with any person, firm, governmental entity, or corporation to  
9 finance or refinance student housing or student activity facilities for  
10 use by the state colleges. The board of trustees may also convey, lease,  
11 or lease back all or any part of its student housing or student activity  
12 facilities and the land on which any such facility is situated to such  
13 person, firm, governmental entity, or corporation as the board of  
14 trustees may contract with to facilitate the long-term payment of the  
15 cost of such facilities. Any such long-term lease, lease-purchase  
16 agreement, or financing contract may include payments over multiple years  
17 from any source legally available to the board of trustees exclusive of  
18 state tax funds, may include student housing or student activity  
19 facilities on property owned by the Board of Trustees of the Nebraska  
20 State Colleges or on property owned by any other person, firm,  
21 governmental entity, or corporation, and shall include such other terms  
22 and provisions as may be determined necessary or appropriate by, or at  
23 the direction of, the board of trustees. Any such financing for a new  
24 student housing project shall be subject to the receipt of project  
25 approval from the Coordinating Commission for Postsecondary Educations as  
26 required by subsection (10) of section 85-1414, as long as state tax  
27 funds are not being used for the project.

28 (2) The authority provided in this section shall be deemed to  
29 provide a complete method for the measures and actions authorized in this  
30 section and shall be regarded as supplemental and additional to powers  
31 conferred by other laws. The board of trustees, employing the authority

1 set forth in this section, shall not be required to comply with the  
2 requirements of any other law applicable to entering into long-term  
3 contracts, pledging revenue, the financing and approval of facilities  
4 under the control of the board of trustees, and other related matters.

5 **Sec. 5.** Section 85-1402, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 85-1402 For purposes of the Coordinating Commission for  
8 Postsecondary Education Act:

9 (1)(a) Capital construction project shall mean a project which  
10 utilizes tax funds designated by the Legislature and shall be: Any  
11 proposed new capital structure; any proposed addition to, renovation of,  
12 or remodeling of a capital structure; any proposed acquisition of a  
13 capital structure by gift, purchase, lease-purchase, or other means of  
14 construction or acquisition that (i) will be directly financed in whole  
15 or in part with tax funds designated by the Legislature totaling at least  
16 the minimum capital expenditure for purposes of this subdivision or (ii)  
17 is likely, as determined by the institution, to result in an incremental  
18 increase in appropriation or expenditure of tax funds designated by the  
19 Legislature of at least the minimum capital expenditure for the  
20 facility's operations and maintenance costs in any one fiscal year within  
21 a period of ten years from the date of substantial completion or  
22 acquisition of the project. No tax funds designated by the Legislature  
23 shall be appropriated or expended for any incremental increase of more  
24 than the minimum capital expenditure for the costs of the operations and  
25 utilities of any facility which is not included in the definition of  
26 capital construction project and thus is not subject to commission  
27 approval pursuant to the Coordinating Commission for Postsecondary  
28 Education Act. No institution shall include a request for funding such an  
29 increase in its budget request for tax funds designated by the  
30 Legislature nor shall any institution utilize any such funds for such an  
31 increase. The Governor shall not include in his or her budget

1 recommendations, and the Legislature shall not appropriate, such funds  
2 for such increase.

3 (b) For purposes of this subdivision:

4 (i) Directly financed shall mean funded by:

5 (A) Appropriation of tax funds designated by the Legislature for the  
6 specific capital construction project;

7 (B) Property tax levies authorized pursuant to subdivision (1)(b) of  
8 section 85-1517 for fiscal years prior to fiscal year 2013-14 and  
9 subdivision (2)(b) of section 85-1517 for fiscal year 2013-14 and each  
10 fiscal year thereafter used to establish a capital improvement and bond  
11 sinking fund as provided in section 85-1515; or

12 (C) That portion of tax funds designated by the Legislature and  
13 appropriated by the Legislature for the general operation of the public  
14 institution and utilized to fund the capital project;

15 (ii) Incremental increase shall mean an increase in appropriation or  
16 expenditure of tax funds designated by the Legislature of at least the  
17 minimum capital expenditure for a facility's operations and maintenance  
18 costs, beyond any increase due to inflation, to pay for a capital  
19 structure's operations and maintenance costs that are a direct result of  
20 a capital construction project; and

21 (iii) Minimum capital expenditure shall mean:

22 (A) For purposes of subdivision (a)(i) of this subdivision, a base  
23 amount of five ~~two~~ million dollars; and

24 (B) For the facility's operations and maintenance costs pursuant to  
25 subdivision (a)(ii) of this subdivision, a base amount of two hundred  
26 ~~eighty-five~~ thousand dollars for any one fiscal year.

