

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB333

Hearing Date: Monday January 24, 2011
Committee On: Education
Introducer: Education
One Liner: Change allocation provisions relating to the Education Innovation Fund

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Adams, Avery, Cornett, Haar, Howard, Schilz, Sullivan
Nay:
Absent:
Present Not Voting: 1 Senator Council

Proponents:
Senator Greg Adams
Bob Evnen
John Thomsen
Jordyn Lechtenberg
Jen Hernandez
Jerry Hoffman

Representing:
Introducer
Nebraska State Board of Education
Nebraska Association For The Gifted
Career Student Organizations / FFA
Nebraska Children and Families Foundation
NSEA

Opponents:
Thomas Christie
Greg Keller
Jessie Myles
Suzy Schulz
Amelia Montez
T J Saddler
Lela Shanks
Christy Hargesheimer
John Krejci

Representing:
Lincoln Public Schools
Self
NAACP, Lincoln Chapter
Self
Self
Self
Nebraskans For Peace, NAACP
Self
Nebraskans for Peace

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 333 would remove the requirements for a student achievement coordinator and for multicultural education. The proposal would also transfer funding for Early Childhood Education Grants, high ability learner grants, an integrated information system, and the Center for Student Leadership and Extended Learning to lottery funds. The transfer for Early Childhood Education Grants would only be for the 2011-12 and 2012-13 fiscal years while the other transfers would continue until 2016, when all current lottery allocations expire. The Excellence in Teaching Act would be limited to providing loans to students who are currently in the Attracting Excellence to Teaching Program for 2011-12 and 2012-13. In 2013-14, both the Enhancing Excellence in Teaching and the Attracting Excellence to Teaching programs would be restored to their current levels. The fees for teaching certificates and permits would be increased by \$15 to transfer funding for investigations and prosecution to the Certification Fund.

Details

Section 9-812 would be amended by changing the distribution of lottery funds in the Education Innovation Fund and to eliminate obsolete language.

Current law for 2010-11 to 2015-16, which would not be modified for 2010-11:

- 1.\$1,000,000 to the Excellence in Teaching Cash Fund for both the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program;
- 2.Remainder, after administrative expenses, for distance education equipment and incentives.

Proposal for 2011-12:

- 1.\$225,000 to the Excellence in Teaching Cash Fund for only the Attracting Excellence to Teaching Program;
- 2.\$3,365,962 to Early Childhood Education Grant Program;
- 3.\$2,175,673 for high ability learner grants;
- 4.\$491,541 for development of an integrated early childhood, elementary, secondary, and postsecondary student information system;
- 5.\$450,000 for the Center for Student Leadership and Extended Learning Act;
- 6.Remainder, after administrative expenses, for distance education equipment and incentives.

Proposal for 2012-13:

- 1.\$45,000 to the Excellence in Teaching Cash Fund for only the Attracting Excellence to Teaching Program;
- 2.\$3,365,962 to Early Childhood Education Grant Program;
- 3.\$2,175,673 for high ability learner grants;
- 4.\$108,136 for development of an integrated early childhood, elementary, secondary, and postsecondary student information system;
- 5.\$450,000 for the Center for Student Leadership and Extended Learning Act;
- 6.Remainder, after administrative expenses, for distance education equipment and incentives.

Proposal for 2013-14 through 2015-16:

- 1.\$1,000,000 to the Excellence in Teaching Cash Fund for both the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program;
- 2.The amount from the previous year increased by the basic allowable growth rate for high ability learner grants;
- 3.The amount from the previous year increased by the basic allowable growth rate for development of an integrated early childhood, elementary, secondary, and postsecondary student information system;
- 4.The amount from the previous year increased by the basic allowable growth rate for the Center for Student Leadership and Extended Learning Act;
- 5.Remainder, after administrative expenses, for distance education equipment and incentives.

Current law for 2016-17 and each year thereafter, which would not be modified:

- 1.Fund will be allocated, after administrative expenses, for education purposes as provided by the Legislature.

Section 79-703 would be amended by eliminating multicultural education from the requirements for a core curriculum standard.

Section 79-760.04 would be amended by eliminating the student achievement coordinator from the requirement for the Department of Education to provide assistance to learning communities in the development of standards and assessments for grades K-3.

