

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB528

Chairperson: Senator Lynne Walz

Committee: Education

Date of Hearing: February 02, 2021

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

LB538 is primarily a 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 removes the square footage limitation for leases on school lands in Neb. Rev. Stat. 72-232, removes the requirement that school land lease sales must be held in the County Treasurer’s office but retains the requirement that they be held within the respective counties pursuant to Neb. Rev. Stat. 72-233, and changes the default period from six months to 60 days for leases on school lands in Neb. Rev. Stat. 72-234 and 72-235.

It harmonizes language in Neb. Rev. Stat. 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. 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 Neb. Rev. Stat. 79-202 relating to the withdrawal of a child at least sixteen years of age to no longer require that forms filed with the Commissioner of Education by notarized.

It removes outdated language from Neb. Rev. Stat. 79-308 related to the now sunsetted Effective Educator Program.

It updates sections of the Tax Equity and Educational Opportunities Support Act (TEEOSA) to eliminate outdated language, as well as updated provisions as follows: (1) changing “vocational” to “career and technical” education; (2) clarify in the general fund operating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 (3) changes “attendance center” to “schools such students attend” and “school attendance center” to “school”.

It amends Neb. Rev. Stat. 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 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 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 sections within the Nebraska Reading Improvement Act, Neb. Rev. Stat. 79-2603 to 79-2606, to clarify dates, harmonize and correct statutory language while minimizing overall changes to the Act.

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.

It removes a date restrictions in Neb. Rev. Stat. 85-1802 that makes the purchase of computer technology or equipment or Internet access and related services a qualified higher education expense from College Savings Plans indefinitely.

It amends Neb. Rev. Stat. 85-2002 and 85-2003, related to the Community College Gap Assistance Program, to include other eligible institutions including Nebraska’s four tribal colleges. Other eligible institutions means an accredited college, which is further specified for purposes of this act as a not-for-profit, two-year postsecondary institution with a physical presence in Nebraska. Strikes the annual award restriction from the Community College Gap Assistance Program Fund during any fiscal year of \$1.5 million.

It revises Neb. Rev. Stat. 85-2104 related to the eligibility provisions for the Access College Early Scholarship Program. It allows the Commissioner of Education to verify an applicant’s eligibility upon request of CCPE, while retaining all of the existing eligibility criteria in statute.

It corrects inaccurate and confusing statutory language in the Meadowlark Act changing “qualified private contributions” to “contributions”.

It adds language that, beginning in school year 2022-23, requires all newly-issued school identification cards to include any one of the following phone numbers: a national suicide prevention hotline, a local suicide prevention hotline, a crisis text line. In middle schools or high schools, school boards are responsible for requiring this to take place. Postsecondary

institutions are also required to include the above phone numbers on newly-issued school identification cards.

Finally, it outright repeals Neb. Rev. Stat. 72-234.01 preventing nonresidents from leasing school lands, and Neb. Rev. Stat. 85-9,140 relating to federal education loan information, which is not duplicative of federal law.

Principal Introducer: _____

Senator Lynne Walz