27 ~~Both The base amounts amount for the facility's operations and~~  
28 ~~maintenance costs~~ shall be subject to any inflationary or market  
29 adjustments made by the commission pursuant to this subdivision. The  
30 commission shall adjust the base amounts ~~amount~~ on a biennial basis  
31 beginning January 1, 2026 ~~2010~~. The adjustments shall be based on

1 percentage changes in a construction cost index and any other published  
2 index relevant to operations and utilities costs, both as selected by the  
3 commission in cooperation with the public institutions. The index or  
4 indices shall reflect inflationary or market trends for the applicable  
5 operations and maintenance or construction costs;

6 (2) Commission shall mean the Coordinating Commission for  
7 Postsecondary Education;

8 (3) Coordination shall mean:

9 (a) Authority to adopt, and revise as needed, a comprehensive  
10 statewide plan for postsecondary education which shall include (i)  
11 definitions of the role and mission of each public postsecondary  
12 educational institution within any general assignments of role and  
13 mission as may be prescribed by the Legislature and (ii) plans for  
14 facilities which utilize tax funds designated by the Legislature;

15 (b) Authority to review, monitor, and approve or disapprove each  
16 public postsecondary educational institution's programs and capital  
17 construction projects which utilize tax funds designated by the  
18 Legislature in order to provide compliance and consistency with the  
19 comprehensive plan and to prevent unnecessary duplication; and

20 (c) Authority to review and modify, if needed to promote compliance  
21 and consistency with the comprehensive statewide plan and prevent  
22 unnecessary duplication, the budget requests of the governing boards or  
23 any other governing board for any other public postsecondary educational  
24 institution which may be established by the Legislature;

25 (4) Education center shall mean an off-campus branch of a public  
26 institution or cooperative of either public or public and private  
27 postsecondary educational institutions which offers instructional  
28 programs to students;

29 (5) Governing board shall mean the Board of Regents of the  
30 University of Nebraska, the Board of Trustees of the Nebraska State  
31 Colleges, or the board of governors for each community college area;

1 (6) Program shall mean any program of instruction which leads  
2 directly to a degree, diploma, or certificate and, for purposes of  
3 section 85-1414, shall include public service programs and all off-campus  
4 instructional programs, whether or not such programs lead directly to a  
5 degree, diploma, or certificate. Program shall also include the  
6 establishment of any new college, school, major division, education  
7 center, or institute but shall not include reasonable and moderate  
8 extensions of existing curricula which have a direct relationship to  
9 existing programs;

10 (7) Public institution shall mean each campus of a public  
11 postsecondary educational institution which is or may be established by  
12 the Legislature, which is under the direction of a governing board, and  
13 which is administered as a separate unit by the board; and

14 (8) Tax funds designated by the Legislature shall mean all state tax  
15 revenue and all property tax revenue.

16 **Sec. 6.** Section 85-1412, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 85-1412 The commission shall have the following additional powers  
19 and duties:

20 (1) Conduct surveys and studies as may be necessary to undertake the  
21 coordination function of the commission pursuant to section 85-1403 and  
22 request information from governing boards and appropriate administrators  
23 of public institutions and other governmental agencies for research  
24 projects. All public institutions and governmental agencies receiving  
25 state funds shall comply with reasonable requests for information under  
26 this subdivision. Public institutions may comply with such requests  
27 pursuant to section 85-1417;

