

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 306

FINAL READING

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

Read first time January 15, 2025

Committee: Education

1 A BILL FOR AN ACT relating to education; to amend sections 79-215,
2 79-2,136, 85-304, 85-1402, 85-1412, 85-3003, 85-3004, 85-3006, and
3 85-3202, Reissue Revised Statutes of Nebraska; to provide for the
4 admission of and participation in extracurricular activities by
5 certain students that are not residents of the school district; to
6 change provisions relating to the powers and duties of the Board of
7 Trustees of the Nebraska State Colleges; to redefine terms and
8 change powers and duties under the Coordinating Commission for
9 Postsecondary Education Act; to change provisions relating to
10 scholarships to a state college, private college, or the University
11 of Nebraska under the Nebraska Career Scholarship Act; to redefine
12 terms under the Door to College Scholarship Act; to provide for the
13 establishment of a database of financial information from all school
14 districts in the state; to require each public or private two-year
15 or four-year college or university to report certain funding from a
16 foreign adversarial source to the Coordinating Commission for
17 Postsecondary Education; to harmonize provisions; to provide
18 operative dates; to repeal the original sections; and to declare an
19 emergency.
20 Be it enacted by the people of the State of Nebraska,

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

3 79-215 (1) Except as otherwise provided in this section, a student
4 is a resident of the school district where he or she resides and shall be
5 admitted to any such school district upon request without charge.

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

8 (3) A school board shall admit any homeless student upon request
9 without charge if the district is the district in which the student (a)
10 is currently located, (b) attended when permanently housed, or (c) was
11 last enrolled.

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

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

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

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

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

31 (9) When a student as a ward of the state or as a ward of any court

1 (a) has been placed in a school district other than the district in which
2 he or she resided at the time he or she became a ward and such ward does
3 not reside in a foster family home licensed or approved by the Department
4 of Health and Human Services or a foster home maintained or used pursuant
5 to section 83-108.04 or (b) has been placed in any institution which
6 maintains a special education program which has been approved by the
7 State Department of Education and such institution is not owned or
8 operated by the district in which he or she resided at the time he or she
9 became a ward, the cost of his or her education and the required
10 transportation costs associated with the student's education shall be
11 paid by the state, but not in advance, to the receiving school district
12 or approved institution under rules and regulations prescribed by the
13 Department of Health and Human Services and the student shall remain a
14 resident of the district in which he or she resided at the time he or she
15 became a ward. Any student who is a ward of the state or a ward of any
16 court who resides in a foster family home licensed or approved by the
17 Department of Health and Human Services or a foster home maintained or
18 used pursuant to section 83-108.04 shall be deemed a resident of the
19 district in which he or she resided at the time he or she became a foster
20 child, unless it is determined under section 43-1311 or 43-1312 that he
21 or she will not attend such district in which case he or she shall be
22 deemed a resident of the district in which the foster family home or
23 foster home is located.

24 (10)(a) When a student is not a ward of the state or a ward of any
25 court and is residing in a residential setting located in Nebraska for
26 reasons other than to receive an education and the residential setting is
27 operated by a service provider which is certified or licensed by the
28 Department of Health and Human Services or is enrolled in the medical
29 assistance program established pursuant to the Medical Assistance Act and
30 Title XIX or XXI of the federal Social Security Act, as amended, the
31 student shall remain a resident of the district in which he or she

1 resided immediately prior to residing in such residential setting. The
2 resident district for a student who is not a ward of the state or a ward
3 of any court does not change when the student moves from one residential
4 setting to another.

5 (b) If a student is residing in a residential setting as described
6 in subdivision (10)(a) of this section and such residential setting does
7 not maintain an interim-program school as defined in section 79-1119.01
8 or an approved or accredited school, the resident school district shall
9 contract with the district in which such residential setting is located
10 for the provision of all educational services, including all special
11 education services and support services as defined in section 79-1125.01,
12 unless a parent or guardian and the resident school district agree that
13 an appropriate education will be provided by the resident school district
14 while the student is residing in such residential setting. If the
15 resident school district is required to contract, the district in which
16 such residential setting is located shall contract with the resident
17 district and provide all educational services, including all special
18 education services, to the student. If the two districts cannot agree on
19 the amount of the contract, the State Department of Education shall
20 determine the amount to be paid by the resident district to the district
21 in which such residential setting is located based on the needs of the
22 student, approved special education rates, the department's general
23 experience with special education budgets, and the cost per student in
24 the district in which such residential setting is located. Once the
25 contract has been entered into, all legal responsibility for special
26 education and related services shall be transferred to the school
27 district in which the residential setting is located.

