

E AND R AMENDMENTS TO LB 519

Introduced by Hansen, 26, 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 9-812, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 9-812 (1) All money received from the operation of lottery games
6 conducted pursuant to the State Lottery Act in Nebraska shall be credited
7 to the State Lottery Operation Trust Fund, which fund is hereby created.
8 All payments of the costs of establishing and maintaining the lottery
9 games shall be made from the State Lottery Operation Cash Fund. In
10 accordance with legislative appropriations, money for payments for
11 expenses of the division shall be transferred from the State Lottery
12 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund
13 is hereby created. All money necessary for the payment of lottery prizes
14 shall be transferred from the State Lottery Operation Trust Fund to the
15 State Lottery Prize Trust Fund, which fund is hereby created. The amount
16 used for the payment of lottery prizes shall not be less than forty
17 percent of the dollar amount of the lottery tickets which have been sold.

18 (2) A portion of the dollar amount of the lottery tickets which have
19 been sold on an annualized basis shall be transferred from the State
20 Lottery Operation Trust Fund to the Education Innovation Fund, the
21 Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,
22 the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and
23 the Compulsive Gamblers Assistance Fund as provided in subsection (3) of
24 this section. The dollar amount transferred pursuant to this subsection
25 shall equal the greater of (a) the dollar amount transferred to the funds
26 in fiscal year 2002-03 or (b) any amount which constitutes at least
27 twenty-two percent and no more than twenty-five percent of the dollar

1 amount of the lottery tickets which have been sold on an annualized
2 basis. To the extent that funds are available, the Tax Commissioner and
3 director may authorize a transfer exceeding twenty-five percent of the
4 dollar amount of the lottery tickets sold on an annualized basis.

5 (3) Of the money available to be transferred to the Education
6 Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska
7 Education Improvement Fund, the Nebraska Environmental Trust Fund, the
8 Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:

9 (a) The first five hundred thousand dollars shall be transferred to
10 the Compulsive Gamblers Assistance Fund to be used as provided in section
11 9-1006;

12 (b) Beginning July 1, 2016, forty-four and one-half percent of the
13 money remaining after the payment of prizes and operating expenses and
14 the initial transfer to the Compulsive Gamblers Assistance Fund shall be
15 transferred to the Nebraska Education Improvement Fund;

16 (c) Through June 30, 2016, nineteen and three-fourths percent of the
17 money remaining after the payment of prizes and operating expenses and
18 the initial transfer to the Compulsive Gamblers Assistance Fund shall be
19 transferred to the Education Innovation Fund;

20 (d) Through June 30, 2016, twenty-four and three-fourths percent of
21 the money remaining after the payment of prizes and operating expenses
22 and the initial transfer to the Compulsive Gamblers Assistance Fund shall
23 be transferred to the Nebraska Opportunity Grant Fund;

24 (e) Forty-four and one-half percent of the money remaining after the
25 payment of prizes and operating expenses and the initial transfer to the
26 Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska
27 Environmental Trust Fund to be used as provided in the Nebraska
28 Environmental Trust Act;

29 (f) Ten percent of the money remaining after the payment of prizes
30 and operating expenses and the initial transfer to the Compulsive
31 Gamblers Assistance Fund shall be transferred to the Nebraska State Fair

1 Board if the most populous city within the county in which the fair is
2 located provides matching funds equivalent to ten percent of the funds
3 available for transfer. Such matching funds may be obtained from the city
4 and any other private or public entity, except that no portion of such
5 matching funds shall be provided by the state. If the Nebraska State Fair
6 ceases operations, ten percent of the money remaining after the payment
7 of prizes and operating expenses and the initial transfer to the
8 Compulsive Gamblers Assistance Fund shall be transferred to the General
9 Fund; and

10 (g) One percent of the money remaining after the payment of prizes
11 and operating expenses and the initial transfer to the Compulsive
12 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers
13 Assistance Fund to be used as provided in section 9-1006.

14 (4)(a) The Education Innovation Fund is created. At least seventy-
15 five percent of the lottery proceeds allocated to the Education
16 Innovation Fund shall be available for disbursement.

17 ~~(b) For fiscal year 2013-14, the Education Innovation Fund shall be~~
18 ~~allocated as follows: (i) The first one million dollars shall be~~
19 ~~transferred to the Excellence in Teaching Cash Fund to fund the~~
20 ~~Excellence in Teaching Act; (ii) the next allocation shall be distributed~~
21 ~~to local systems as grants for approved accelerated or differentiated~~
22 ~~curriculum programs for students identified as learners with high ability~~
23 ~~pursuant to section 79-1108.02 in an aggregated amount up to the amount~~
24 ~~distributed in the prior fiscal year for such purposes increased by the~~
25 ~~basic allowable growth rate pursuant to section 79-1025; (iii) up to the~~
26 ~~next one hundred sixty thousand dollars shall be used by the State~~
27 ~~Department of Education to implement section 79-759; (iv) the next one~~
28 ~~million seven hundred fifty thousand dollars shall be allocated to early~~
29 ~~childhood education grants awarded by the department pursuant to section~~
30 ~~79-1103; (v) the next one million dollars shall be transferred to the~~
31 ~~Early Childhood Education Endowment Cash Fund for use pursuant to section~~

1 ~~79-1104.02; (vi) the next two hundred thousand dollars shall be used to~~
2 ~~provide grants to establish bridge programs pursuant to sections 79-1189~~
3 ~~to 79-1195; (vii) the next ten thousand dollars shall be used to fund the~~
4 ~~Interstate Compact on Educational Opportunity for Military Children;~~
5 ~~(viii) the next eighty five thousand five hundred fifty dollars shall be~~
6 ~~allocated to the State Department of Education for distribution pursuant~~
7 ~~to section 79-2306; and (ix) the amount remaining shall be allocated,~~
8 ~~after administrative expenses, for distance education equipment and~~
9 ~~incentives pursuant to sections 79-1336 and 79-1337. No funds received as~~
10 ~~allocations from the Education Innovation Fund pursuant to this~~
11 ~~subdivision may be obligated for payment to be made after June 30, 2016.~~

12 (b e) For fiscal year 2014-15, the Education Innovation Fund shall
13 be allocated, after administrative expenses, as follows: (i) The first
14 one million two hundred thousand dollars shall be transferred to the
15 Excellence in Teaching Cash Fund to fund the Excellence in Teaching Act;
16 (ii) the next allocation shall be distributed to local systems as grants
17 for approved accelerated or differentiated curriculum programs for
18 students identified as learners with high ability pursuant to section
19 79-1108.02 in an aggregated amount up to the amount distributed in the
20 prior fiscal year for such purposes increased by the basic allowable
21 growth rate pursuant to section 79-1025; (iii) the next one million eight
22 hundred fifty thousand dollars shall be allocated to early childhood
23 education grants awarded by the State Department of Education pursuant to
24 section 79-1103; (iv) the next one million dollars shall be transferred
25 to the Early Childhood Education Endowment Cash Fund for use pursuant to
26 section 79-1104.02; (v) the next two hundred thousand dollars shall be
27 used to provide grants to establish bridge programs pursuant to sections
28 79-1189 to 79-1195; (vi) the next ten thousand dollars shall be used to
29 fund the Interstate Compact on Educational Opportunity for Military
30 Children; (vii) the next two million dollars shall be allocated for
31 distance education equipment and incentives pursuant to sections 79-1336

1 and 79-1337; (viii) the next one million dollars shall be transferred to
2 the School District Reorganization Fund; (ix) up to the next one hundred
3 forty-five thousand dollars shall be used by the State Department of
4 Education to implement section 79-759; and (x) the next three hundred
5 thirty-five thousand dollars shall be allocated to local systems as
6 grants awarded by the State Department of Education to assist schools in
7 evaluating and improving career education programs to align such programs
8 with the state's economic and workforce needs. Except for funds
9 transferred to the School District Reorganization Fund, the Early
10 Childhood Education Endowment Cash Fund, or the department for early
11 childhood education grants pursuant to section 79-1103, no funds received
12 as allocations from the Education Innovation Fund pursuant to this
13 subdivision may be obligated for payment to be made after June 30, 2016,
14 and such funds received as transfers or allocations from the Education
15 Innovation Fund that have not been used for their designated purpose as
16 of such date shall be transferred to the Nebraska Education Improvement
17 Fund on or before August 1, 2016.

