

AMENDMENTS TO LB323

Introduced by Education.

1 1. Insert the following new section:

2 Sec. 4. Section 79-1007.20, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-1007.20 (1) School districts may apply to the department for a
5 student growth adjustment, on a form prescribed by the department, on or
6 before October 15 of the school fiscal year immediately preceding the
7 school fiscal year for which aid is being calculated. Such form shall
8 require an estimate of the average daily membership for the school fiscal
9 year for which aid is being calculated, the estimated student growth
10 calculated by subtracting the fall membership of the current school
11 fiscal year from the estimated average daily membership for the school
12 fiscal year for which aid is being calculated, and evidence supporting
13 the estimates. On or before the immediately following December 1, the
14 department shall approve the estimated student growth, approve a modified
15 student growth, or deny the application based on the requirements of this
16 section, the evidence submitted on the application, and any other
17 information provided by the department. The state board shall establish
18 procedures for appeal of decisions of the department to the state board
19 for final determination.

20 (2) The student growth adjustment for each approved district shall
21 equal the sum of the product of the school district's basic funding per
22 formula student multiplied by the difference of the approved student
23 growth minus the greater of twenty-five students or one percent of the
24 fall membership for the school fiscal year immediately preceding the
25 school fiscal year for which aid is being calculated plus the product of
26 fifty percent of the school district's basic funding per formula student
27 multiplied by the greater of twenty-five students or one percent of the

1 fall membership for the school fiscal year immediately preceding the
2 school fiscal year for which aid is being calculated.

3 (3)(a) ~~(3)~~ The department shall calculate a student growth
4 adjustment correction for each district that received a student growth
5 adjustment for aid distributed in the most recently available complete
6 data year.

7 (b) Except as otherwise provided in subdivision (3)(c) of this
8 section, such ~~Such~~ student growth adjustment correction shall equal the
9 product of the difference of the actual student growth for such school
10 fiscal year minus the estimated student growth for such school fiscal
11 year used to calculate the student growth adjustment for such school
12 fiscal year multiplied by the school district's basic funding per formula
13 student used in the final calculation of aid pursuant to section 79-1065
14 for such school fiscal year, except that the absolute value of a negative
15 correction shall not exceed the original adjustment.

16 (c)(i) If a negative student growth adjustment correction determined
17 pursuant to subdivision (3)(b) of this section is based on a most
18 recently available complete data year that was a pandemic affected school
19 fiscal year, such student growth adjustment correction shall be delayed
20 and redetermined pursuant to subdivision (3)(c)(ii) of this section and
21 any student growth adjustment correction based on the most recently
22 available complete data year that immediately follows such pandemic
23 affected school fiscal year shall be determined pursuant to subdivision
24 (3)(c)(iii) of this section.

25 (ii) A student growth adjustment correction for a school district
26 that is delayed pursuant to this subdivision shall be redetermined for
27 the school fiscal year immediately following the original school fiscal
28 year for which aid was being calculated. Such student growth adjustment
29 correction shall equal the product of the difference of the average daily
30 membership of the school district for the school fiscal year immediately
31 following such pandemic affected school fiscal year, minus the fall

1 membership for the school fiscal year immediately preceding such pandemic
2 affected school fiscal year, and minus the estimated student growth used
3 to calculate the student growth adjustment for such pandemic affected
4 school fiscal year multiplied by the school district's basic funding per
5 formula student used in the final calculation of aid pursuant to section
6 79-1065 for such pandemic affected school fiscal year, except that the
7 absolute value of a negative student growth adjustment correction shall
8 not exceed the original student growth adjustment. This subdivision shall
9 only apply to the first pandemic affected school fiscal year for any
10 pandemic that spans more than one school fiscal year.

11 (iii) For any school district for which a student growth adjustment
12 correction is delayed and redetermined pursuant to subdivision (3)(c)(ii)
13 of this section based on a pandemic affected school fiscal year, any
14 student growth adjustment correction based on the school fiscal year that
15 immediately follows such pandemic affected school fiscal year shall be
16 determined pursuant to subdivision (3)(b) of this section, except that
17 the student growth adjustment correction determined pursuant to
18 subdivision (3)(c)(ii) of this section shall be subtracted from the
19 student growth adjustment correction determined pursuant to subdivision
20 (3)(b) of this section and the absolute value of any resulting net
21 negative student growth adjustment correction shall not exceed the
22 original student growth adjustment for the school fiscal year immediately
23 following the pandemic affected school fiscal year.

24 2. Renumber the remaining sections and correct the repealer
25 accordingly.