

ENGROSSED LEGISLATIVE BILL 306

Introduced by Education Committee: Murman, 38, Chairperson; Conrad, 46; Hunt, 8; Juarez, 5; Lonowski, 33; Sanders, 45.

A BILL FOR AN ACT relating to education; to amend sections 79-215, 79-2,136, 85-304, 85-1402, 85-1412, 85-3003, 85-3004, 85-3006, and 85-3202, Reissue Revised Statutes of Nebraska; to provide for the admission of and participation in extracurricular activities by certain students that are not residents of the school district; to change provisions relating to the powers and duties of the Board of Trustees of the Nebraska State Colleges; to redefine terms and change powers and duties under the Coordinating Commission for Postsecondary Education Act; to change provisions relating to scholarships to a state college, private college, or the University of Nebraska under the Nebraska Career Scholarship Act; to redefine terms under the Door to College Scholarship Act; to provide for the establishment of a database of financial information from all school districts in the state; to require each public or private two-year or four-year college or university to report certain funding from a foreign adversarial source to the Coordinating Commission for Postsecondary Education; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-215, Reissue Revised Statutes of Nebraska, is amended to read:

79-215 (1) Except as otherwise provided in this section, a student is a resident of the school district where he or she resides and shall be admitted to any such school district upon request without charge.

(2) A school board shall admit a student upon request without charge if at least one of the student's parents resides in the school district.

(3) A school board shall admit any homeless student upon request without charge if the district is the district in which the student (a) is currently

located, (b) attended when permanently housed, or (c) was last enrolled.

(4) A school board may allow a student whose residency in the district ceases during a school year to continue attending school in such district for the remainder of that school year.

(5) A school board may admit nonresident students to the school district pursuant to a contract with the district where the student is a resident and shall collect tuition pursuant to the contract.

(6) A school board may admit nonresident students to the school district pursuant to the enrollment option program as authorized by sections 79-232 to 79-246, and such admission shall be without charge.

(7) In order to carry out the provisions of section 79-2201, a school board shall permit children of military families to enroll preliminarily in a school district if a parent presents evidence of military orders that the military family will be stationed in this state during the current or following school year. A student of a military family shall be admitted to the school district without charge upon arrival in Nebraska if the requirements of this section are met.

(8) A school board may admit a student who is a resident of another state to the school district and collect tuition in advance at a rate determined by the school board.

(9) When a student as a ward of the state or as a ward of any court (a) has been placed in a school district other than the district in which he or she resided at the time he or she became a ward and such ward does not reside in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used pursuant to section 83-108.04 or (b) has been placed in any institution which maintains a special education program which has been approved by the State Department of Education and such institution is not owned or operated by the district in which he or she resided at the time he or she became a ward, the cost of his or her education and the required transportation costs associated with the student's education shall be paid by the state, but not in advance, to the receiving school district or

approved institution under rules and regulations prescribed by the Department of Health and Human Services and the student shall remain a resident of the district in which he or she resided at the time he or she became a ward. Any student who is a ward of the state or a ward of any court who resides in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used pursuant to section 83-108.04 shall be deemed a resident of the district in which he or she resided at the time he or she became a foster child, unless it is determined under section 43-1311 or 43-1312 that he or she will not attend such district in which case he or she shall be deemed a resident of the district in which the foster family home or foster home is located.

(10)(a) When a student is not a ward of the state or a ward of any court and is residing in a residential setting located in Nebraska for reasons other than to receive an education and the residential setting is operated by a service provider which is certified or licensed by the Department of Health and Human Services or is enrolled in the medical assistance program established pursuant to the Medical Assistance Act and Title XIX or XXI of the federal Social Security Act, as amended, the student shall remain a resident of the district in which he or she resided immediately prior to residing in such residential setting. The resident district for a student who is not a ward of the state or a ward of any court does not change when the student moves from one residential setting to another.