18 (c) For fiscal year 2015-16, the Education Innovation Fund shall
19 be allocated, after administrative expenses, as follows: (i) The first
20 one million two hundred thousand dollars shall be transferred to the
21 Excellence in Teaching Cash Fund to fund the Excellence in Teaching Act;
22 (ii) the next allocation shall be distributed to local systems as grants
23 for approved accelerated or differentiated curriculum programs for
24 students identified as learners with high ability pursuant to section
25 79-1108.02 in an aggregated amount up to the amount distributed in the
26 prior fiscal year for such purposes increased by the basic allowable
27 growth rate pursuant to section 79-1025; (iii) the next one million nine
28 hundred fifty thousand dollars shall be allocated to early childhood
29 education grants awarded by the State Department of Education pursuant to
30 section 79-1103; (iv) the next one million dollars shall be transferred
31 to the Early Childhood Education Endowment Cash Fund for use pursuant to

1 section 79-1104.02; (v) the next ten thousand dollars shall be used to
2 fund the Interstate Compact on Educational Opportunity for Military
3 Children; (vi) the next two million five hundred thousand dollars shall
4 be allocated for distance education equipment and incentives pursuant to
5 sections 79-1336 and 79-1337; (vii) the next one million dollars shall be
6 transferred to the School District Reorganization Fund; (viii) up to the
7 next one hundred forty-five thousand dollars shall be used by the State
8 Department of Education to implement section 79-759; and (ix) of the
9 amount remaining, (A) three million dollars shall be retained in the
10 Education Innovation Fund to transfer to the Nebraska Education
11 Improvement Fund on June 30, 2016, and (B) the remaining amount shall be
12 allocated to local systems as grants awarded by the State Department of
13 Education to assist schools in evaluating and improving career education
14 programs to align such programs with the state's economic and workforce
15 needs. Except for funds transferred to the School District Reorganization
16 Fund, the Early Childhood Education Endowment Cash Fund, or the
17 department for early childhood education grants pursuant to section
18 79-1103, no funds received as allocations from the Education Innovation
19 Fund pursuant to this subdivision may be obligated for payment to be made
20 after June 30, 2016, and such funds received as transfers or allocations
21 from the Education Innovation Fund that have not been used for their
22 designated purpose as of such date shall be transferred to the Nebraska
23 Education Improvement Fund on or before August 1, 2016.

24 (d e) The Education Innovation Fund terminates on June 30, 2016. Any
25 money in the fund on such date shall be transferred to the Nebraska
26 Education Improvement Fund on such date.

27 (5) The Nebraska Education Improvement Fund is created. The fund
28 shall consist of money transferred pursuant to subsections (3) and (4) of
29 this section, money transferred pursuant to section 85-1920, and any
30 other funds appropriated by the Legislature. The fund shall be allocated,
31 after actual and necessary administrative expenses, as provided in this

1 section for fiscal years 2016-17 through 2020-21. No more than five
2 percent of each allocation may be retained by the agency to which the
3 allocation is made or the agency administering the fund to which the
4 allocation is made for actual and necessary expenses incurred by such
5 agency for administration, evaluation, and technical assistance related
6 to the purposes of the allocation, except that no amount of the
7 allocation to the Nebraska Opportunity Grant Fund may be used for such
8 purposes. On or before December 31, 2019, the Education Committee of the
9 Legislature shall electronically submit recommendations to the Clerk of
10 the Legislature regarding how the fund should be allocated to best
11 advance the educational priorities of the state for the five-year period
12 beginning with fiscal year 2021-22. For fiscal year 2016-17, an amount
13 equal to ten percent of the revenue allocated to the Education Innovation
14 Fund and to the Nebraska Opportunity Grant Fund for fiscal year 2015-16
15 shall be retained in the Nebraska Education Improvement Fund. For fiscal
16 years 2017-18 through 2020-21, an amount equal to ten percent of the
17 revenue received by the Nebraska Education Improvement Fund in the prior
18 fiscal year shall be retained in the fund. For fiscal years 2016-17
19 through 2020-21, the remainder of the fund shall be allocated as follows:
20 ~~Any money in the fund available for investment shall be invested by the~~
21 ~~state investment officer pursuant to the Nebraska Capital Expansion Act~~
22 ~~and the Nebraska State Funds Investment Act.~~

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

26 (b) Twenty percent of the allocated funds to the Department of
27 Education Innovative Grant Fund for competitive innovation grants
28 pursuant to section 2 of this act;

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

1 (d) Eight percent of the allocated funds to the Excellence in
2 Teaching Cash Fund to carry out the Excellence in Teaching Act; and

3 (e) Sixty-two percent of the allocated funds to the Nebraska
4 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in
5 conjunction with appropriations from the General Fund.

6 (6) Any money in the State Lottery Operation Trust Fund, the State
7 Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, the
8 Nebraska Education Improvement Fund, or the Education Innovation Fund
9 available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.

12 (7) Unclaimed prize money on a winning lottery ticket shall be
13 retained for a period of time prescribed by rules and regulations. If no
14 claim is made within such period, the prize money shall be used at the
15 discretion of the Tax Commissioner for any of the purposes prescribed in
16 this section.

17 Sec. 2. (1) The State Board of Education shall establish a
18 competitive innovation grant program with funding from the Nebraska
19 Education Improvement Fund pursuant to section 9-812. Grantees shall be a
20 school district, an educational service unit, or a combination of
21 entities that includes at least one school district or educational
22 service unit. For grantees that consist of a combination of entities, a
23 participating school district or educational service unit shall be
24 designated to act as the fiscal agent and administer the program funded
25 by the grant. The state board shall only award grants pursuant to
26 applications that the state board deems to be sufficiently innovative and
27 to have a high chance of success.

28 (2) An application for a grant pursuant to subsection (1) of this
29 section shall describe:

30 (a) Specific measurable objectives for improving education outcomes
31 for early childhood students, elementary students, middle school

1 students, or high school students or for improving the transitions
2 between any successive stages of education or between education and the
3 workforce;

4 (b) The method for annually evaluating progress toward a measurable
5 objective, with a summative evaluation of progress submitted to the state
6 board and electronically to the Education Committee of the Legislature on
7 or before July 1, 2019;

8 (c) The potential for the project to be both scalable and
9 replicable; and

10 (d) Any cost savings that could be achieved by reductions in other
11 programs if the funded program is successful.

12 (3) Based on evaluations received on or before July 1, 2019, for
13 each grant, the State Board of Education shall recommend the grant
14 project as:

15 (a) Representing a best practice;

16 (b) A model for a state-supported program; or

17 (c) A local issue for further study.

18 (4) For grant projects that are recommended as best practices, the
19 State Board of Education may establish criteria allowing such best
20 practices to be included in the best practices allowance to school
21 districts pursuant to section 11 of this act beginning with aid
22 calculated for school fiscal year 2021-22. The criteria shall:

23 (a) Specify qualifications for a school district to participate in
24 the best practices allowance for each best practice to be included in the
25 allowance;

26 (b) Specify a best practices dollar amount based on eighty-five
27 percent of the estimated costs related to each best practice included in
28 the allowance that would not otherwise be incurred without the best
29 practice, that do not replace other such costs, and that are not included
30 in another allowance;

31 (c) Specify an accountability process which will result in a future

1 aid correction if a school district is found to be in violation of any of
2 the qualifications; and

3 (d) Specify any other criteria deemed relevant by the state board.

4 (5) On or before November 1, 2020, and on or before November 1 of
5 each year thereafter, the department shall certify to each qualifying
6 school district the amount of the best practices cost pursuant to this
7 section for such school district and the total best practices cost for
8 all qualifying school districts to be included in the calculation of
9 state aid for the next school fiscal year.

10 (6) On or before December 1, 2017, and on or before December 1 of
11 each year thereafter, the state board shall electronically submit a
12 report to the Clerk of the Legislature on all such grants, including, but
13 not limited to, the results of the evaluations for each grant and on the
14 best practices allowance if the allowance has been implemented. The state
15 board may adopt and promulgate rules and regulations to carry out this
16 section, including, but not limited to, application procedures, selection
17 procedures, and annual evaluation reporting procedures.

18 (7) The Department of Education Innovative Grant Fund is created.
19 The fund shall be administered by the State Department of Education and
20 shall consist of transfers pursuant to section 9-812, repayments of grant
21 funds, and interest payments received in the course of administering this
22 section. The fund shall be used to carry out this section. Any money in
23 the fund available for investment shall be invested by the state
24 investment officer pursuant to the Nebraska Capital Expansion Act and the
25 Nebraska State Funds Investment Act.

26 Sec. 3. Section 79-8,134, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-8,134 The purposes of the Attracting Excellence to Teaching
29 Program are to:

30 (1) Attract outstanding students to major in shortage areas at the
31 teacher education programs of Nebraska's postsecondary educational

1 institutions;

2 (2) Retain resident students and graduates as teachers in the
3 accredited school districts, educational service units, and private
4 schools or approved ~~public and~~ private schools of Nebraska; and

5 (3) Establish a loan contract that requires a borrower to obtain
6 employment as a teacher in this state after graduation.

7 Sec. 4. Section 79-8,137, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 79-8,137 (1)(a) Prior to receiving any money from a loan pursuant to
10 the Attracting Excellence to Teaching Program, an eligible student shall
11 enter into a contract with the department. ~~Such contract shall provide~~
12 ~~notice to the eligible student that funding for loans pursuant to the~~
13 ~~Attracting Excellence to Teaching Program terminates on June 30, 2016.~~
14 Such contract shall be exempt from the requirements of sections 73-501 to
15 73-510.

16 (b) For eligible students who applied for the first time prior to
17 April 23, 2009, the contract shall require that if (i) the borrower is
18 not employed as a teacher in Nebraska for a time period equal to the
19 number of years required for loan forgiveness pursuant to subsection (2)
20 of this section and is not enrolled as a full-time student in a graduate
21 program within six months after obtaining an undergraduate degree for
22 which a loan from the program was obtained or (ii) the borrower does not
23 complete the requirements for graduation within five consecutive years
24 after receiving the initial loan under the program, then the loan must be
25 repaid, with interest at the rate fixed pursuant to section 45-103
26 accruing as of the date the borrower signed the contract, and an
27 appropriate penalty as determined by the department may be assessed. If a
28 borrower fails to remain enrolled at an eligible institution or otherwise
29 fails to meet the requirements of an eligible student, repayment of the
30 loan shall commence within six months after such change in eligibility.
31 The State Board of Education may by rules and regulations provide for

1 exceptions to the conditions of repayment pursuant to this subdivision
2 based upon mitigating circumstances.