28 (2) Recommend to the Legislature and the Governor legislation it  
29 deems necessary or appropriate to improve postsecondary education in  
30 Nebraska and any other legislation it deems appropriate to change the  
31 role and mission provisions in sections 85-917 to 85-966.01. The

1 recommendations submitted to the Legislature shall be submitted  
2 electronically;

3 (3) Establish any advisory committees as may be necessary to  
4 undertake the coordination function of the commission pursuant to section  
5 85-1403 or to solicit input from affected parties such as students,  
6 faculty, governing boards, administrators of the public institutions,  
7 administrators of the private nonprofit institutions of postsecondary  
8 education and proprietary institutions in the state, and community and  
9 business leaders regarding the coordination function of the commission;

10 (4) Participate in or designate an employee or employees to  
11 participate in any committee which may be created to prepare a  
12 coordinated plan for the delivery of educational programs and services in  
13 Nebraska through the telecommunications system;

14 (5) Seek a close liaison with the State Board of Education and the  
15 State Department of Education in recognition of the need for close  
16 coordination of activities between elementary and secondary education and  
17 postsecondary education;

18 (6) Administer the Integrated Postsecondary Education Data System or  
19 other information system or systems to provide the commission with  
20 timely, comprehensive, and meaningful information pertinent to the  
21 exercise of its duties. The information system shall be designed to  
22 provide comparable data on each public institution. The commission shall  
23 also administer the uniform information system prescribed in sections  
24 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public  
25 institutions shall supply the appropriate data for the information system  
26 or systems required by the commission;

27 (7) Administer (a) the Access College Early Scholarship Program Act,  
28 (b) the Community College Aid Act, (c) the Door to College Scholarship  
29 Act and the Door to College Scholarship Fund, (d) the Nebraska Community  
30 College Student Performance and Occupational Education Grant Fund under  
31 the direction of the Nebraska Community College Student Performance and

1 Occupational Education Grant Committee, (e) the Nebraska Opportunity  
2 Grant Act and the Nebraska Opportunity Grant Fund, (f) the Postsecondary  
3 Institution Act, (g) the community college gap assistance program and the  
4 Community College Gap Assistance Program Fund, and (h) the Excellence in  
5 Teaching Act and the Excellence in Teaching Cash Fund;

6 (8) Accept and administer loans, grants, and programs from the  
7 federal or state government and from other sources, public and private,  
8 for carrying out any of its functions, including the administration of  
9 privately endowed scholarship programs. Such loans and grants shall not  
10 be expended for any other purposes than those for which the loans and  
11 grants were provided. The commission shall determine eligibility for such  
12 loans, grants, and programs, and such loans and grants shall not be  
13 expended unless approved by the Governor;

14 (9) Serve as the primary coordinating entity to determine the most  
15 efficient and effective manner to transition or devolve data collection,  
16 grants, programs, and related responsibilities and functions from the  
17 United States Department of Education to the governing boards and  
18 administrators of public and private institutions of postsecondary  
19 education in the state or to the commission.

20 (10) ~~(9)~~ On or before December 1 of each even-numbered year, submit  
21 to the Legislature and the Governor a report of its objectives and  
22 activities and any new private colleges in Nebraska and the  
23 implementation of any recommendations of the commission for the preceding  
24 two calendar years. The report submitted to the Legislature shall be  
25 submitted electronically;

26 (11) ~~(10)~~ Provide staff support for interstate compacts on  
27 postsecondary education; and

28 (12) ~~(11)~~ Request inclusion of the commission in any existing grant  
29 review process and information system.

30 **Sec. 7.** Section 85-3003, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges  
2 shall award a Nebraska Career Scholarship that does not exceed a maximum  
3 of fifteen thousand dollars per year to any eligible state college  
4 student (i) who achieved a composite score on any college admission test  
5 equivalent to a standard college admission test equivalent to a score of  
6 at least eighteen out of a maximum score of thirty-six or who had a high  
7 school grade-point average of 3.0 or greater on a four-point scale and  
8 (ii) who is enrolled in an eligible program of study.