(b) If a student is residing in a residential setting as described in subdivision (10)(a) of this section and such residential setting does not maintain an interim-program school as defined in section 79-1119.01 or an approved or accredited school, the resident school district shall contract with the district in which such residential setting is located for the provision of all educational services, including all special education services and support services as defined in section 79-1125.01, unless a parent or guardian and the resident school district agree that an appropriate education will be provided by the resident school district while the student is residing in such

residential setting. If the resident school district is required to contract, the district in which such residential setting is located shall contract with the resident district and provide all educational services, including all special education services, to the student. If the two districts cannot agree on the amount of the contract, the State Department of Education shall determine the amount to be paid by the resident district to the district in which such residential setting is located based on the needs of the student, approved special education rates, the department's general experience with special education budgets, and the cost per student in the district in which such residential setting is located. Once the contract has been entered into, all legal responsibility for special education and related services shall be transferred to the school district in which the residential setting is located.

(c) If a student is residing in a residential setting as described in subdivision (10)(a) of this section and such residential setting maintains an interim-program school as defined in section 79-1119.01 or an approved or accredited school, the department shall reimburse such residential setting for the provision of all educational services, including all special education services and support services, with the amount of payment for all educational services determined pursuant to the average per pupil cost of the service agency as defined in section 79-1116. The resident school district shall retain responsibility for such student's individualized education plan, if any. The educational services may be provided through (i) such interim-program school or approved or accredited school, (ii) a contract between the residential setting and the school district in which such residential setting is located, (iii) a contract between the residential setting and another service agency as defined in section 79-1124, or (iv) a combination of such educational service providers.

(d) If a school district pays a school district in which a residential setting is located for educational services provided pursuant to subdivision (10)(b) of this section and it is later determined that a different school district was the resident school district for such student at the time such

educational services were provided, the school district that was later determined to be the resident school district shall reimburse the school district that initially paid for the educational services one hundred ten percent of the amount paid.

(e) A student residing in a residential setting described in this subsection shall be defined as a student with a handicap pursuant to Article VII, section 11, of the Constitution of Nebraska, and as such the state and any political subdivision may contract with institutions not wholly owned or controlled by the state or any political subdivision to provide the educational services to the student if such educational services are nonsectarian in nature.

(11) A school board shall admit a student upon request without charge for part-time enrollment for purposes of participating in extracurricular activities in accordance with section 79-2,136 if (a) the student is also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements and (b) either (i) the school district where such student or such student's parent resides does not offer the extracurricular activity in which the student desires to participate and the school district which the student is requesting to attend is the closest school district to the residence of such student or such student's parent that offers such extracurricular activity or (ii) the school district where such student or such student's parent resides does offer the extracurricular activity in which the student desires to participate but the school district the student is requesting to attend includes the closest school to the residence of such student or such student's parent that offers such extracurricular activity.

(12) In the case of any individual eighteen years of age or younger who is a ward of the state or any court and who is placed in a county detention home established under section 43-2,110, the cost of his or her education shall be paid by the state, regardless of the district in which he or she resided at the time he or she became a ward, to the agency or institution which: (a) Is

selected by the county board with jurisdiction over such detention home; (b) has agreed or contracted with such county board to provide educational services; and (c) has been approved by the State Department of Education pursuant to rules and regulations prescribed by the State Board of Education.

(13) No tuition shall be charged for students who may be by law allowed to attend the school without charge.

(14) The State Department of Education shall establish procedures and criteria for collecting enrollment, admission, and related information needed for any student to attend a school district in this state which shall include, but not be limited to, having an adult with legal or actual charge or control of a student provide through electronic means or other means specified by the department the name of the student, the name of the adult with legal or actual charge or control of the student, the address where the student is or will be residing, and information on how and where the adult may generally be reached during the school day.

(15) The department may adopt and promulgate rules and regulations to carry out the provisions of this section.

Sec. 2. Section 79-2,136, Reissue Revised Statutes of Nebraska, is amended to read:

79-2,136 (1) Each school board shall allow the part-time enrollment of students, for all courses selected by the students, who are residents of, or admitted to, the school district pursuant to subsection (1), (2), or (11) of section 79-215 and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements and shall establish policies and procedures for such part-time enrollment. Such policies and procedures may include provisions permitting the part-time enrollment of such students who are not residents of, or admitted to, such school districts to the extent permitted pursuant to section 79-215 and may require part-time students to follow school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event.

Part-time enrollment shall not entitle a student to transportation or transportation reimbursements pursuant to section 79-611.