3 (c) For eligible students who apply for the first time on or after
4 April 23, 2009, the contract shall require that if (i) the borrower is
5 not employed as a full-time teacher teaching in an approved or accredited
6 school in Nebraska and teaching at least a portion of the time in the
7 shortage area for which the loan was received for a time period equal to
8 the number of years required for loan forgiveness pursuant to subsection
9 (3) of this section or ~~and~~ is not enrolled as a full-time student in a
10 graduate program within six months after obtaining an undergraduate
11 degree for which a loan from the program was obtained or (ii) the
12 borrower does not complete the requirements for graduation within five
13 consecutive years after receiving the initial loan under the program,
14 then the loan shall be repaid with interest at the rate fixed pursuant to
15 section 45-103 accruing as of the date the borrower signed the contract
16 and actual collection costs as determined by the department. If a
17 borrower fails to remain enrolled at an eligible institution or otherwise
18 fails to continue to be an eligible student, repayment of the loan shall
19 commence within six months after such change in eligibility. The State
20 Board of Education may by rule and regulation provide for exceptions to
21 the conditions of repayment pursuant to this subdivision based upon
22 mitigating circumstances.

23 (2) If the borrower applied for the first time prior to April 23,
24 2009, and (a) successfully completes the teacher education program and
25 becomes certified pursuant to sections 79-806 to 79-815, (b) becomes
26 employed as a teacher in this state within six months of becoming
27 certified, and (c) otherwise meets the requirements of the contract,
28 payments shall be suspended for the number of years that the borrower is
29 required to remain employed as a teacher in this state under the
30 contract. For each year that the borrower teaches in Nebraska pursuant to
31 the contract, payments shall be forgiven in an amount equal to the amount

1 borrowed for one year, except that if the borrower teaches in a school
2 district that is in a local system classified as very sparse as defined
3 in section 79-1003 or teaches in a school district in which at least
4 forty percent of the students are poverty students as defined in section
5 79-1003, payments shall be forgiven each year in an amount equal to the
6 amount borrowed for two years.

7 (3)(a) If the borrower applies for the first time on or after April
8 23, 2009, and (i a) successfully completes the teacher education program
9 and major for which the borrower is receiving a forgivable loan pursuant
10 to the program and becomes certified pursuant to sections 79-806 to
11 79-815 with an endorsement in the shortage area for which the loan was
12 received, (ii b) becomes employed as a full-time teacher teaching at
13 least a portion of the time in the shortage area for which the loan was
14 received in an approved or accredited school in this state within six
15 months of becoming certified, and (iii e) otherwise meets the
16 requirements of the contract, payments shall be suspended for the number
17 of years that the borrower is required to remain employed as a teacher in
18 this state under the contract.

19 (b) Beginning after the first two years of teaching full-time in
20 Nebraska following graduation for the degree for which the loan was
21 received, for each year that the borrower teaches full-time in Nebraska
22 pursuant to the contract, the loan shall be forgiven in an amount equal
23 to three thousand dollars, except that if the borrower teaches full-time
24 in a school district that is in a local system classified as very sparse
25 as defined in section 79-1003, teaches in a school building in which at
26 least forty percent of the formula students are poverty students as
27 defined in section 79-1003, or teaches in an accredited or approved
28 private school in Nebraska in which at least forty percent of the
29 enrolled students qualified for free lunches as determined by the most
30 recent data available from the department, payments shall be forgiven
31 each year in an amount equal to six thousand dollars.

1 Sec. 5. Section 79-8,137.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 79-8,137.01 The Enhancing Excellence in Teaching Program is created.

4 For purposes of the Enhancing Excellence in Teaching Program:

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

6 (2) Eligible graduate program means a program of study offered by an
7 eligible institution which results in obtaining a graduate degree;

8 (3) Eligible institution means a not-for-profit college or
9 university which (a) is located in Nebraska, (b) is accredited by a
10 regional accrediting agency recognized by the United States Department of
11 Education as determined to be acceptable by the State Board of Education,
12 (c) has a teacher education program, and (d) if a privately funded
13 college or university, has not opted out of the Enhancing Excellence in
14 Teaching Program pursuant to rules and regulations;

15 (4) Eligible student means an individual who (a) is a certificated
16 teacher employed to teach in an approved or accredited school in
17 Nebraska, (b) is enrolled in an eligible graduate program, including a
18 course of study leading to an endorsement in a shortage area specified by
19 the State Board of Education, (c) if enrolled at a state-funded eligible
20 institution, is a resident student as described in section 85-502 or, if
21 enrolled in a privately funded eligible institution, would be deemed a
22 resident student if enrolled in a state-funded eligible institution, (d)
23 is majoring in a shortage area, curriculum and instruction, a subject
24 area in which the individual already holds a secular teaching
25 endorsement, or a subject area that will result in an additional secular
26 teaching endorsement which the superintendent of the school district or
27 head administrator of the private, denominational, or parochial school
28 employing the individual believes will be beneficial to the students of
29 such school district or school as evidenced by a statement signed by the
30 superintendent or head administrator, and (e) is applying for a loan
31 pursuant to the Enhancing Excellence in Teaching Program to be received

1 at a time other than during fiscal year 2011-12 or 2012-13;

2 (5) Majoring in a shortage area or subject area means pursuing a
3 degree or course of study which will allow an individual to be properly
4 endorsed to teach in such shortage area or subject area; and

5 (6) Shortage area means a secular field of teaching or endorsement
6 area for which there is a shortage, as determined by the department, of
7 properly endorsed teachers at the time the borrower first receives funds
8 pursuant to the Enhancing Excellence in Teaching Program.

9 Sec. 6. Section 79-8,137.02, Reissue Revised Statutes of Nebraska,
10 is amended to read:

11 79-8,137.02 The purposes of the Enhancing Excellence in Teaching
12 Program are to:

13 (1) Retain teachers in the accredited school districts, educational
14 service units, and private schools or approved ~~public and~~ private schools
15 of Nebraska;

16 (2) Improve the skills of existing teachers in Nebraska through the
17 graduate education or endorsement programs of Nebraska's postsecondary
18 educational institutions; and

19 (3) Establish a loan contract that requires a borrower to continue
20 employment as a teacher in this state after graduation from an eligible
21 graduate or endorsement program.

22 Sec. 7. Section 79-8,137.03, Reissue Revised Statutes of Nebraska,
23 is amended to read:

24 79-8,137.03 (1) The department shall administer the Enhancing
25 Excellence in Teaching Program either directly or by contracting with
26 public or private entities.

27 (2) To be eligible for the program, an eligible student shall:

28 (a) Agree to complete an eligible graduate or endorsement program at
29 an eligible institution and to complete the program ~~major~~ on which the
30 applicant's eligibility is based as determined by the department; and

31 (b) Commit to teach in an accredited or approved public or private

1 school in Nebraska upon successful completion of the eligible graduate or
2 endorsement program for which the applicant is applying to the Enhancing
3 Excellence in Teaching Program and to maintaining certification pursuant
4 to sections 79-806 to 79-815.

5 (3) Eligible students may apply on an annual basis for loans in an
6 amount of not more than one hundred seventy-five dollars per credit hour.
7 Loans awarded to individual students shall not exceed a cumulative period
8 exceeding five consecutive years. Loans shall only be awarded through the
9 department. Loans shall be funded pursuant to section 79-8,137.05.

10 Sec. 8. Section 79-8,137.04, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 79-8,137.04 (1) Prior to receiving any money from a loan pursuant to
13 the Enhancing Excellence in Teaching Program, an eligible student shall
14 enter into a contract with the department. ~~Such contract shall provide~~
15 ~~notice to the eligible student that funding for loans pursuant to the~~
16 ~~Enhancing Excellence in Teaching Program terminates on June 30, 2016.~~
17 Such contract shall be exempt from the requirements of sections 73-501 to
18 73-510. The contract shall require that if (a) the borrower is not
19 employed as a full-time teacher teaching in an approved or accredited
20 school in Nebraska for a time period equal to the number of years
21 required for loan forgiveness pursuant to subsection (2) of this section
22 or (b) the borrower does not complete the requirements for graduation
23 within five consecutive years after receiving the initial loan under the
24 program, then the loan shall be repaid, with interest at the rate fixed
25 pursuant to section 45-103 accruing as of the date the borrower signed
26 the contract and actual collection costs as determined by the department.
27 If a borrower fails to remain enrolled at an eligible institution or
28 otherwise fails to meet the requirements of an eligible student,
29 repayment of the loan shall commence within six months after such change
30 in eligibility. The State Board of Education may by rules and regulations
31 provide for exceptions to the conditions of repayment pursuant to this

1 subsection based upon mitigating circumstances.