9           (b) The Board of Trustees of the Nebraska State Colleges shall  
10 allocate funds appropriated to the board under the Nebraska Career  
11 Scholarship Act between the state college campuses, determine the  
12 eligibility of students enrolled in a state college, receive and process  
13 applications for awards to individual students, and disburse funds  
14 directly to scholarship recipients during the fiscal year. Eligibility  
15 criteria shall include being a first-time freshman or a transfer student  
16 and enrollment in an eligible program of study.

17           (c) For purposes of this section, an eligible program of study  
18 includes the following:

19           (i) A program of study at a state college in rangeland management,  
20 industrial technology, criminal justice, business administration,  
21 education, communication, the Reserve Officers' Training Corps, or  
22 computer information systems; and

23           (ii) Beginning with academic year 2024-25, a program of study  
24 designated by the Department of Economic Development, in collaboration  
25 with the Board of Trustees of the Nebraska State Colleges, based on  
26 periodic reviews of workforce needs in the state.

27           (2) Each scholarship recipient shall register with the appropriate  
28 campus office to obtain a Nebraska-based internship, apprenticeship,  
29 clinical position, or employment in a major-related field prior to  
30 completion of the student's eligible program of study.

31           (3) A Nebraska Career Scholarship may be used by a scholarship

1 recipient for tuition, fees, required tools and equipment, and room and  
2 board.

3 (4) Each scholarship awarded under this section shall be  
4 automatically renewed on an annual basis if the student remains enrolled  
5 in good standing in the eligible program of study for which such  
6 scholarship was awarded, except that no student shall receive a  
7 scholarship renewal after four years of participation in such eligible  
8 program of study.

9 (5) The Board of Trustees of the Nebraska State Colleges shall  
10 collect information on each state college scholarship recipient and shall  
11 report electronically to the Clerk of the Legislature and the Governor on  
12 or before December 1 of each year the following information for the  
13 eligible programs of study at a state college in the current or prior  
14 academic year:

15 (a) The total number of students enrolled in each eligible program  
16 of study in the immediately prior academic year and the total number of  
17 students enrolled in each eligible program of study for the current  
18 academic year, based upon official fall census data;

19 (b) The total number of scholarship recipients in each eligible  
20 program of study for the current academic year and the total number of  
21 such scholarship recipients who are newly enrolled in each eligible  
22 program of study for such academic year, based upon official fall census  
23 data;

24 (c) The total number of newly awarded scholarship recipients  
25 retained across all eligible programs of study from the immediately prior  
26 academic year to the current academic year and a comparison of the  
27 retention rates between those of the newly awarded scholarship recipients  
28 and the state college's overall first to second year retention rate  
29 reported to the Integrated Postsecondary Education Data System for the  
30 same year;

31 (d) The total number of scholarship recipients who graduated during

1 the immediately prior academic year and a comparison of the four-year  
2 graduation rates between the scholarship recipients who graduated and the  
3 state college's overall four-year graduate rate reported to the  
4 Integrated Postsecondary Education Data System for the same year; and

5 (e) The number and percent of scholarship recipients who graduated  
6 during the immediately prior calendar year who obtained employment in a  
7 major-related field in the state.

8 **Sec. 8.** Section 85-3004, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 85-3004 (1)(a) The Board of Regents of the University of Nebraska  
11 shall award a Nebraska Career Scholarship to any eligible university  
12 student who is enrolled in an eligible program of study in an amount not  
13 to exceed:

14 (i) Ten thousand dollars per year for any scholarship recipient who  
15 is a transfer student; or

16 (ii) Except as provided in subdivision (1)(a)(i) of this section:

17 (A) Twenty-five thousand dollars per year for any scholarship  
18 recipient who achieved a composite score on any college admission test  
19 equivalent to a standard college admission test ~~equivalent to a~~ score of  
20 at least twenty-eight out of a maximum score of thirty-six; or

21 (B) Ten thousand dollars per year for any scholarship recipient who  
22 achieved a composite score on any college admission test equivalent to a  
23 standard college admission test ~~equivalent to a~~ score of at least twenty  
24 and less than twenty-eight out of a maximum score of thirty-six.