(2) Each school board shall establish policies and procedures to allow any student who is a resident of, or admitted to, the school district pursuant to subsection (1), (2), or (11) of section 79-215 and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements to participate in any extracurricular activities as defined in section 79-2,126, including, but not limited to, interschool competitions, to the same extent and subject to the same requirements, conditions, and procedures as a student enrolled in a public school governed by such board, except that any school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements shall set the standards for satisfactory academic performance for a student from the school to participate in extracurricular activities pursuant to this subsection and shall provide assurances of compliance with such academic standards.

(3) School board policies and procedures adopted pursuant to subsection (2) of this section (a) shall require any student desiring to participate in extracurricular activities regulated by an athletics or activities association to which such school is a member pursuant to such subsection to be enrolled in five credit hours offered by the school district in any semester in order to participate in such extracurricular activities, but may not prohibit a student from enrolling in more than five credit hours, (b) shall not allow any preference in the selection of a student for participation in an extracurricular activity based on such student's status as a full-time student in the school district, and (c) may require any student participating in extracurricular activities pursuant to such subsection to follow school policies that apply to other students when present on school grounds or at a school-sponsored activity or athletic event. Participation in extracurricular activities pursuant to subsection (2) of this section shall not entitle a student to transportation, except to and from practices and events to the same extent as public school students participating in such activities, or

transportation reimbursement pursuant to section 79-611.

(4) Nothing in this section shall be construed to exempt any student from the compulsory attendance provisions of section 79-201 or any statutes relating to habitual truancy.

Sec. 3. Section 85-304, Reissue Revised Statutes of Nebraska, is amended to read:

85-304 (1) The Board of Trustees of the Nebraska State Colleges shall have the power:

(a) To appoint a president and such other persons as may be required for each state college;

(b) To fix their compensation and prescribe their duties;

(c) To remove all persons appointed, but the affirmative votes of four members of the board shall be necessary to remove a president or an assistant during the time for which such persons were appointed;

(d) Through an extension division, to provide for holding of classes at various localities throughout the state, avoiding unnecessary duplication of courses offered by other educational institutions in such localities;

(e) To acquire real and personal property and dispose of the same whenever any of the state colleges will be benefited thereby, but no grounds upon which any buildings of any of the state colleges are located shall be disposed of without the consent of the Legislature;

(f) To pay expenses for recruitment of academic, administrative, professional, and managerial personnel;

(g) To provide benefits for all present and future employees, including group life insurance, group hospital-medical insurance, and group long-term disability income insurance; and

(h) To engage in any activity granted to the board pursuant to section 4 of this act.

(2) The board shall have the duty:

(a) To institute a continuing program of preventive maintenance and a program of deferred maintenance consistent with the provisions of the Deferred

Building Renewal Act; and

(b) To consult with the Nebraska Arts Council and acquire works of art for the original construction of any public building under its supervision consistent with sections 82-317 to 82-329 and 85-304 to 85-304.03.

Sec. 4. (1) The Board of Trustees of the Nebraska State Colleges may enter into long-term leases, lease-purchase agreements, or financing contracts with any person, firm, governmental entity, or corporation to finance or refinance student housing or student activity facilities for use by the state colleges. The board of trustees may also convey, lease, or lease back all or any part of its student housing or student activity facilities and the land on which any such facility is situated to such person, firm, governmental entity, or corporation as the board of trustees may contract with to facilitate the long-term payment of the cost of such facilities. Any such long-term lease, lease-purchase agreement, or financing contract may include payments over multiple years from any source legally available to the board of trustees exclusive of state tax funds, may include student housing or student activity facilities on property owned by the Board of Trustees of the Nebraska State Colleges or on property owned by any other person, firm, governmental entity, or corporation, and shall include such other terms and provisions as may be determined necessary or appropriate by, or at the direction of, the board of trustees. Any such financing for a new student housing project shall be subject to the receipt of project approval from the Coordinating Commission for Postsecondary Education as required by subsection (10) of section 85-1414, as long as state tax funds are not being used for the project.

(2) The authority provided in this section shall be deemed to provide a complete method for the measures and actions authorized in this section and shall be regarded as supplemental and additional to powers conferred by other laws. The board of trustees, employing the authority set forth in this section, shall not be required to comply with the requirements of any other law applicable to entering into long-term contracts, pledging revenue, the financing and approval of facilities under the control of the board of

trustees, and other related matters.