2 (2)(a) If the borrower (i a) successfully completes the eligible
3 graduate or endorsement program and ~~major~~ for which the borrower is
4 receiving a forgivable loan pursuant to the Enhancing Excellence in
5 Teaching Program and maintains certification pursuant to sections 79-806
6 to 79-815, (ii b) maintains employment as a teacher in an approved or
7 accredited school in this state, and (iii e) otherwise meets the
8 requirements of the contract, payments shall be suspended for the number
9 of years that the borrower is required to remain employed as a teacher in
10 this state under the contract.

11 (b) For funds received prior to July 1, 2016, beginning ~~Beginning~~
12 after the first two years of teaching full-time in Nebraska following
13 graduation for the degree for which the loan was received, for each year
14 that the borrower teaches full-time in Nebraska pursuant to the contract,
15 the loan shall be forgiven in an amount equal to three thousand dollars,
16 except that if the borrower teaches full-time in a school district that
17 is in a local system classified as very sparse as defined in section
18 79-1003, teaches in a school building in which at least forty percent of
19 the students are poverty students as defined in section 79-1003, or
20 teaches in an accredited or approved private school in Nebraska in which
21 at least forty percent of the enrolled students qualified for free
22 lunches as determined by the most recent data available from the
23 department, payments shall be forgiven each year in an amount equal to
24 six thousand dollars.

25 (c) For funds received on or after July 1, 2016, beginning after the
26 first two years of teaching full-time in Nebraska following graduation
27 for the degree for which the loan was received, for each year that the
28 borrower teaches full-time in Nebraska pursuant to the contract, the loan
29 shall be forgiven in an amount equal to one thousand five hundred
30 dollars, except that if the borrower teaches full-time in a school
31 district that is in a local system classified as very sparse as defined

1 in section 79-1003, teaches in a school building in which at least forty
2 percent of the formula students are poverty students as defined in
3 section 79-1003, or teaches in an accredited private school or
4 educational service unit or an approved private school in Nebraska in
5 which at least forty percent of the enrolled students qualified for free
6 lunches as determined by the most recent data available from the
7 department, payments shall be forgiven each year in an amount equal to
8 one thousand five hundred dollars for the first year of loan forgiveness
9 and three thousand dollars for each year of loan forgiveness thereafter.

10 Sec. 9. Section 79-8,137.05, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 79-8,137.05 (1) The Excellence in Teaching Cash Fund is created. The
13 fund shall consist of appropriations by the Legislature, transfers
14 pursuant to section 9-812, and loan repayments, penalties, and interest
15 payments received in the course of administering the Attracting
16 Excellence to Teaching Program and the Enhancing Excellence in Teaching
17 Program.

18 (2) For all fiscal years ~~except fiscal years 2011-12 and 2012-13,~~
19 the department shall allocate on an annual basis up to four hundred
20 thousand dollars in the aggregate of the funds to be distributed for the
21 Attracting Excellence to Teaching Program to all eligible institutions
22 according to the distribution formula as determined by rule and
23 regulation. The eligible institutions shall act as agents of the
24 department in the distribution of the funds for the Attracting Excellence
25 to Teaching Program to eligible students. The department shall allocate
26 on an annual basis up to eight hundred thousand dollars of the remaining
27 available funds to shall be distributed by the department to eligible
28 students for the Enhancing Excellence in Teaching Program. Funding
29 amounts granted in excess of one million two hundred thousand dollars
30 shall be evenly divided for distribution between the two programs.

31 (3) ~~For fiscal years 2011-12 and 2012-13, the department shall~~

~~1 allocate on an annual basis funds to be distributed for the Attracting
2 Excellence to Teaching Program to all eligible institutions receiving
3 applications from eligible students for loans to be received during such
4 fiscal years. The distribution for each of fiscal years 2011-12 and
5 2012-13 shall be proportional based on the amounts applied for by
6 eligible students at each institution, except that no more than one
7 hundred percent of such amounts shall be distributed. The eligible
8 institutions shall act as agents of the department in the distribution of
9 the funds for the Attracting Excellence to Teaching Program to eligible
10 students.~~

11 (3 4) Any money remaining in the fund on August 1, 2021 ~~2016~~, shall
12 be transferred to the Nebraska Education Improvement Fund on such date.

13 (4 5) Any money in the Excellence in Teaching Cash Fund available
14 for investment shall be invested by the state investment officer pursuant
15 to the Nebraska Capital Expansion Act and the Nebraska State Funds
16 Investment Act.

17 Sec. 10. Section 79-1001, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 79-1001 Sections 79-1001 to 79-1033 and section 11 of this act shall
20 be known and may be cited as the Tax Equity and Educational Opportunities
21 Support Act.

22 Sec. 11. Beginning with aid calculated for school fiscal year
23 2021-22, for any school fiscal year for which the best practices
24 allowance has been implemented by the State Board of Education, the State
25 Department of Education shall calculate a best practices allowance for
26 each school district qualifying pursuant to section 2 of this act equal
27 to the lesser of (1) the best practices cost certified pursuant to
28 section 2 of this act for such school district or (2) the product of the
29 best practices cost certified pursuant to section 2 of this act for such
30 school district multiplied by the ratio of one million dollars divided by
31 the aggregate total of the best practices cost certified for all

1 qualifying school districts for such school fiscal year. Fifty percent of
2 the best practices allowance calculated pursuant to this section for each
3 qualifying school district shall be paid to such school district as best
4 practices aid for the school fiscal year for which aid is being
5 calculated.

6 Sec. 12. Section 79-1003, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-1003 For purposes of the Tax Equity and Educational Opportunities
9 Support Act:

10 (1) Adjusted general fund operating expenditures means (a) for
11 school fiscal years 2013-14 through 2015-16, the difference of the
12 general fund operating expenditures as calculated pursuant to subdivision
13 (22) of this section increased by the cost growth factor calculated
14 pursuant to section 79-1007.10, minus the transportation allowance,
15 special receipts allowance, poverty allowance, limited English
16 proficiency allowance, distance education and telecommunications
17 allowance, elementary site allowance, summer school allowance,
18 instructional time allowance, teacher education allowance, and focus
19 school and program allowance, and (b) for school fiscal year 2016-17 and
20 each school fiscal year thereafter, the difference of the general fund
21 operating expenditures as calculated pursuant to subdivision (22) of this
22 section increased by the cost growth factor calculated pursuant to
23 section 79-1007.10, minus the transportation allowance, special receipts
24 allowance, poverty allowance, limited English proficiency allowance,
25 distance education and telecommunications allowance, elementary site
26 allowance, summer school allowance, best practices allowance, and focus
27 school and program allowance;

28 (2) Adjusted valuation means the assessed valuation of taxable
29 property of each local system in the state, adjusted pursuant to the
30 adjustment factors described in section 79-1016. Adjusted valuation means
31 the adjusted valuation for the property tax year ending during the school

1 fiscal year immediately preceding the school fiscal year in which the aid
2 based upon that value is to be paid. For purposes of determining the
3 local effort rate yield pursuant to section 79-1015.01, adjusted
4 valuation does not include the value of any property which a court, by a
5 final judgment from which no appeal is taken, has declared to be
6 nontaxable or exempt from taxation;

7 (3) Allocated income tax funds means the amount of assistance paid
8 to a local system pursuant to section 79-1005.01 as adjusted by the
9 minimum levy adjustment pursuant to section 79-1008.02;

10 (4) Average daily membership means the average daily membership for
11 grades kindergarten through twelve attributable to the local system, as
12 provided in each district's annual statistical summary, and includes the
13 proportionate share of students enrolled in a public school instructional
14 program on less than a full-time basis;

15 (5) Base fiscal year means the first school fiscal year following
16 the school fiscal year in which the reorganization or unification
17 occurred;

18 (6) Board means the school board of each school district;

19 (7) Categorical funds means funds limited to a specific purpose by
20 federal or state law, including, but not limited to, Title I funds, Title
21 VI funds, federal vocational education funds, federal school lunch funds,
22 Indian education funds, Head Start funds, and funds from the Education
23 Innovation Fund. Categorical funds does not include funds received
24 pursuant to section 79-1028.02 or 79-1028.04;

25 (8) Consolidate means to voluntarily reduce the number of school
26 districts providing education to a grade group and does not include
27 dissolution pursuant to section 79-498;

28 (9) Converted contract means an expired contract that was in effect
29 for at least fifteen school years beginning prior to school year 2012-13
30 for the education of students in a nonresident district in exchange for
31 tuition from the resident district when the expiration of such contract

1 results in the nonresident district educating students, who would have
2 been covered by the contract if the contract were still in effect, as
3 option students pursuant to the enrollment option program established in
4 section 79-234;

5 (10) Converted contract option student means a student who will be
6 an option student pursuant to the enrollment option program established
7 in section 79-234 for the school fiscal year for which aid is being
8 calculated and who would have been covered by a converted contract if the
9 contract were still in effect and such school fiscal year is the first
10 school fiscal year for which such contract is not in effect;

11 (11) Department means the State Department of Education;

12 (12) District means any Class I, II, III, IV, V, or VI school
13 district and, beginning with the calculation of state aid for school
14 fiscal year 2011-12 and each school fiscal year thereafter, a unified
15 system as defined in section 79-4,108;

16 (13) Ensuing school fiscal year means the school fiscal year
17 following the current school fiscal year;

18 (14) Equalization aid means the amount of assistance calculated to
19 be paid to a local system pursuant to sections 79-1007.11 to 79-1007.23,
20 79-1007.25, 79-1008.01 to 79-1022, 79-1022.02, 79-1028.02, and
21 79-1028.04;