25 (b) The Board of Regents shall allocate funds appropriated to the  
26 board under the Nebraska Career Scholarship Act between the university  
27 campuses, determine the eligibility of students enrolled in the  
28 university, receive and process applications for awards to individual  
29 students, and disburse funds directly to scholarship recipients during  
30 the fiscal year. Eligibility criteria shall include (i) being a first-  
31 time freshman who achieved a composite score on any college admission

1 test equivalent to a standard college admission test ~~equivalent to a~~  
2 score of at least twenty out of a maximum score of thirty-six or a  
3 transfer student and (ii) enrollment in an eligible program of study.

4 (c) For purposes of this section, an eligible program of study  
5 means:

6 (i) Through academic year 2023-24, a program of study offered by the  
7 University of Nebraska in mathematics, engineering, health care, and  
8 computer information systems;

9 (ii) Beginning with academic year 2024-25, a program of study  
10 designated by the Department of Economic Development, in collaboration  
11 with the Board of Regents, based on periodic reviews of workforce needs  
12 in the state; and

13 (iii) Beginning with academic year 2024-25, a program of study in  
14 special education.

15 (2) Each scholarship recipient shall register with the appropriate  
16 campus office to obtain a Nebraska-based internship, apprenticeship,  
17 clinical position, or employment in a major-related field prior to  
18 completion of the student's eligible program of study.

19 (3) A Nebraska Career Scholarship may be used by a scholarship  
20 recipient for tuition, fees, required tools and equipment, and room and  
21 board.

22 (4) Each scholarship awarded under this section shall be  
23 automatically renewed on an annual basis if the student remains enrolled  
24 in good standing in the eligible program of study for which such  
25 scholarship was awarded, except that no student shall receive a  
26 scholarship renewal after four years of participation in such eligible  
27 program of study.

28 (5) The Board of Regents shall collect information on each  
29 university scholarship recipient and shall report electronically to the  
30 Clerk of the Legislature and the Governor on or before December 1 of each  
31 year the following information for the eligible programs of study at the

1 university in the current or prior academic year:

2 (a) The total number of students enrolled in each eligible program  
3 of study in the immediately prior academic year and the total number of  
4 students enrolled in each eligible program of study for the current  
5 academic year, based upon official fall census data;

6 (b) The total number of scholarship recipients in each eligible  
7 program of study for the current academic year and the total number of  
8 such scholarship recipients who are newly enrolled in each eligible  
9 program of study for such academic year, based upon official fall census  
10 data;

11 (c) The total number of newly awarded scholarship recipients  
12 retained across all eligible programs of study from the immediately prior  
13 academic year to the current academic year and a comparison of the  
14 retention rates between those of the newly awarded scholarship recipients  
15 and the university's overall first to second year retention rate reported  
16 to the Integrated Postsecondary Education Data System for the same year;

17 (d) The total number of scholarship recipients who graduated during  
18 the immediately prior academic year and a comparison of the four-year  
19 graduation rates between the scholarship recipients who graduated and the  
20 university's overall four-year graduate rate reported to the Integrated  
21 Postsecondary Education Data System for the same year; and

22 (e) The number and percent of scholarship recipients who graduated  
23 during the immediately prior calendar year who obtained employment in a  
24 major-related field in the state.

25 **Sec. 9.** Section 85-3006, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 85-3006 (1)(a) The Coordinating Commission for Postsecondary  
28 Education, in collaboration with private colleges that elect to  
29 participate, shall award a Nebraska Career Scholarship that does not  
30 exceed a maximum of ten thousand dollars per year to any private college  
31 student who achieved a composite score on any college admission test

1 ~~equivalent to a~~ standard college admission test ~~equivalent to a~~ score of  
2 at least eighteen out of a maximum score of thirty-six or who had a high  
3 school grade-point average of 3.0 or greater on a four-point scale and  
4 who is enrolled in an eligible program of study.

5 (b) Each participating private college, acting as an agent of the  
6 state, shall determine the eligibility of students enrolled in the  
7 private college, receive and process applications for awards to  
8 individual students, and disburse funds directly to scholarship  
9 recipients during the fiscal year. Eligibility criteria shall include  
10 being a first-time freshman or a transfer student and enrollment in an  
11 eligible program of study.