Sec. 5. Section 85-1402, Reissue Revised Statutes of Nebraska, is amended to read:

85-1402 For purposes of the Coordinating Commission for Postsecondary Education Act:

(1)(a) Capital construction project shall mean a project which utilizes tax funds designated by the Legislature and shall be: Any proposed new capital structure; any proposed addition to, renovation of, or remodeling of a capital structure; any proposed acquisition of a capital structure by gift, purchase, lease-purchase, or other means of construction or acquisition that (i) will be directly financed in whole or in part with tax funds designated by the Legislature totaling at least the minimum capital expenditure for purposes of this subdivision or (ii) is likely, as determined by the institution, to result in an incremental increase in appropriation or expenditure of tax funds designated by the Legislature of at least the minimum capital expenditure for the facility's operations and maintenance costs in any one fiscal year within a period of ten years from the date of substantial completion or acquisition of the project. No tax funds designated by the Legislature shall be appropriated or expended for any incremental increase of more than the minimum capital expenditure for the costs of the operations and utilities of any facility which is not included in the definition of capital construction project and thus is not subject to commission approval pursuant to the Coordinating Commission for Postsecondary Education Act. No institution shall include a request for funding such an increase in its budget request for tax funds designated by the Legislature nor shall any institution utilize any such funds for such an increase. The Governor shall not include in his or her budget recommendations, and the Legislature shall not appropriate, such funds for such increase.

(b) For purposes of this subdivision:

(i) Directly financed shall mean funded by:

(A) Appropriation of tax funds designated by the Legislature for the specific capital construction project;

(B) Property tax levies authorized pursuant to subdivision (1)(b) of section 85-1517 for fiscal years prior to fiscal year 2013-14 and subdivision (2)(b) of section 85-1517 for fiscal year 2013-14 and each fiscal year thereafter used to establish a capital improvement and bond sinking fund as provided in section 85-1515; or

(C) That portion of tax funds designated by the Legislature and appropriated by the Legislature for the general operation of the public institution and utilized to fund the capital project;

(ii) Incremental increase shall mean an increase in appropriation or expenditure of tax funds designated by the Legislature of at least the minimum capital expenditure for a facility's operations and maintenance costs, beyond any increase due to inflation, to pay for a capital structure's operations and maintenance costs that are a direct result of a capital construction project; and

(iii) Minimum capital expenditure shall mean:

(A) For purposes of subdivision (a)(i) of this subdivision, a base amount of five million dollars; and

(B) For the facility's operations and maintenance costs pursuant to subdivision (a)(ii) of this subdivision, a base amount of two hundred thousand dollars for any one fiscal year.

Both base amounts shall be subject to any inflationary or market adjustments made by the commission pursuant to this subdivision. The commission shall adjust the base amounts on a biennial basis beginning January 1, 2026. The adjustments shall be based on percentage changes in a construction cost index and any other published index relevant to operations and utilities costs, both as selected by the commission in cooperation with the public institutions. The index or indices shall reflect inflationary or market trends for the applicable operations and maintenance or construction costs;

(2) Commission shall mean the Coordinating Commission for Postsecondary Education;

(3) Coordination shall mean:

(a) Authority to adopt, and revise as needed, a comprehensive statewide plan for postsecondary education which shall include (i) definitions of the role and mission of each public postsecondary educational institution within any general assignments of role and mission as may be prescribed by the Legislature and (ii) plans for facilities which utilize tax funds designated by the Legislature;

(b) Authority to review, monitor, and approve or disapprove each public postsecondary educational institution's programs and capital construction projects which utilize tax funds designated by the Legislature in order to provide compliance and consistency with the comprehensive plan and to prevent unnecessary duplication; and

(c) Authority to review and modify, if needed to promote compliance and consistency with the comprehensive statewide plan and prevent unnecessary duplication, the budget requests of the governing boards or any other governing board for any other public postsecondary educational institution which may be established by the Legislature;

(4) Education center shall mean an off-campus branch of a public institution or cooperative of either public or public and private postsecondary educational institutions which offers instructional programs to students;

(5) Governing board shall mean the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, or the board of governors for each community college area;