Section 79-760.05 would be amended by eliminating the student achievement coordinator from the requirement for the Department to analyze and report on student achievement for the state, each school district, and each learning community. The proposal would also eliminate the requirement for indicators of progress to be in accordance with the plan developed by the student achievement coordinator.

Section 79-810 would be amended by increasing the fee for teaching certificates and permits from \$55 to \$70 or, for permits valid only in nonpublic schools, from \$40 to \$55. The use of the funds would also be expanded fund the persons employed by the Commissioner of Education to investigate and prosecute alleged violations.

Section 79-8,133 would be amended by modifying the definition of eligible student in the Attracting Excellence to Teaching Program for fiscal years 2011-12 and 2012-13 to require that the student had received a loan pursuant to the program in the immediately preceding fiscal year.

Section 79-8,137.01 would be amended by modifying the definition of eligible student in the Enhancing Excellence in Teaching Program to exclude applications for fiscal years 2011-12 and 2012-13.

Section 79-8,137.05 would be amended by requiring the Department of Education to allocate the funds to be distributed for the Attracting Excellence to Teaching Program for fiscal years 2011-12 and 2012-13 to eligible institutions proportionally based on the amounts applied for by eligible students up to 100% of such amounts. The current provisions for the Department to allocate up to \$400,000 to the Attracting Excellence to Teaching Program would be limited to fiscal years other than 2011-12 and 2012-13.

Section 79-8,139 would be amended by limiting the reporting requirements for the Attracting Excellence to Teaching and the Enhancing Excellence in Teaching Programs to fiscal year in which the eligible institution receives funds to distribute pursuant to one or both programs. Obsolete language would also be eliminated.

Section 79-1012 would be amended by transferring any unencumbered money remaining in the School District Reorganization Fund on July 1, 2011 to the Education Innovation Fund on that date.

Section 79-1108 would be amended by eliminating obsolete language, particularly with regard to applying for funding from the Education Innovation Fund for the development and improvement of approved accelerated or differentiated curriculum programs. The provisions under which such applications would be made have not been current for several years.

Section 79-1108.02 would be amended by replacing language regarding legislative appropriations for accelerated and differentiated curriculum programs with directions for the Department of Education to distribute funds from the Education Innovation Fund dedicated to such purpose in the same manner.

Section 79-2104.02 would be amended by removing the student achievement coordinator from the requirement for learning community coordinating councils to receive assistance in developing plans for evaluation and research.

Outright Repeals

Section 79-719 would be outright repealed. The section defines multicultural education.

Section 79-720 would be outright repealed. The section requires school district incorporate multicultural education and requires the Department of Education recommend guidelines. The process was to be completed in the 1994-95 school year.

Section 79-721 would be outright repealed. The section requires school districts to annually provide evidence that multicultural education is being taught and requires the Department of Education to evaluate effectiveness.

Section 79-722 would be outright repealed. The section requires the Department of Education to design a process for evaluating each multicultural education program. Evaluations are required every 5 years.

Section 79-723 would be outright repealed. The section required the Department of Education to adopt rules and regulations for multicultural education.

Section 79-11,150 would be outright repealed. The section requires the appointment of a student achievement coordinator to evaluate, coordinate, and plan with regard to resources for effective programs for students in poverty, limited English proficient students, and highly mobile students.

Emergency Clause

An emergency clause would cause the bill to take effect when passed and approved.

Explanation of amendments:

The Committee Amendments would reinstate the multicultural education program and provide funding from the Education Innovation Fund.

Section 79-703 would be removed from the measure. The only change to the section in the original measure was to remove multicultural education from the requirements for a core curriculum standard.

Section 79-720 would be amended by eliminating obsolete requirements regarding implementation of the program and requirements for the Department of Education to review and have on file each districts multicultural education program.

Section 79-722 would be amended by clarifying the 5 year reporting requirement. The next report would be due on or before November 1, 2013 with future reports due on or before November 1 every 5 years. The reports would be given to the Clerk of the Legislature, the Education Committee of the Legislature, and the State Board of Education and would be published on a web site established by the Department.

For 2011-12 and 2012-13, \$114,629 from the Education Innovation Fund would be used to fund the multicultural education program. For 2013-14 to 2015-16, the prior year amount would be increased by the basic allowable growth rate. The Legislature has not yet determined how any of the Education Innovation Fund will be allocated for 2016-17 and thereafter.

Greg Adams, Chairperson