12 (c) For purposes of this section, an eligible program of study  
13 means:

14 (i) Through academic year 2023-24, a program of study at a private  
15 college in mathematics, health care, and computer information systems;  
16 and

17 (ii) Beginning with academic year 2024-25, a program of study in  
18 education or engineering and a program of study in shortage areas  
19 designated by the Coordinating Commission for Postsecondary Education, in  
20 consultation with the State Department of Education, the Department of  
21 Labor, the Department of Economic Development, and any advisory committee  
22 established by the Coordinating Commission for Postsecondary Education  
23 for such purpose, based on periodic reviews of workforce needs in the  
24 state.

25 ~~(2) Each scholarship recipient shall register with the appropriate~~  
26 ~~campus office to obtain a Nebraska-based internship, apprenticeship,~~  
27 ~~clinical position, or employment in a major-related field prior to~~  
28 ~~completion of the student's eligible program of study.~~

29 (2) ~~(3)~~ A Nebraska Career Scholarship may be used by the scholarship  
30 recipient for tuition, fees, required tools and equipment, and room and  
31 board.

1           (3) ~~(4)~~ Each scholarship awarded under this section shall be  
2 automatically renewed on an annual basis if the student remains enrolled  
3 in good standing in the eligible program of study for which such  
4 scholarship was awarded, except that no student shall receive a  
5 scholarship renewal after four years of participation in such eligible  
6 program of study.

7           (4) ~~(5)~~ Each participating private college shall collect information  
8 on each scholarship recipient who has been awarded a Nebraska Career  
9 Scholarship by such private college and shall share such information with  
10 the Coordinating Commission for Postsecondary Education.

11           (5) ~~(6)~~ The Coordinating Commission for Postsecondary Education  
12 shall report electronically to the Clerk of the Legislature and the  
13 Governor on or before December 1 of each year the following information  
14 for each eligible program of study at a private college in the current or  
15 prior academic year:

16           (a) The total number of students enrolled in the program in the  
17 immediately prior academic year and the total number of students enrolled  
18 in the program as of September 30 for the current academic year;

19           (b) The total number of scholarship recipients in the program as of  
20 September 30 for the current academic year and the total number of such  
21 scholarship recipients who are newly enrolled in the program for such  
22 academic year;

23           (c) The total number of students retained in the program and a  
24 comparison of the retention rates between scholarship recipients and  
25 nonscholarship students;

26           ~~(d) The number of students participating in an internship, an~~  
27 ~~apprenticeship, a clinical position, or employment in a major-related~~  
28 ~~field during the immediately prior academic year and a comparison of~~  
29 ~~participation rates for scholarship recipients and nonscholarship~~  
30 ~~students;~~

31           (d) ~~(e)~~ The total number of graduates for the immediately prior

1 academic year, the number of scholarship recipient graduates for such  
2 academic year, and a comparison of the graduation rates for scholarship  
3 recipients and nonscholarship students; and

4 (e) Using data from the Department of Labor, the ~~(f) The number of~~  
5 scholarship recipients obtaining employment in the state within five  
6 fiscal quarters after completion of an eligible program of study  
7 ~~graduates from the immediately prior academic year who obtained~~  
8 ~~employment in a major related field in the state within four months after~~  
9 ~~graduation and the average starting salary for such graduates.~~

10 ~~(6) (7)~~ The Coordinating Commission for Postsecondary Education  
11 shall allocate the amount appropriated to the commission to carry out  
12 this section to private colleges that elect to participate under the  
13 Nebraska Career Scholarship Act. The commission shall establish a  
14 separate budget subprogram for such allocations.