(6) Program shall mean any program of instruction which leads directly to a degree, diploma, or certificate and, for purposes of section 85-1414, shall include public service programs and all off-campus instructional programs, whether or not such programs lead directly to a degree, diploma, or certificate. Program shall also include the establishment of any new college, school, major division, education center, or institute but shall not include reasonable and moderate extensions of existing curricula which have a direct relationship to existing programs;

(7) Public institution shall mean each campus of a public postsecondary

educational institution which is or may be established by the Legislature, which is under the direction of a governing board, and which is administered as a separate unit by the board; and

(8) Tax funds designated by the Legislature shall mean all state tax revenue and all property tax revenue.

Sec. 6. Section 85-1412, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

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

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

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

telecommunications system;

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

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

(7) Administer (a) the Access College Early Scholarship Program Act, (b) the Community College Aid Act, (c) the Door to College Scholarship Act and the Door to College Scholarship Fund, (d) the Nebraska Community College Student Performance and Occupational Education Grant Fund under the direction of the Nebraska Community College Student Performance and Occupational Education Grant Committee, (e) the Nebraska Opportunity Grant Act and the Nebraska Opportunity Grant Fund, (f) the Postsecondary Institution Act, (g) the community college gap assistance program and the Community College Gap Assistance Program Fund, and (h) the Excellence in Teaching Act and the Excellence in Teaching Cash Fund;

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

Governor;

(9) Serve as the primary coordinating entity to determine the most efficient and effective manner to transition or devolve data collection, grants, programs, and related responsibilities and functions from the United States Department of Education to the governing boards and administrators of public and private institutions of postsecondary education in the state or to the commission.

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

(11) Provide staff support for interstate compacts on postsecondary education; and

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

Sec. 7. Section 85-3003, Reissue Revised Statutes of Nebraska, is amended to read:

85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges shall award a Nebraska Career Scholarship that does not exceed a maximum of fifteen thousand dollars per year to any eligible state college student (i) who achieved a composite score on a standard college admission test equivalent to a score of at least eighteen out of a maximum score of thirty-six or an equivalent score on the SAT® or who had a high school grade-point average of 3.0 or greater on a four-point scale and (ii) who is enrolled in an eligible program of study.

(b) The Board of Trustees of the Nebraska State Colleges shall allocate funds appropriated to the board under the Nebraska Career Scholarship Act between the state college campuses, determine the eligibility of students enrolled in a state college, receive and process applications for awards to individual students, and disburse funds directly to scholarship recipients

during the fiscal year. Eligibility criteria shall include being a first-time freshman or a transfer student and enrollment in an eligible program of study.

(c) For purposes of this section, an eligible program of study includes the following:

(i) A program of study at a state college in rangeland management, industrial technology, criminal justice, business administration, education, communication, the Reserve Officers' Training Corps, or computer information systems; and

(ii) Beginning with academic year 2024-25, a program of study designated by the Department of Economic Development, in collaboration with the Board of Trustees of the Nebraska State Colleges, based on periodic reviews of workforce needs in the state.

(2) Each scholarship recipient shall register with the appropriate campus office to obtain a Nebraska-based internship, apprenticeship, clinical position, or employment in a major-related field prior to completion of the student's eligible program of study.

(3) A Nebraska Career Scholarship may be used by a scholarship recipient for tuition, fees, required tools and equipment, and room and board.

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

(5) The Board of Trustees of the Nebraska State Colleges shall collect information on each state college scholarship recipient and shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information for the eligible programs of study at a state college in the current or prior academic year:

(a) The total number of students enrolled in each eligible program of study in the immediately prior academic year and the total number of students enrolled in each eligible program of study for the current academic year, based

upon official fall census data;

(b) The total number of scholarship recipients in each eligible program of study for the current academic year and the total number of such scholarship recipients who are newly enrolled in each eligible program of study for such academic year, based upon official fall census data;

(c) The total number of newly awarded scholarship recipients retained across all eligible programs of study from the immediately prior academic year to the current academic year and a comparison of the retention rates between those of the newly awarded scholarship recipients and the state college's overall first to second year retention rate reported to the Integrated Postsecondary Education Data System for the same year;

(d) The total number of scholarship recipients who graduated during the immediately prior academic year and a comparison of the four-year graduation rates between the scholarship recipients who graduated and the state college's overall four-year graduate rate reported to the Integrated Postsecondary Education Data System for the same year; and

(e) The number and percent of scholarship recipients who graduated during the immediately prior calendar year who obtained employment in a major-related field in the state.