22 (15) Fall membership means the total membership in kindergarten
23 through grade twelve attributable to the local system as reported on the
24 fall school district membership reports for each district pursuant to
25 section 79-528;

26 (16) Fiscal year means the state fiscal year which is the period
27 from July 1 to the following June 30;

28 (17) Formula students means:

29 (a) For state aid certified pursuant to section 79-1022, the sum of
30 the product of fall membership from the school fiscal year immediately
31 preceding the school fiscal year in which the aid is to be paid

1 multiplied by the average ratio of average daily membership to fall
2 membership for the second school fiscal year immediately preceding the
3 school fiscal year in which the aid is to be paid and the prior two
4 school fiscal years plus sixty percent of the qualified early childhood
5 education fall membership plus tuitioned students from the school fiscal
6 year immediately preceding the school fiscal year in which aid is to be
7 paid minus the product of the number of students enrolled in kindergarten
8 that is not full-day kindergarten from the fall membership multiplied by
9 0.5; and

10 (b) For the final calculation of state aid pursuant to section
11 79-1065, the sum of average daily membership plus sixty percent of the
12 qualified early childhood education average daily membership plus
13 tuitioned students minus the product of the number of students enrolled
14 in kindergarten that is not full-day kindergarten from the average daily
15 membership multiplied by 0.5 from the school fiscal year immediately
16 preceding the school fiscal year in which aid was paid;

17 (18) Free lunch and free milk student means a student who qualified
18 for free lunches or free milk from the most recent data available on
19 November 1 of the school fiscal year immediately preceding the school
20 fiscal year in which aid is to be paid;

21 (19) Full-day kindergarten means kindergarten offered by a district
22 for at least one thousand thirty-two instructional hours;

23 (20) General fund budget of expenditures means the total budget of
24 disbursements and transfers for general fund purposes as certified in the
25 budget statement adopted pursuant to the Nebraska Budget Act, except that
26 for purposes of the limitation imposed in section 79-1023 and the
27 calculation pursuant to subdivision (2) of section 79-1027.01, the
28 general fund budget of expenditures does not include any special grant
29 funds, exclusive of local matching funds, received by a district;

30 (21) General fund expenditures means all expenditures from the
31 general fund;

1 (22) General fund operating expenditures means for state aid
2 calculated for school fiscal years 2012-13 and each school fiscal year
3 thereafter, as reported on the annual financial report for the second
4 school fiscal year immediately preceding the school fiscal year in which
5 aid is to be paid, the total general fund expenditures minus (a) the
6 amount of all receipts to the general fund, to the extent that such
7 receipts are not included in local system formula resources, from early
8 childhood education tuition, summer school tuition, educational entities
9 as defined in section 79-1201.01 for providing distance education courses
10 through the Educational Service Unit Coordinating Council to such
11 educational entities, private foundations, individuals, associations,
12 charitable organizations, the textbook loan program authorized by section
13 79-734, federal impact aid, and levy override elections pursuant to
14 section 77-3444, (b) the amount of expenditures for categorical funds,
15 tuition paid, transportation fees paid to other districts, adult
16 education, community services, redemption of the principal portion of
17 general fund debt service, retirement incentive plans authorized by
18 section 79-855, and staff development assistance authorized by section
19 79-856, (c) the amount of any transfers from the general fund to any bond
20 fund and transfers from other funds into the general fund, (d) any legal
21 expenses in excess of fifteen-hundredths of one percent of the formula
22 need for the school fiscal year in which the expenses occurred, (e)
23 expenditures to pay for sums agreed to be paid by a school district to
24 certificated employees in exchange for a voluntary termination occurring
25 prior to July 1, 2009, occurring on or after the last day of the 2010-11
26 school year and prior to the first day of the 2013-14 school year, or, to
27 the extent that a district has demonstrated to the State Board of
28 Education pursuant to section 79-1028.01 that the agreement will result
29 in a net savings in salary and benefit costs to the school district over
30 a five-year period, occurring on or after the first day of the 2013-14
31 school year, (f)(i) expenditures to pay for employer contributions

1 pursuant to subsection (2) of section 79-958 to the School Employees
2 Retirement System of the State of Nebraska to the extent that such
3 expenditures exceed the employer contributions under such subsection that
4 would have been made at a contribution rate of seven and thirty-five
5 hundredths percent or (ii) expenditures to pay for school district
6 contributions pursuant to subdivision (1)(c)(i) of section 79-9,113 to
7 the retirement system established pursuant to the Class V School
8 Employees Retirement Act to the extent that such expenditures exceed the
9 school district contributions under such subdivision that would have been
10 made at a contribution rate of seven and thirty-seven hundredths percent,
11 and (g) any amounts paid by the district for lobbyist fees and expenses
12 reported to the Clerk of the Legislature pursuant to section 49-1483.

13 For purposes of this subdivision (22) of this section, receipts from
14 levy override elections shall equal ninety-nine percent of the difference
15 of the total general fund levy minus a levy of one dollar and five cents
16 per one hundred dollars of taxable valuation multiplied by the assessed
17 valuation for school districts that have voted pursuant to section
18 77-3444 to override the maximum levy provided pursuant to section
19 77-3442;

20 (23) High school district means a school district providing
21 instruction in at least grades nine through twelve;

22 (24) Income tax liability means the amount of the reported income
23 tax liability for resident individuals pursuant to the Nebraska Revenue
24 Act of 1967 less all nonrefundable credits earned and refunds made;

25 (25) Income tax receipts means the amount of income tax collected
26 pursuant to the Nebraska Revenue Act of 1967 less all nonrefundable
27 credits earned and refunds made;

28 (26) Limited English proficiency students means the number of
29 students with limited English proficiency in a district from the most
30 recent data available on November 1 of the school fiscal year preceding
31 the school fiscal year in which aid is to be paid plus the difference of

1 such students with limited English proficiency minus the average number
2 of limited English proficiency students for such district, prior to such
3 addition, for the three immediately preceding school fiscal years if such
4 difference is greater than zero;

5 (27) Local system means a learning community for purposes of
6 calculation of state aid for the second full school fiscal year after
7 becoming a learning community and each school fiscal year thereafter, a
8 unified system, a Class VI district and the associated Class I districts,
9 or a Class II, III, IV, or V district and any affiliated Class I
10 districts or portions of Class I districts. The membership, expenditures,
11 and resources of Class I districts that are affiliated with multiple high
12 school districts will be attributed to local systems based on the percent
13 of the Class I valuation that is affiliated with each high school
14 district;

15 (28) Low-income child means a child under nineteen years of age
16 living in a household having an annual adjusted gross income for the
17 second calendar year preceding the beginning of the school fiscal year
18 for which aid is being calculated equal to or less than the maximum
19 household income that would allow a student from a family of four people
20 to be a free lunch and free milk student during the school fiscal year
21 immediately preceding the school fiscal year for which aid is being
22 calculated;

23 (29) Low-income students means the number of low-income children
24 within the district multiplied by the ratio of the formula students in
25 the district divided by the total children under nineteen years of age
26 residing in the district as derived from income tax information;

27 (30) Most recently available complete data year means the most
28 recent single school fiscal year for which the annual financial report,
29 fall school district membership report, annual statistical summary,
30 Nebraska income tax liability by school district for the calendar year in
31 which the majority of the school fiscal year falls, and adjusted

1 valuation data are available;

2 (31) Poverty students means the number of low-income students or the
3 number of students who are free lunch and free milk students in a
4 district plus the difference of the number of low-income students or the
5 number of students who are free lunch and free milk students in a
6 district, whichever is greater, minus the average number of poverty
7 students for such district, prior to such addition, for the three
8 immediately preceding school fiscal years if such difference is greater
9 than zero;

10 (32) Qualified early childhood education average daily membership
11 means the product of the average daily membership for school fiscal year
12 2006-07 and each school fiscal year thereafter of students who will be
13 eligible to attend kindergarten the following school year and are
14 enrolled in an early childhood education program approved by the
15 department pursuant to section 79-1103 for such school district for such
16 school year multiplied by the ratio of the actual instructional hours of
17 the program divided by one thousand thirty-two if: (a) The program is
18 receiving a grant pursuant to such section for the third year; (b) the
19 program has already received grants pursuant to such section for three
20 years; or (c) the program has been approved pursuant to subsection (5) of
21 section 79-1103 for such school year and the two preceding school years,
22 including any such students in portions of any of such programs receiving
23 an expansion grant;

24 (33) Qualified early childhood education fall membership means the
25 product of membership on the last Friday in September 2006 and each year
26 thereafter of students who will be eligible to attend kindergarten the
27 following school year and are enrolled in an early childhood education
28 program approved by the department pursuant to section 79-1103 for such
29 school district for such school year multiplied by the ratio of the
30 planned instructional hours of the program divided by one thousand
31 thirty-two if: (a) The program is receiving a grant pursuant to such

1 section for the third year; (b) the program has already received grants
2 pursuant to such section for three years; or (c) the program has been
3 approved pursuant to subsection (5) of section 79-1103 for such school
4 year and the two preceding school years, including any such students in
5 portions of any of such programs receiving an expansion grant;

6 (34) Regular route transportation means the transportation of
7 students on regularly scheduled daily routes to and from the attendance
8 center;

