

AMENDMENTS TO LB306

Introduced by Dungan, 26.

1           1. Insert the following new sections:

2           **Sec. 2.** Section 79-1021, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           79-1021 (1) The Education Future Fund is created. The fund shall be  
5 administered by the department and shall consist of money transferred to  
6 the fund by the Legislature. Transfers may be made from the Education  
7 Future Fund to the Computer Science and Technology Education Fund at the  
8 direction of the Legislature. Any money in the Education Future 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           (2) The fund shall be used only for the following purposes, in order  
13 of priority:

14           (a) To fully fund equalization aid under the Tax Equity and  
15 Educational Opportunities Support Act;

16           (b) To fund reimbursements related to special education under  
17 section 79-1142;

18           (c) To fund foundation aid under the Tax Equity and Educational  
19 Opportunities Support Act;

20           (d) To increase funding for school districts in a way that results  
21 in direct property tax relief, which means a dollar-for-dollar  
22 replacement of property taxes by a state funding source;

23           (e) To provide funding for a grant program created by the  
24 Legislature to address teacher turnover rates and keep existing teachers  
25 in classrooms;

26           (f) To provide funding to increase career and technical educational  
27 classroom opportunities for students, including, but not limited to,

1 computer science education. Such funding must provide students with the  
2 academic and technical skills, knowledge, and training necessary to  
3 succeed in future careers;

4 (g) To provide funding for a grant program created by the  
5 Legislature to provide students the opportunity to have a mentor who will  
6 continuously engage with the student directly to aid in the student's  
7 professional growth and give ongoing support and encouragement to the  
8 student;

9 (h) To provide funding for extraordinary increases in special  
10 education expenditures to allow school districts with large, unexpected  
11 special education expenditures to more easily meet the needs of all  
12 students;

13 (i) To provide funding to help recruit teachers throughout the state  
14 by utilizing apprenticeships through a teacher apprenticeship program and  
15 an alternative certification process;

16 (j) To provide funding to develop and implement a professional  
17 learning system to help provide sustained professional learning and  
18 training regarding evidence-based reading instruction and for a grant  
19 program relating to dyslexia research; and

20 (k) To provide funding for a pilot project administered by the State  
21 Department of Education to provide menstrual products to school  
22 districts; and -

23 (l) To provide funding to carry out the Special Education Teacher  
24 Forgivable Loan Program Act.

25 (3)(a) The State Treasurer shall transfer one billion dollars from  
26 the General Fund to the Education Future Fund in fiscal year 2023-24, on  
27 such dates and in such amounts as directed by the budget administrator of  
28 the budget division of the Department of Administrative Services.

29 (b) The State Treasurer shall transfer two hundred fifty million  
30 dollars from the General Fund to the Education Future Fund in fiscal year  
31 2024-25, on such dates and in such amounts as directed by the budget

1 administrator of the budget division of the Department of Administrative  
2 Services.

3 (c) It is the intent of the Legislature that two hundred fifty  
4 million dollars be transferred from the General Fund to the Education  
5 Future Fund in fiscal year 2025-26 and each fiscal year thereafter.

6 **Sec. 3.** Sections 3 to 7 of this act shall be known and may be cited  
7 as the Special Education Teacher Forgivable Loan Program Act.

8 **Sec. 4.** (1) The Legislature finds that Nebraska elementary and  
9 secondary schools have had difficulty filling open and necessary job  
10 positions, including special education teachers.

11 (2) It is the intent of the Legislature to assist individuals  
12 studying to become special education teachers by supporting forgivable  
13 loans to those individuals who commit to teaching in Nebraska following  
14 their certification as a teacher with a special education endorsement.

15 **Sec. 5.** For purposes of the Special Education Teacher Forgivable  
16 Loan Program Act:

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

18 (2) Eligible institution means a not-for-profit college or  
19 university that (a) is located in Nebraska, (b) is accredited by an  
20 accrediting agency recognized by the United States Department of  
21 Education and determined to be acceptable by the State Board of  
22 Education, and (c) has a special education teacher education program;

23 (3) Eligible noncitizen means an individual who:

24 (a) Is a United States national, including a native of American  
25 Samoa or Swains Island;

26 (b) Is a lawful permanent resident with a Form I-551, I-151, or  
27 I-551C issued by the United States Government;

28 (c) Is a conditional permanent resident of the United States;

29 (d) Has an Arrival-Departure Record I-94 from the United States  
30 Citizenship and Immigration Services showing a status of Refugee, Asylum  
31 Granted, Parolee, Conditional Entrant, or Cuban-Haitian Entrant;

1       (e) Holds a T nonimmigrant status visa or is a child of an  
2       individual who holds a T-1 nonimmigrant status visa;

3       (f) Is a battered immigrant-qualified alien who is a victim of abuse  
4       by such individual's spouse or parent who is a citizen or permanent  
5       resident;