15 **Sec. 10.** Section 85-3202, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 85-3202 For purposes of the Door to College Scholarship Act:

18 (1) Award means a grant of money under the act by the commission in  
19 the form of a Door to College Scholarship to an eligible student for  
20 educational expenses;

21 (2) Award year means the period beginning on July 1 through the  
22 following June 30;

23 (3) Commission means the Coordinating Commission for Postsecondary  
24 Education;

25 (4) Educational expenses means student costs for tuition, mandatory  
26 fees, other education-related fees, room and board, books, and other  
27 costs related to a student's education;

28 (5) Eligible postsecondary educational institution means a public or  
29 private postsecondary educational institution:

30 (a) Located in Nebraska;

31 (b) Primarily engaged in the instruction of students;

1 (c) Satisfying state statutory requirements relating to the approval  
2 and licensure of schools, colleges, and universities and maintaining  
3 accreditation by an accrediting organization recognized by the United  
4 States Department of Education;

5 (d) Offering courses of instruction in regularly scheduled classes  
6 to regularly enrolled undergraduate students who reside in Nebraska and  
7 have received a high school diploma or the equivalent; and

8 (e) Which has adopted, and has available for inspection, award  
9 refund and repayment policies;

10 (6) Eligible student means an undergraduate student who:

11 (a) Graduated from high school from an accredited education program  
12 at a youth rehabilitation and treatment center operated and utilized in  
13 compliance with state law, or graduated from an approved or accredited  
14 public, private, denominational, or parochial school or received a  
15 diploma of high school equivalency issued by the Commissioner of  
16 Education after being discharged from a youth rehabilitation and  
17 treatment center operated and utilized in compliance with state law;

18 (b) Is enrolled in an eligible postsecondary educational  
19 institution;

20 (c) Has applied for federal financial aid through the Free  
21 Application for Federal Student Aid for the applicable award year;

22 (d) Is a resident student who is domiciled in Nebraska as provided  
23 by section 85-502; and

24 (e) Complies with all other provisions of the Door to College  
25 Scholarship Act and any rules and regulations adopted and promulgated  
26 pursuant to the act;

27 (7) Full-time status means enrollment in at least twenty-four  
28 semester credit hours, thirty-six quarter credit hours, or nine hundred  
29 clock hours per award year;

30 (8) Part-time status means enrollment in at least twelve semester  
31 credit hours, eighteen quarter credit hours, or four hundred fifty clock

1 hours per award year; and

2 (9) Undergraduate student means an individual who has not earned a  
3 first baccalaureate or professional degree and is enrolled in a  
4 postsecondary educational program which leads to, or is creditable  
5 toward, a first baccalaureate degree, associate degree, certificate,  
6 diploma, or the equivalent.

7 **Sec. 11.** (1) The Department of Administrative Services shall  
8 develop, maintain, and make available for public inspection on its  
9 website a database of financial information from all school districts in  
10 the state. The information required shall include, but not be limited to,  
11 revenue sources, expenditures, and a balance sheet that contains all  
12 assets and liabilities for each school district from the most recent  
13 audit reports filed with the Commissioner of Education pursuant to  
14 section 79-1089. The budget administrator of the budget division of the  
15 Department of Administrative Services shall designate an implementation  
16 date for such database which date is on or before January 1, 2026.

17 (2)(a) School districts shall provide to the Department of  
18 Administrative Services such information from the school district's most  
19 recent audit report filed with the Commissioner of Education pursuant to  
20 section 79-1089 as is necessary to develop and maintain the database.  
21 School districts shall provide updated information to the department on  
22 an annual basis, and the department shall update the database no later  
23 than thirty days after receiving any such information.

24 (b) School districts shall provide historical financial information  
25 beginning with calendar year 2005 to the department. Such information  
26 shall be collected and added to the database if available as soon as  
27 practicable.

28 (3) Nothing in this section requires the disclosure of information  
29 which is considered confidential under state or federal law or is not a  
30 public record under section 84-712.05.