9 (35) Reorganized district means any district involved in a
10 consolidation and currently educating students following consolidation;

11 (36) School year or school fiscal year means the fiscal year of a
12 school district as defined in section 79-1091;

13 (37) Sparse local system means a local system that is not a very
14 sparse local system but which meets the following criteria:

15 (a)(i) Less than two students per square mile in the county in which
16 each high school is located, based on the school district census, (ii)
17 less than one formula student per square mile in the local system, and
18 (iii) more than ten miles between each high school attendance center and
19 the next closest high school attendance center on paved roads;

20 (b)(i) Less than one and one-half formula students per square mile
21 in the local system and (ii) more than fifteen miles between each high
22 school attendance center and the next closest high school attendance
23 center on paved roads;

24 (c)(i) Less than one and one-half formula students per square mile
25 in the local system and (ii) more than two hundred seventy-five square
26 miles in the local system; or

27 (d)(i) Less than two formula students per square mile in the local
28 system and (ii) the local system includes an area equal to ninety-five
29 percent or more of the square miles in the largest county in which a high
30 school attendance center is located in the local system;

31 (38) Special education means specially designed kindergarten through

1 grade twelve instruction pursuant to section 79-1125, and includes
2 special education transportation;

3 (39) Special grant funds means the budgeted receipts for grants,
4 including, but not limited to, categorical funds, reimbursements for
5 wards of the court, short-term borrowings including, but not limited to,
6 registered warrants and tax anticipation notes, interfund loans,
7 insurance settlements, and reimbursements to county government for
8 previous overpayment. The state board shall approve a listing of grants
9 that qualify as special grant funds;

10 (40) State aid means the amount of assistance paid to a district
11 pursuant to the Tax Equity and Educational Opportunities Support Act;

12 (41) State board means the State Board of Education;

13 (42) State support means all funds provided to districts by the
14 State of Nebraska for the general fund support of elementary and
15 secondary education;

16 (43) Statewide average basic funding per formula student means the
17 statewide total basic funding for all districts divided by the statewide
18 total formula students for all districts;

19 (44) Statewide average general fund operating expenditures per
20 formula student means the statewide total general fund operating
21 expenditures for all districts divided by the statewide total formula
22 students for all districts;

23 (45) Teacher has the definition found in section 79-101;

24 (46) Temporary aid adjustment factor means (a) for school fiscal
25 years before school fiscal year 2007-08, one and one-fourth percent of
26 the sum of the local system's transportation allowance, the local
27 system's special receipts allowance, and the product of the local
28 system's adjusted formula students multiplied by the average formula cost
29 per student in the local system's cost grouping and (b) for school fiscal
30 year 2007-08, one and one-fourth percent of the sum of the local system's
31 transportation allowance, special receipts allowance, and distance

1 education and telecommunications allowance and the product of the local
2 system's adjusted formula students multiplied by the average formula cost
3 per student in the local system's cost grouping;

4 (47) Tuition receipts from converted contracts means tuition
5 receipts received by a district from another district in the most
6 recently available complete data year pursuant to a converted contract
7 prior to the expiration of the contract;

8 (48) Tuitioned students means students in kindergarten through grade
9 twelve of the district whose tuition is paid by the district to some
10 other district or education agency; and

11 (49) Very sparse local system means a local system that has:

12 (a)(i) Less than one-half student per square mile in each county in
13 which each high school attendance center is located based on the school
14 district census, (ii) less than one formula student per square mile in
15 the local system, and (iii) more than fifteen miles between the high
16 school attendance center and the next closest high school attendance
17 center on paved roads; or

18 (b)(i) More than four hundred fifty square miles in the local
19 system, (ii) less than one-half student per square mile in the local
20 system, and (iii) more than fifteen miles between each high school
21 attendance center and the next closest high school attendance center on
22 paved roads.

23 Sec. 13. Section 79-1007.11, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 79-1007.11 (1) Except as otherwise provided in this section, for
26 school fiscal years 2013-14 through 2015-16, each school district's
27 formula need shall equal the difference of the sum of the school
28 district's basic funding, poverty allowance, limited English proficiency
29 allowance, focus school and program allowance, summer school allowance,
30 special receipts allowance, transportation allowance, elementary site
31 allowance, instructional time allowance, teacher education allowance,

1 distance education and telecommunications allowance, averaging
2 adjustment, new learning community transportation adjustment, student
3 growth adjustment, any positive student growth adjustment correction, and
4 new school adjustment, minus the sum of the limited English proficiency
5 allowance correction, poverty allowance correction, and any negative
6 student growth adjustment correction.

7 (2) Except as otherwise provided in this section, for school fiscal
8 year 2016-17 and each school fiscal year thereafter, each school
9 district's formula need shall equal the difference of the sum of the
10 school district's basic funding, poverty allowance, limited English
11 proficiency allowance, focus school and program allowance, summer school
12 allowance, special receipts allowance, transportation allowance,
13 elementary site allowance, best practices allowance, distance education
14 and telecommunications allowance, averaging adjustment, new learning
15 community transportation adjustment, student growth adjustment, any
16 positive student growth adjustment correction, and new school adjustment,
17 minus the sum of the limited English proficiency allowance correction,
18 poverty allowance correction, and any negative student growth adjustment
19 correction.

20 (3) If the formula need calculated for a school district pursuant to
21 subsections (1) and (2) of this section is less than one hundred percent
22 of the formula need for such district for the school fiscal year
23 immediately preceding the school fiscal year for which aid is being
24 calculated, the formula need for such district shall equal one hundred
25 percent of the formula need for such district for the school fiscal year
26 immediately preceding the school fiscal year for which aid is being
27 calculated.

28 (4) Except as provided in subsection (6) of this section, if the
29 formula need calculated for a school district pursuant to subsections (1)
30 and (2) of this section is more than one hundred twelve percent of the
31 formula need for such district for the school fiscal year immediately

1 preceding the school fiscal year for which aid is being calculated, the
2 formula need for such district shall equal one hundred twelve percent of
3 the formula need for such district for the school fiscal year immediately
4 preceding the school fiscal year for which aid is being calculated,
5 except that the formula need shall not be reduced pursuant to this
6 subsection for any district receiving a student growth adjustment for the
7 school fiscal year for which aid is being calculated.

8 (5) For purposes of subsections (3) and (4) of this section, the
9 formula need for the school fiscal year immediately preceding the school
10 fiscal year for which aid is being calculated shall be the formula need
11 used in the final calculation of aid pursuant to section 79-1065 and for
12 districts that were affected by a reorganization with an effective date
13 in the calendar year preceding the calendar year in which aid is
14 certified for the school fiscal year for which aid is being calculated,
15 the formula need for the school fiscal year immediately preceding the
16 school fiscal year for which aid is being calculated shall be attributed
17 to the affected school districts based on information provided to the
18 department by the school districts or proportionally based on the
19 adjusted valuation transferred if sufficient information has not been
20 provided to the department.

21 (6) For state aid calculated for the first full school fiscal year
22 of a new learning community, if the formula need calculated for a member
23 school district pursuant to subsections (1) through (3) of this section
24 is less than the sum of the school district's state aid certified for the
25 school fiscal year immediately preceding the first full school fiscal
26 year of the learning community plus the school district's other actual
27 receipts included in local system formula resources pursuant to section
28 79-1018.01 for such school fiscal year plus the product of the school
29 district's general fund levy for such school fiscal year up to one dollar
30 and five cents multiplied by the school district's assessed valuation for
31 such school fiscal year, the formula need for such school district for

1 the school fiscal year for which aid is being calculated shall equal such
2 sum.

3 Sec. 14. Section 79-1017.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 79-1017.01 ~~(1) For state aid calculated for school fiscal year~~
6 ~~2013-14, local system formula resources includes retirement aid~~
7 ~~determined under section 79-1028.03, teacher education aid determined for~~
8 ~~each district pursuant to subdivision (2) of section 79-1007.25,~~
9 ~~instructional time aid determined pursuant to subsection (2) of section~~
10 ~~79-1007.23, allocated income tax funds determined for each district~~
11 ~~pursuant to section 79-1005.01, and adjustments pursuant to section~~
12 ~~79-1008.02 and is reduced by amounts paid by the district in the most~~
13 ~~recently available complete data year as property tax refunds pursuant to~~
14 ~~or in the manner prescribed by section 77-1736.06.~~

15 (1 ~~2~~) For state aid calculated for school fiscal years 2014-15 and
16 2015-16, local system formula resources includes teacher education aid
17 determined for each district pursuant to section 79-1007.25,
18 instructional time aid determined pursuant to subsection (2) of section
19 79-1007.23, allocated income tax funds determined for each district
20 pursuant to section 79-1005.01, and adjustments pursuant to section
21 79-1008.02 and is reduced by amounts paid by the district in the most
22 recently available complete data year as property tax refunds pursuant to
23 or in the manner prescribed by section 77-1736.06.

24 (2 ~~3~~) For state aid calculated for school fiscal year 2016-17 and
25 each school fiscal year thereafter, local system formula resources
26 includes best practices aid pursuant to section 11 of this act, if any
27 districts in the local system qualify, allocated income tax funds
28 determined for each district pursuant to section 79-1005.01, and
29 adjustments pursuant to section 79-1008.02 and is reduced by amounts paid
30 by the district in the most recently available complete data year as
31 property tax refunds pursuant to or in the manner prescribed by section

1 77-1736.06.