6       (g) Is a battered immigrant-qualified alien who is a child of a  
7       person designated as such under the federal Violence Against Women Act;  
8       or

9       (h) Is a citizen of the Republic of Palau, the Republic of the  
10       Marshall Islands, or the Federated States of Micronesia;

11       (4) Eligible student means an individual who:

12       (a) Is a United States citizen or an eligible noncitizen;

13       (b) Is a high school graduate or the equivalent of a high school  
14       graduate;

15       (c) Is enrolled in good standing at a state college in Nebraska or  
16       the University of Nebraska;

17       (d) Is seeking initial certification as a teacher with an  
18       endorsement in special education; and

19       (e) Has applied for federal financial aid grants and state  
20       scholarships and grants to cover tuition and fees; and

21       (5) Teacher education program means a program of study that results  
22       in obtaining a bachelor's degree, master's degree, or special education  
23       endorsement that meets the education requirements for certification  
24       pursuant to sections 79-806 to 79-816.

25       **Sec. 6.** (1) The Special Education Teacher Forgivable Loan Program  
26       is created and shall be administered by the department. The Education  
27       Future Fund shall be used to carry out the Special Education Teacher  
28       Forgivable Loan Program Act.

29       (2) The department may award a forgivable loan to an eligible  
30       student to pay for instate tuition, or the equivalent of instate tuition,  
31       at any eligible institution.

1       (3) The department may award up to twenty-five forgivable loans each  
2       academic year for each eligible institution.

3       (4) An eligible student who is awarded a forgivable loan under the  
4       Special Education Teacher Forgivable Loan Program shall enter into a  
5       contract with the department prior to the department dispersing any money  
6       for such loan. Such contract shall contain at least the following terms:

7       (a) The eligible student shall only be eligible to receive a loan  
8       under the program for the first five years that the eligible student is  
9       enrolled in a teacher education program;

10       (b) The loan shall only be used to pay for any tuition remaining due  
11       to the eligible institution attended by the eligible student after  
12       applying all awarded federal and state financial aid grants and  
13       scholarships;

14       (c) The eligible student shall begin teaching special education at a  
15       Nebraska elementary or secondary school within one year after graduating  
16       with a degree in education; and

17       (d) The eligible student shall teach special education at a Nebraska  
18       elementary or secondary school for:

19       (i) Five consecutive years after graduating with a degree in  
20       education; or

21       (ii) The equivalent number of years of loans taken.

22       (5)(a) When an eligible student who was awarded any forgivable loan  
23       under this section graduates from an eligible institution, the department  
24       shall determine the dollar amount of forgivable loans such student  
25       received each year and the overall total dollar amount of forgivable  
26       loans paid to such eligible student.

27       (b)(i) Except as provided in subdivision (b)(ii) of this subsection,  
28       for each year after graduating from an eligible institution that an  
29       eligible student complies with the terms of the contract under this  
30       section, the department shall forgive twenty percent of the total dollar  
31       amount of forgivable loans paid to such eligible student. After the fifth

1 consecutive year of compliance with the terms of the contract, the  
2 department shall notify the eligible student that the total amount of  
3 forgivable loans provided under this section that were owed by such  
4 eligible student are forgiven.

5 (ii) For an eligible student that received less than five total  
6 years of forgivable loans pursuant to this section, for each year after  
7 graduating from an eligible institution that an eligible student complies  
8 with the terms of the contract under this section, the department shall  
9 forgive the amount of one year's worth of forgivable loans paid to such  
10 eligible student. After the eligible student complies with the terms of  
11 the contract for the number of years that the eligible student received a  
12 forgivable loan pursuant to this section, the department shall notify the  
13 eligible student that the total amount of forgivable loans provided under  
14 this section that were owed by such eligible student are forgiven.

15 (6) If an eligible student who accepted a forgivable loan under this  
16 section fails to comply with the terms of the contract described in this  
17 section, such eligible student may receive a deferment from the  
18 obligation of repayment as specified in rules and regulations adopted and  
19 promulgated under the Special Education Teacher Forgivable Loan Program  
20 Act.

21 (7) Any eligible student who accepted a forgivable loan under this  
22 section who fails to comply with the terms of the contract described in  
23 this section and who does not receive a deferment from the obligation of  
24 repayment as described in this section shall repay the remaining balance  
25 of any forgivable loan with simple interest at a rate of five percent per  
26 year. Any repayment under this section shall be remitted to the State  
27 Treasurer for credit to the General Fund.

28 (8) The department shall provide each eligible student who accepts a  
29 forgivable loan under this section with a description of the obligations  
30 of such eligible student under the terms of the contract described in  
31 this section.

1       **Sec. 7.** The State Board of Education may adopt and promulgate rules  
2 and regulations relating to the Special Education Teacher Forgivable Loan  
3 Program Act.

4       2. Renumber the remaining sections and correct internal references  
5 and the repealer accordingly.