31 **Sec. 12.** (1) For purposes of this section:

1       (a) Contract means any agreement between a covered institution and a  
2 foreign adversarial source for the acquisition by purchase, lease, or  
3 barter of property or services, for the direct benefit or use of either  
4 of the parties;

5       (b) Covered institution means any public or private two-year or  
6 four-year college or university having a campus or place of business in  
7 Nebraska;

8       (c) Foreign adversarial source means:

9       (i) A foreign adversary government, including an agency of a foreign  
10 adversary government;

11       (ii) A legal entity, governmental or otherwise, created solely under  
12 laws of a foreign adversary government;

13       (iii) An individual who is a citizen or a national of a foreign  
14 adversary government; and

15       (iv) An agent of any entity or individual described in subdivision  
16 (1)(c)(i), (ii), or (iii) of this section, including a subsidiary or  
17 affiliate of a foreign adversary legal entity acting on behalf of any  
18 such entity or individual;

19       (d) Foreign adversary means a foreign adversary as determined  
20 pursuant to 15 C.F.R. 791.4, as such regulation existed on January 1,  
21 2025; and

22       (e) Reportable funding means revenue or the fair-market value of  
23 anything received as the result of any contract, gift, grant, endowment,  
24 award, scholarship, or donation, including a conditional or unconditional  
25 pledge of a contract, gift, grant, endowment, award, scholarship, or  
26 donation from a foreign adversarial source.

27       (2)(a) Except as provided in subdivision (b) of this subsection,  
28 each covered institution shall provide a report biannually to the  
29 Coordinating Commission for Postsecondary Education, in a manner  
30 prescribed by the commission, detailing all reportable funding received  
31 by the covered institution. Unless the information is exempt or

1 prohibited from disclosure or deemed confidential under federal or state  
2 law, the report shall include the following information:

3 (i) The amount of the reportable funding and the date that such  
4 funding was received;

5 (ii) A description of the type of reportable funding and the purpose  
6 for such funding, including whether the reportable funding is part of an  
7 ongoing relationship with the foreign adversarial source;

8 (iii) A detailed description of the foreign adversarial source  
9 providing the reportable funding, including the name of the foreign  
10 adversarial source and, if not a foreign government, the country of  
11 citizenship, if known, and the country of principal residence or domicile  
12 of the foreign adversarial source; and

13 (iv) A copy of any contract, agreement, pledge, or memorandum of  
14 understanding associated with the funding.

15 (b) This section shall not require reporting of payments made to a  
16 covered institution by a natural person who would otherwise qualify as a  
17 foreign adversarial source for tuition or related fees to support an  
18 individual enrolled or planning to attend a covered institution.

19 (c) The Coordinating Commission for Postsecondary Education shall  
20 post the report on its public website.

21 **Sec. 13.** Section 12 of this act becomes operative on July 1, 2025.  
22 Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 of this act become  
23 operative three calendar months after the adjournment of this legislative  
24 session. The other sections of this act become operative on their  
25 effective date.

26 **Sec. 14.** Original sections 79-215, 79-2,136, 85-304, 85-1402,  
27 85-1412, 85-3003, 85-3004, 85-3006, and 85-3202, Reissue Revised Statutes  
28 of Nebraska, are repealed.

29 **Sec. 15.** Since an emergency exists, this act takes effect when  
30 passed and approved according to law.

31 2. On page 1, strike beginning with "postsecondary" in line 1

1 through line 12 and insert "education; to amend sections 79-215,  
2 79-2,136, 85-304, 85-1402, 85-1412, 85-3003, 85-3004, 85-3006, and  
3 85-3202, Reissue Revised Statutes of Nebraska; to provide for the  
4 admission of and participation in extracurricular activities by certain  
5 students that are not residents of the school district; to change  
6 provisions relating to the powers and duties of the Board of Trustees of  
7 the Nebraska State Colleges; to redefine terms and change powers and  
8 duties under the Coordinating Commission for Postsecondary Education Act;  
9 to change provisions relating to scholarships to a state college, private  
10 college, or the University of Nebraska under the Nebraska Career  
11 Scholarship Act; to redefine terms under the Door to College Scholarship  
12 Act; to provide for the establishment of a database of financial  
13 information from all school districts in the state; to require each  
14 public or private two-year or four-year college or university to report  
15 certain funding from a foreign adversarial source to the Coordinating  
16 Commission for Postsecondary Education; to harmonize provisions; to  
17 provide operative dates; to repeal the original sections; and to declare  
18 an emergency."