2 Sec. 15. Sections 15 to 24 of this act shall be known and may be
3 cited as the Expanded Learning Opportunity Grant Program Act.

4 Sec. 16. The purpose of the Expanded Learning Opportunity Grant
5 Program Act is to promote academic achievement outside of school hours in
6 high-need school districts.

7 Sec. 17. For purposes of the Expanded Learning Opportunity Grant
8 Program Act:

9 (1) Community learning center has the definition found in 20 U.S.C.
10 7171(b)(1), as such section existed on January 1, 2015;

11 (2) Department means the State Department of Education;

12 (3) Expanded learning opportunity program means a school-community
13 partnership that provides participating elementary-age and secondary-age
14 students and their families with programming and other support activities
15 and services after school and on weekends, holidays, and other hours when
16 school is not in session through a mix of programs and services that (a)
17 complement but do not duplicate elementary and secondary school day
18 learning and (b) create opportunities to strengthen school-community
19 partnerships that provide students and their families with the support
20 they need to be successful in school; and

21 (4) High-need school district means a school district in which forty
22 percent or more of the enrolled students qualify for free and reduced
23 price meals under the National School Lunch Program, 7 C.F.R. part 210,
24 as such regulations existed on January 1, 2015.

25 Sec. 18. The department shall establish and administer the Expanded
26 Learning Opportunity Grant Program. The grant program shall provide
27 grants to community-based organizations working in partnership with
28 schools in high-need school districts to provide expanded learning
29 opportunity programs.

30 Sec. 19. The first priority of the Expanded Learning Opportunity
31 Grant Program is to continue existing 21st Century Community Learning

1 Centers funded by the federal 21st Century Community Learning Center
2 program pursuant to 20 U.S.C. 7171 et seq., as such sections existed on
3 January 1, 2015, in high-need school districts that have a record of
4 success. The second priority shall be support for new expanded learning
5 opportunity program development in areas of the state with a high
6 percentage of at-risk children that are not currently served by school-
7 based or school-linked expanded learning opportunity programs funded by
8 the federal 21st Century Community Learning Center program pursuant to 20
9 U.S.C. 7171 et seq., as such sections existed on January 1, 2015.

10 Sec. 20. (1) The department shall establish an application process
11 and timeline pursuant to which partner organizations may submit proposals
12 for a grant under the Expanded Learning Opportunity Grant Program. Each
13 proposal shall include:

14 (a) A grant planning period;

15 (b) An agreement to participate in periodic evaluations of the
16 expanded learning opportunity program, to be specified by the department;

17 (c) Evidence that the proposed expanded learning opportunity program
18 will be coordinated or contracted with existing programs;

19 (d) A plan to coordinate and use a combination of local, state,
20 philanthropic, and federal funding sources, including, but not limited
21 to, funding available through the federal No Child Left Behind Act of
22 2001, 20 U.S.C. 6301 et seq., as such act and sections existed on January
23 1, 2015, funds allocated pursuant to section 9-812, and funds from any
24 other source designated or appropriated for purposes of the program.

25 Funding provided by the Expanded Learning Opportunity Grant Program shall
26 be matched on a one-to-one basis by community or partner contributions;

27 (e) A plan to use sliding-fee scales and the funding sources
28 included in subdivision (d) of this subsection;

29 (f) An advisory body which includes families and community members;

30 (g) Appropriately qualified staff;

31 (h) An appropriate child-to-staff ratio;

- 1 (i) Compliance with minimum health and safety standards;
2 (j) A strong family development and support component, recognizing
3 the central role of parents in their children's development; and
4 (k) Developmentally and culturally appropriate practices and
5 assessments.
- 6 (2) The proposal shall demonstrate how the expanded learning
7 opportunity program will provide participating students with academic
8 enrichment and expanded learning opportunities that are high quality,
9 based on proven methods, if appropriate, and designed to complement
10 students' regular academic programs. Such activities shall include two or
11 more of the following:
- 12 (a) Core education subjects of reading, writing, mathematics, and
13 science;
- 14 (b) Academic enrichment learning programs, including provision of
15 additional assistance to students to allow the students to improve their
16 academic achievement;
- 17 (c) Science, technology, engineering, and mathematics (STEM)
18 education;
- 19 (d) Sign language, foreign language, and social studies instruction;
20 (e) Remedial education activities;
21 (f) Tutoring services, including, but not limited to, tutoring
22 services provided by senior citizen volunteers;
- 23 (g) Arts and music education;
24 (h) Entrepreneurial education programs;
25 (i) Telecommunications and technology education programs;
26 (j) Programs for English language learners that emphasize language
27 skills and academic achievement;
- 28 (k) Mentoring programs;
29 (l) Recreational activities;
30 (m) Expanded library service hours;
31 (n) Programs that provide assistance to students who have been

1 truant, suspended, or expelled to allow such students to improve their
2 academic achievement;

3 (o) Drug abuse prevention and violence prevention programs;

4 (p) Character education programs;

5 (q) Health and nutritional services;

6 (r) Behavioral health counseling services; and

7 (s) Programs that promote parental involvement and family literacy.

8 (3) A proposal shall: (a) Demonstrate specifically how its
9 activities are expected to improve student academic achievement; (b)
10 demonstrate that its activities will be provided by organizations in
11 partnership with the school that have experience or the promise of
12 success in providing educational and related activities that will
13 complement and enhance the academic performance, achievement, and
14 positive development of the students; and (c) demonstrate that the
15 expanded learning opportunity program aligns with the school district
16 learning objectives and behavioral codes. Nothing in this subsection
17 shall be construed to require an expanded learning opportunity program to
18 provide academic services in specific subject areas.

19 (4) The department shall make an effort to fund expanded learning
20 opportunity programs in both rural and urban areas of the state. The
21 department shall award grants to proposals that offer a broad array of
22 services, programs, and activities.

23 Sec. 21. A school district participating in an expanded learning
24 opportunity program shall inform an authorized representative or designee
25 of each nonpublic school geographically located within each public school
26 building's attendance area regarding potential participation in an
27 expanded learning opportunity program.

28 Sec. 22. Grantees receiving funds pursuant to the Expanded Learning
29 Opportunity Grant Program shall cooperate with evaluators and supervise
30 the administration and collection of student, teacher, parent, and
31 collaboration surveys. Grantees shall also designate a qualified

1 evaluation professional or local evaluation support to ensure data
2 collection, perform annual self-assessments, monitor program progress,
3 and assist in developing local evaluation reports.

4 Sec. 23. The department shall provide a report evaluating the
5 expanded learning opportunity programs to the Legislature by January 1 of
6 each odd-numbered year. The report submitted to the Legislature shall be
7 submitted electronically.

8 Sec. 24. (1) The Expanded Learning Opportunity Grant Fund is
9 created. The fund shall be administered by the department and shall
10 consist of transfers pursuant to section 9-812, repayments of grant
11 funds, and interest payments received in the course of administering the
12 Expanded Learning Opportunity Grant Program Act. The fund shall be used
13 to carry out the Expanded Learning Opportunity Grant Program Act. Any
14 money in the fund available for investment shall be invested by the state
15 investment officer pursuant to the Nebraska Capital Expansion Act and the
16 Nebraska State Funds Investment Act.

17 (2) The State Board of Education, in consultation with the
18 department, may adopt and promulgate rules and regulations to carry out
19 the Expanded Learning Opportunity Grant Program Act.

20 Sec. 25. Section 85-1412, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 85-1412 The commission shall have the following additional powers
23 and duties:

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

1 (2) Recommend to the Legislature and the Governor legislation it
2 deems necessary or appropriate to improve postsecondary education in
3 Nebraska and any other legislation it deems appropriate to change the
4 role and mission provisions in sections 85-917 to 85-966.01. The
5 recommendations submitted to the Legislature shall be submitted
6 electronically;

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

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

18 (5) Seek a close liaison with the State Board of Education and the
19 State Department of Education in recognition of the need for close
20 coordination of activities between elementary and secondary education and
21 postsecondary education;

22 (6) Administer the Integrated Postsecondary Education Data System or
23 other information system or systems to provide the commission with
24 timely, comprehensive, and meaningful information pertinent to the
25 exercise of its duties. The information system shall be designed to
26 provide comparable data on each public institution. The commission shall
27 also administer the uniform information system prescribed in sections
28 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public
29 institutions shall supply the appropriate data for the information system
30 or systems required by the commission;

31 (7) Administer (a) the Access College Early Scholarship Program Act,

1 (b) the Community College Aid Act, (c) the Nebraska Community College
2 Student Performance and Occupational Education Grant Fund under the
3 direction of the Nebraska Community College Student Performance and
4 Occupational Education Grant Committee, (d) the Nebraska Opportunity
5 Grant Act, ~~and~~ (e) the Postsecondary Institution Act, and (f) the
6 community college gap assistance program and the Community College Gap
7 Assistance Program Fund;

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

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

22 (10) Provide staff support for interstate compacts on postsecondary
23 education; and

24 (11) Request inclusion of the commission in any existing grant
25 review process and information system.

26 Sec. 26. Sections 26 to 36 of this act shall be known and may be
27 cited as the Community College Gap Assistance Program Act.