Sec. 8. Section 85-3004, Reissue Revised Statutes of Nebraska, is amended to read:

85-3004 (1)(a) The Board of Regents of the University of Nebraska shall award a Nebraska Career Scholarship to any eligible university student who is enrolled in an eligible program of study in an amount not to exceed:

(i) Ten thousand dollars per year for any scholarship recipient who is a transfer student; or

(ii) Except as provided in subdivision (1)(a)(i) of this section:

(A) Twenty-five thousand dollars per year for any scholarship recipient who achieved a composite score on a standard college admission test equivalent to a score of at least twenty-eight out of a maximum score of thirty-six or an equivalent score on the SAT®; or

(B) Ten thousand dollars per year for any scholarship recipient who achieved a composite score on a standard college admission test equivalent to a score of at least twenty and less than twenty-eight out of a maximum score of thirty-six or an equivalent score on the SAT®.

(b) The Board of Regents shall allocate funds appropriated to the board under the Nebraska Career Scholarship Act between the university campuses, determine the eligibility of students enrolled in the university, receive and process applications for awards to individual students, and disburse funds directly to scholarship recipients during the fiscal year. Eligibility criteria shall include (i) being a first-time freshman who achieved a composite score on a standard college admission test equivalent to a score of at least twenty out of a maximum score of thirty-six or an equivalent score on the SAT® or a transfer student and (ii) enrollment in an eligible program of study.

(c) For purposes of this section, an eligible program of study means:

(i) Through academic year 2023-24, a program of study offered by the University of Nebraska in mathematics, engineering, health care, and computer information systems;

(ii) Beginning with academic year 2024-25, a program of study designated by the Department of Economic Development, in collaboration with the Board of Regents, based on periodic reviews of workforce needs in the state; and

(iii) Beginning with academic year 2024-25, a program of study in special education.

(2) Each scholarship recipient shall register with the appropriate campus office to obtain a Nebraska-based internship, apprenticeship, clinical position, or employment in a major-related field prior to completion of the student's eligible program of study.

(3) A Nebraska Career Scholarship may be used by a scholarship recipient for tuition, fees, required tools and equipment, and room and board.

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except

that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

(5) The Board of Regents shall collect information on each university scholarship recipient and shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information for the eligible programs of study at the university in the current or prior academic year:

(a) The total number of students enrolled in each eligible program of study in the immediately prior academic year and the total number of students enrolled in each eligible program of study for the current academic year, based upon official fall census data;

(b) The total number of scholarship recipients in each eligible program of study for the current academic year and the total number of such scholarship recipients who are newly enrolled in each eligible program of study for such academic year, based upon official fall census data;

(c) The total number of newly awarded scholarship recipients retained across all eligible programs of study from the immediately prior academic year to the current academic year and a comparison of the retention rates between those of the newly awarded scholarship recipients and the university's overall first to second year retention rate reported to the Integrated Postsecondary Education Data System for the same year;

(d) The total number of scholarship recipients who graduated during the immediately prior academic year and a comparison of the four-year graduation rates between the scholarship recipients who graduated and the university's overall four-year graduate rate reported to the Integrated Postsecondary Education Data System for the same year; and

(e) The number and percent of scholarship recipients who graduated during the immediately prior calendar year who obtained employment in a major-related field in the state.

Sec. 9. Section 85-3006, Reissue Revised Statutes of Nebraska, is amended to read:

85-3006 (1)(a) The Coordinating Commission for Postsecondary Education, in collaboration with private colleges that elect to participate, shall award a Nebraska Career Scholarship that does not exceed a maximum of ten thousand dollars per year to any private college student who achieved a composite score on a standard college admission test equivalent to a score of at least eighteen out of a maximum score of thirty-six or an equivalent score on the SAT® or who had a high school grade-point average of 3.0 or greater on a four-point scale and who is enrolled in an eligible program of study.

