

# **One Hundred Sixth Legislature - Second Session - 2020**

## **Introducer's Statement of Intent**

### **LB1131**

---

**Chairperson: Senator Mike Groene**

**Committee: Education**

**Date of Hearing: February 04, 2020**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB1131 is the technical bill introduced to update statutes related to education.

It updates references to "regionally accredited" postsecondary institutions to simply "accredited" in order to reflect changes made by the U.S. Department of Education.

It amends Neb. Rev. Stat. Sec. 71-8404 to provide for a "flat fee" of \$35 to be paid to a provider (physician, psychologist, chiropractor, dentist, hospital, clinic or any other licensed health care provider) of electronic records needed by the Nebraska Department of Education (NDE) Office of Disability Determinations.

It harmonizes language in Neb. Rev. Stat. Sec. 77-1601.02 related to property tax requests because total budgeted operating expenditures sometimes decrease at some districts; however, current statutory language only references how much total budgeted operating expenditures will exceed the prior year's budget.

It amends Neb. Rev. Stat. Sec. 77-27,119 to conform school district references to current law. "High school district" is changed to "school district" because all school districts now have high schools.

It amends definition of basic skills competency in Neb. Rev. Stat. Sec. 79-807 to include earned college credit as an alternative to taking a competency exam for entry-level teacher's certificate or permit applications.

It updates sections of the Tax Equity and Educational Opportunities Support Act (TEEOSA) to eliminate outdated language, as well as updated provisions as follows: (1) changing "vocational" to "career and technical" education; (2) correcting "Education Innovation Fund" to "Nebraska Education Improvement Fund"; (3) clarify in the general fund operating expenditures definition that "tuition paid" means "tuition paid to other school districts" and "tuition paid to postsecondary institutions for college credit"; and (4) changes "attendance center" to "schools such students attend" and "school attendance center" to "school".

It removes provisions from Neb. Rev. Stat. Sec. 79-1035 related to income from solar or wind agreements on school lands used to fund a sunseting NDE grant program for effective educators. Beginning in February 2021, the income from such solar and wind agreements will be distributed to all school districts as part of the apportionment of the temporary school fund.

It amends Neb. Rev. Stat. Sec. 79-1065.02 to provide similar procedures for adjustment of valuation of educational service units (ESU) due to annexations as currently exists for adjustment of valuation of school districts due to annexation. When property is transferred after valuations are certified ESU's taxing ability and core service aid amounts do not accurately reflect current valuations; this change corrects the difference.

It amends Neb. Rev. Stat. Sec. 79-1103 to eliminate the requirement of the Education Committee to hold a hearing on the report evaluating early childhood education. The report will still be required to be filed with the Legislature by January 1 of each odd-numbered year.

It clarifies terminology in Neb. Rev. Stat. § 79-1241.03 related to the distribution of funds to ESUs and the ESU Coordinating Council for core services and technology infrastructure, as well as shifts payment dates to the last business days of the month instead of first business day to be consistent with TEEOSA payments.

It amends Nebraska's representative membership of the Education Commission of the States, pursuant to Neb. Rev. Stat. § 79-1504, to permanently include the chairperson of the Education Committee, the Commissioner of Education and the executive director of the CCPE. These members are in addition to the Governor, two members appointed by the Executive Board and one member appointed by the Governor. It further clarifies that the Governor's appointed member shall either be an elected member of a school board, or an employee or board member of a state association of school boards.

It changes the dates for two reports to be filed with the Legislature by a learning community from January 1st to February 1st of each year and eliminates language no longer needed in statute.

It amends the Nebraska Reading Improvement Act, Neb. Rev. Stat. Sec. 79-2601 to 79-2607 to clarify dates, harmonize and correct statutory language.

It strikes language no longer needed due to enactment of LB377 in 2018, which eliminated three school classifications. It makes several non-substantive changes to the statutes related to education.

Finally, it outright repeals Neb. Rev. Stat. Sec. 79-308 Grant funding for teacher's institutes and conferences for school years 2016-17 through 2019-20, and Neb. Rev. Stat. Sec. 79-309.01 Related to use of funds for solar and wind agreements on school lands.

**Principal Introducer:** \_\_\_\_\_

Senator Mike Groene