28 Sec. 27. For purposes of the Community College Gap Assistance
29 Program Act:

30 (1) Committee means the Nebraska Community College Student
31 Performance and Occupational Education Grant Committee;

1 (2) Community college gap assistance program means the program
2 created pursuant to section 28 of this act;

3 (3) Eligible program means a program offered by a community college
4 that is not offered for credit but is aligned with training programs with
5 stackable credentials that lead to a program awarding college credit, an
6 associate's degree, a diploma, or a certificate in an in-demand
7 occupation, has a duration of not less than sixteen contact hours in
8 length, and does any of the following:

9 (a) Offers a state, national, or locally recognized certificate;

10 (b) Offers preparation for a professional examination or licensure;

11 (c) Provides endorsement for an existing credential or license;

12 (d) Represents recognized skill standards defined by an industrial
13 sector; or

14 (e) Offers a similar credential or training; and

15 (4) In-demand occupation means:

16 (a) Financial services;

17 (b) Transportation, warehousing, and distribution logistics;

18 (c) Precision metals manufacturing;

19 (d) Biosciences;

20 (e) Renewable energy;

21 (f) Agriculture and food processing;

22 (g) Business management and administrative services;

23 (h) Software and computer services;

24 (i) Research, development, and engineering services;

25 (j) Health services;

26 (k) Hospitality and tourism; and

27 (l) Any other industry designated as an in-demand occupation by the
28 committee.

29 Sec. 28. (1) The community college gap assistance program is
30 created. The program shall be under the direction of the committee and
31 shall be administered by the Coordinating Commission for Postsecondary

1 Education. The purpose of the community college gap assistance program is
2 to provide funding to community colleges to award community college gap
3 assistance to students in eligible programs.

4 (2) To be eligible for community college gap assistance under the
5 community college gap assistance program, an applicant:

6 (a) Shall have a family income which is at or below two hundred
7 fifty percent of Office of Management and Budget income poverty
8 guidelines; and

9 (b) Shall be a resident of Nebraska as provided in section 85-502.

10 (3) Eligibility for such tuition assistance shall not be construed
11 to guarantee enrollment in any eligible program.

12 Sec. 29. Application for community college gap assistance under the
13 community college gap assistance program shall be made to the community
14 college in which the applicant is enrolled or intends to enroll. An
15 application shall be valid for six months from the date of signature on
16 the application. The applicant shall provide documentation of all sources
17 of income. An applicant shall not receive community college gap
18 assistance for more than one eligible program.

19 Sec. 30. (1) An applicant for community college gap assistance
20 under the community college gap assistance program shall demonstrate
21 capacity to achieve the following outcomes:

22 (a) The ability to be accepted to and complete an eligible program;

23 (b) The ability to be accepted into and complete a postsecondary
24 certificate, diploma, or degree program for credit;

25 (c) The ability to obtain full-time employment; and

26 (d) The ability to maintain full-time employment over time.

27 (2) The committee may grant community college gap assistance under
28 the community college gap assistance program to an applicant in any
29 amount up to the full amount of eligible costs.

30 (3) The committee shall deny an application when the community
31 college receiving the application determines that funding for an

1 applicant's participation in an eligible program is available from any
2 other public or private funding source.

3 Sec. 31. The eligible costs for which the committee may award
4 community college gap assistance under the community college gap
5 assistance program include, but are not limited to:

6 (1) Tuition;

7 (2) Direct training costs;

8 (3) Required books and equipment; and

9 (4) Fees, including, but not limited to, fees for industry testing
10 services and background check services.

11 Sec. 32. An applicant for community college gap assistance under
12 the community college gap assistance program shall complete an initial
13 assessment administered by the community college receiving the
14 application to determine the applicant's readiness to complete an
15 eligible program. The initial assessment shall include any assessments
16 required by the eligible program.

17 Sec. 33. (1) A recipient of community college gap assistance under
18 the community college gap assistance program shall:

19 (a) Maintain regular contact with faculty of the eligible program to
20 document the applicant's progress in the program;

21 (b) Sign any necessary releases to provide relevant information to
22 community college faculty or case managers, if applicable;

23 (c) Discuss with faculty of the eligible program any issues that may
24 affect the recipient's ability to complete the eligible program and
25 obtain and maintain employment;

26 (d) Attend all required courses regularly; and

27 (e) Meet with faculty of the eligible program to develop a job-
28 search plan.

29 (2) A community college may terminate community college gap
30 assistance under the community college gap assistance program for a
31 recipient who fails to meet the requirements of this section.

1 Sec. 34. (1) The Community College Gap Assistance Program Fund is
2 created. The fund shall be under the direction of the committee and shall
3 be administered by the Coordinating Commission for Postsecondary
4 Education. The fund shall consist of money received pursuant to section
5 9-812, any other money received by the state in the form of grants or
6 gifts from nonfederal sources, such other amounts as may be transferred
7 or otherwise accrue to the fund, and any investment income earned on the
8 fund. The fund shall be used to provide aid or grants to the community
9 colleges pursuant to the Community College Gap Assistance Program Act.
10 Any money in the fund available for investment shall be invested by the
11 state investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 (2) The total of community college gap assistance awarded from the
14 Community College Gap Assistance Program Fund during any fiscal year
15 shall not exceed one million five hundred thousand dollars.

16 (3) Money in the fund may also be used by the committee:

17 (a) To establish application and funding procedures; and

18 (b) To assist community colleges in defraying the costs of direct
19 staff support services, including, but not limited to, marketing,
20 outreach, applications, interviews, and assessments as follows: (i) Up to
21 twenty percent of any amount allocated for such purposes to the two
22 smallest community colleges; (ii) up to ten percent of any such amount to
23 the two largest community colleges; and (iii) up to fifteen percent of
24 any such amount to the remaining two community colleges. For purposes of
25 this subsection, community college size shall be determined based on the
26 most recent three-year rolling average full-time equivalent enrollment.

27 Sec. 35. (1) The committee shall develop a common applicant
28 tracking system for the community college gap assistance program that
29 shall be implemented consistently by each participating community
30 college.

31 (2) The committee shall coordinate statewide oversight, evaluation,

1 and reporting efforts for the community college gap assistance program.

2 (3) The committee shall meet at least quarterly to evaluate and
3 monitor the performance of the community college gap assistance program
4 to determine if performance measures are being met and shall take
5 necessary steps to correct any deficiencies. Performance measures
6 include, but are not limited to, eligible program completion rates, job
7 attainment rates, and continuing education rates.

8 Sec. 36. The Coordinating Commission for Postsecondary Education
9 may adopt and promulgate rules and regulations to carry out the Community
10 College Gap Assistance Program Act.

11 Sec. 37. Section 85-1920, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 85-1920 The Nebraska Opportunity Grant Fund is created. Money in the
14 fund shall include amounts transferred from the State Lottery Operation
15 Trust Fund pursuant to section 9-812 until June 30, 2016, or the Nebraska
16 Education Improvement Fund pursuant to section 9-812 until June 30, 2021.
17 All amounts accruing to the Nebraska Opportunity Grant Fund shall be used
18 to carry out the Nebraska Opportunity Grant Act. Any money in the fund
19 available for investment shall be invested by the state investment
20 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
21 State Funds Investment Act.

22 The Nebraska Opportunity Grant Fund terminates on June 30, 2021
23 ~~2016~~. Any money in the fund on such date shall be transferred to the
24 Nebraska Education Improvement Fund on such date.

25 Sec. 38. The Education Committee of the Legislature shall conduct a
26 study of postsecondary education affordability in Nebraska and
27 alternatives for supporting students and families with the cost. The
28 committee shall electronically report its recommendations to the Clerk of
29 the Legislature on or before December 31, 2015.

30 Sec. 39. Original sections 79-8,134, 79-8,137, 79-8,137.01,
31 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-1001, 79-1003,

1 79-1007.11, 79-1017.01, 85-1412, and 85-1920, Reissue Revised Statutes of
2 Nebraska, and section 9-812, Revised Statutes Cumulative Supplement,
3 2014, are repealed.

4 Sec. 40. The following section is outright repealed: Section
5 79-2306, Reissue Revised Statutes of Nebraska.

6 2. On page 1, strike beginning with "79-1001" in line 1 through line
7 12 and insert "79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03,
8 79-8,137.04, 79-8,137.05, 79-1001, 79-1003, 79-1007.11, 79-1017.01,
9 85-1412, and 85-1920, Reissue Revised Statutes of Nebraska, and section
10 9-812, Revised Statutes Cumulative Supplement, 2014; to change provisions
11 relating to the Nebraska Education Improvement Fund, the Attracting
12 Excellence to Teaching Program, the Enhancing Excellence in Teaching
13 Program, the Tax Equity and Educational Opportunities Support Act, the
14 Coordinating Commission for Postsecondary Education, and the Nebraska
15 Opportunity Grant Fund; to provide for competitive innovation grants; to
16 create funds; to provide for best practices aid; to adopt the Expanded
17 Learning Opportunity Grant Program Act and the Community College Gap
18 Assistance Program Act; to require a study of postsecondary education by
19 the Education Committee of the Legislature; to eliminate obsolete
20 provisions; to harmonize provisions; to repeal the original sections; and
21 to outright repeal section 79-2306, Reissue Revised Statutes of
22 Nebraska."