(b) Each participating private college, acting as an agent of the state, shall determine the eligibility of students enrolled in the private college, receive and process applications for awards to individual students, and disburse funds directly to scholarship recipients during the fiscal year. Eligibility criteria shall include being a first-time freshman or a transfer student and enrollment in an eligible program of study.

(c) For purposes of this section, an eligible program of study means:

(i) Through academic year 2023-24, a program of study at a private college in mathematics, health care, and computer information systems; and

(ii) Beginning with academic year 2024-25, a program of study in education or engineering and a program of study in shortage areas designated by the Coordinating Commission for Postsecondary Education, in consultation with the State Department of Education, the Department of Labor, the Department of Economic Development, and any advisory committee established by the Coordinating Commission for Postsecondary Education for such purpose, based on periodic reviews of workforce needs in the state.

(2) A Nebraska Career Scholarship may be used by the scholarship recipient for tuition, fees, required tools and equipment, and room and board.

(3) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

(4) Each participating private college shall collect information on each scholarship recipient who has been awarded a Nebraska Career Scholarship by such private college and shall share such information with the Coordinating Commission for Postsecondary Education.

(5) The Coordinating Commission for Postsecondary Education shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information for each eligible program of study at a private college in the current or prior academic year:

(a) The total number of students enrolled in the program in the immediately prior academic year and the total number of students enrolled in the program as of September 30 for the current academic year;

(b) The total number of scholarship recipients in the program as of September 30 for the current academic year and the total number of such scholarship recipients who are newly enrolled in the program for such academic year;

(c) The total number of students retained in the program and a comparison of the retention rates between scholarship recipients and nonscholarship students;

(d) The total number of graduates for the immediately prior academic year, the number of scholarship recipient graduates for such academic year, and a comparison of the graduation rates for scholarship recipients and nonscholarship students; and

(e) Using data from the Department of Labor, the number of scholarship recipients obtaining employment in the state within five fiscal quarters after completion of an eligible program of study.

(6) The Coordinating Commission for Postsecondary Education shall allocate the amount appropriated to the commission to carry out this section to private colleges that elect to participate under the Nebraska Career Scholarship Act. The commission shall establish a separate budget subprogram for such allocations.

Sec. 10. Section 85-3202, Reissue Revised Statutes of Nebraska, is amended

to read:

85-3202 For purposes of the Door to College Scholarship Act:

(1) Award means a grant of money under the act by the commission in the form of a Door to College Scholarship to an eligible student for educational expenses;

(2) Award year means the period beginning on July 1 through the following June 30;

(3) Commission means the Coordinating Commission for Postsecondary Education;

(4) Educational expenses means student costs for tuition, mandatory fees, other education-related fees, room and board, books, and other costs related to a student's education;

(5) Eligible postsecondary educational institution means a public or private postsecondary educational institution:

(a) Located in Nebraska;

(b) Primarily engaged in the instruction of students;

(c) Satisfying state statutory requirements relating to the approval and licensure of schools, colleges, and universities and maintaining accreditation by an accrediting organization recognized by the United States Department of Education;

(d) Offering courses of instruction in regularly scheduled classes to regularly enrolled undergraduate students who reside in Nebraska and have received a high school diploma or the equivalent; and

(e) Which has adopted, and has available for inspection, award refund and repayment policies;

(6) Eligible student means an undergraduate student who:

(a) Graduated from high school from an accredited education program at a youth rehabilitation and treatment center operated and utilized in compliance with state law, or graduated from an approved or accredited public, private, denominational, or parochial school or received a diploma of high school equivalency issued by the Commissioner of Education after being discharged from

a youth rehabilitation and treatment center operated and utilized in compliance with state law;

(b) Is enrolled in an eligible postsecondary educational institution;

(c) Has applied for federal financial aid through the Free Application for Federal Student Aid for the applicable award year;

(d) Is a resident student who is domiciled in Nebraska as provided by section 85-502; and

(e) Complies with all other provisions of the Door to College Scholarship Act and any rules and regulations adopted and promulgated pursuant to the act;

(7) Full-time status means enrollment in at least twenty-four semester credit hours, thirty-six quarter credit hours, or nine hundred clock hours per award year;

(8) Part-time status means enrollment in at least twelve semester credit hours, eighteen quarter credit hours, or four hundred fifty clock hours per award year; and

(9) Undergraduate student means an individual who has not earned a first baccalaureate or professional degree and is enrolled in a postsecondary educational program which leads to, or is creditable toward, a first baccalaureate degree, associate degree, certificate, diploma, or the equivalent.

Sec. 11. (1) The Department of Administrative Services shall develop, maintain, and make available for public inspection on its website a database of financial information from all school districts in the state. The information required shall include, but not be limited to, revenue sources, expenditures, and a balance sheet that contains all assets and liabilities for each school district from the most recent audit reports filed with the Commissioner of Education pursuant to section 79-1089. The budget administrator of the budget division of the Department of Administrative Services shall designate an implementation date for such database which date is on or before January 1, 2026.

(2)(a) School districts shall provide to the Department of Administrative

Services such information from the school district's most recent audit report filed with the Commissioner of Education pursuant to section 79-1089 as is necessary to develop and maintain the database. School districts shall provide updated information to the department on an annual basis, and the department shall update the database no later than thirty days after receiving any such information.

(b) School districts shall provide historical financial information beginning with calendar year 2005 to the department. Such information shall be collected and added to the database if available as soon as practicable.

(3) Nothing in this section requires the disclosure of information which is considered confidential under state or federal law or is not a public record under section 84-712.05.

Sec. 12. (1) For purposes of this section:

(a) Contract means any agreement between a covered institution and a foreign adversarial source for the acquisition by purchase, lease, or barter of property or services, for the direct benefit or use of either of the parties;

(b) Covered institution means any public or private two-year or four-year college or university having a campus or place of business in Nebraska;

(c) Foreign adversarial source means:

(i) A foreign adversary government, including an agency of a foreign adversary government;

(ii) A legal entity, governmental or otherwise, created solely under laws of a foreign adversary government;

(iii) An individual who is a citizen or a national of a foreign adversary government; and

(iv) An agent of any entity or individual described in subdivision (1)(c) (i), (ii), or (iii) of this section, including a subsidiary or affiliate of a foreign adversary legal entity acting on behalf of any such entity or individual;

(d) Foreign adversary means a foreign adversary as determined pursuant to 15 C.F.R. 791.4, as such regulation existed on January 1, 2025; and

(e) Reportable funding means revenue or the fair-market value of anything received as the result of any contract, gift, grant, endowment, award, scholarship, or donation, including a conditional or unconditional pledge of a contract, gift, grant, endowment, award, scholarship, or donation from a foreign adversarial source.

(2)(a) Except as provided in subdivision (b) of this subsection, each covered institution shall provide a report biannually to the Coordinating Commission for Postsecondary Education, in a manner prescribed by the commission, detailing all reportable funding received by the covered institution. Unless the information is exempt or prohibited from disclosure or deemed confidential under federal or state law, the report shall include the following information:

(i) The amount of the reportable funding and the date that such funding was received;

(ii) A description of the type of reportable funding and the purpose for such funding, including whether the reportable funding is part of an ongoing relationship with the foreign adversarial source;

(iii) A detailed description of the foreign adversarial source providing the reportable funding, including the name of the foreign adversarial source and, if not a foreign government, the country of citizenship, if known, and the country of principal residence or domicile of the foreign adversarial source; and

(iv) A copy of any contract, agreement, pledge, or memorandum of understanding associated with the funding.

(b) This section shall not require reporting of payments made to a covered institution by a natural person who would otherwise qualify as a foreign adversarial source for tuition or related fees to support an individual enrolled or planning to attend a covered institution.

(c) The Coordinating Commission for Postsecondary Education shall post the report on its public website.

Sec. 13. Section 12 of this act becomes operative on July 1, 2025.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 14. Original sections 79-215, 79-2,136, 85-304, 85-1402, 85-1412, 85-3003, 85-3004, 85-3006, and 85-3202, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 15. Since an emergency exists, this act takes effect when passed and approved according to law.

PRESIDENT OF THE LEGISLATURE

*THIS IS TO CERTIFY that the within LB 306 was passed by the One Hundred Ninth
Legislature of Nebraska at its First Session on the day
of 20.....*

CLERK OF THE LEGISLATURE

Approved:

..... 20....., o'clockM.

GOVERNOR