28 (c) If a student is residing in a residential setting as described
29 in subdivision (10)(a) of this section and such residential setting
30 maintains an interim-program school as defined in section 79-1119.01 or
31 an approved or accredited school, the department shall reimburse such

1 residential setting for the provision of all educational services,
2 including all special education services and support services, with the
3 amount of payment for all educational services determined pursuant to the
4 average per pupil cost of the service agency as defined in section
5 79-1116. The resident school district shall retain responsibility for
6 such student's individualized education plan, if any. The educational
7 services may be provided through (i) such interim-program school or
8 approved or accredited school, (ii) a contract between the residential
9 setting and the school district in which such residential setting is
10 located, (iii) a contract between the residential setting and another
11 service agency as defined in section 79-1124, or (iv) a combination of
12 such educational service providers.

13 (d) If a school district pays a school district in which a
14 residential setting is located for educational services provided pursuant
15 to subdivision (10)(b) of this section and it is later determined that a
16 different school district was the resident school district for such
17 student at the time such educational services were provided, the school
18 district that was later determined to be the resident school district
19 shall reimburse the school district that initially paid for the
20 educational services one hundred ten percent of the amount paid.

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

28 (11) A school board shall admit a student upon request without
29 charge for part-time enrollment for purposes of participating in
30 extracurricular activities in accordance with section 79-2,136 if (a) the
31 student is also enrolled in a private, denominational, or parochial

1 school or in a school which elects pursuant to section 79-1601 not to
2 meet accreditation or approval requirements and (b) either (i) the school
3 district where such student or such student's parent resides does not
4 offer the extracurricular activity in which the student desires to
5 participate and the school district which the student is requesting to
6 attend is the closest school district to the residence of such student or
7 such student's parent that offers such extracurricular activity or (ii)
8 the school district where such student or such student's parent resides
9 does offer the extracurricular activity in which the student desires to
10 participate but the school district the student is requesting to attend
11 includes the closest school to the residence of such student or such
12 student's parent that offers such extracurricular activity.

13 ~~(12)~~ (11) In the case of any individual eighteen years of age or
14 younger who is a ward of the state or any court and who is placed in a
15 county detention home established under section 43-2,110, the cost of his
16 or her education shall be paid by the state, regardless of the district
17 in which he or she resided at the time he or she became a ward, to the
18 agency or institution which: (a) Is selected by the county board with
19 jurisdiction over such detention home; (b) has agreed or contracted with
20 such county board to provide educational services; and (c) has been
21 approved by the State Department of Education pursuant to rules and
22 regulations prescribed by the State Board of Education.

23 ~~(13)~~ (12) No tuition shall be charged for students who may be by law
24 allowed to attend the school without charge.

25 ~~(14)~~ (13) The State Department of Education shall establish
26 procedures and criteria for collecting enrollment, admission, and related
27 information needed for any student to attend a school district in this
28 state which shall include, but not be limited to, having an adult with
29 legal or actual charge or control of a student provide through electronic
30 means or other means specified by the department the name of the student,
31 the name of the adult with legal or actual charge or control of the

1 student, the address where the student is or will be residing, and
2 information on how and where the adult may generally be reached during
3 the school day.

4 ~~(15)~~ ~~(14)~~ The department may adopt and promulgate rules and
5 regulations to carry out the provisions of this section.

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

8 79-2,136 (1) Each school board shall allow the part-time enrollment
9 of students, for all courses selected by the students, who are residents
10 of, or admitted to, the school district pursuant to subsection
11 subsections (1), and (2), or (11) of section 79-215 and who are also
12 enrolled in a private, denominational, or parochial school or in a school
13 which elects pursuant to section 79-1601 not to meet accreditation or
14 approval requirements and shall establish policies and procedures for
15 such part-time enrollment. Such policies and procedures may include
16 provisions permitting the part-time enrollment of such students who are
17 not residents of, or admitted to, such school districts to the extent
18 permitted pursuant to section 79-215 and may require part-time students
19 to follow school policies that apply to other students at any time the
20 part-time student is present on school grounds or at a school-sponsored
21 activity or athletic event. Part-time enrollment shall not entitle a
22 student to transportation or transportation reimbursements pursuant to
23 section 79-611.

24 (2) Each school board shall establish policies and procedures to
25 allow any student who is a resident of, or admitted to, the school
26 district pursuant to subsection (1), ~~or~~ (2), or (11) of section 79-215
27 and who is enrolled in a school which elects pursuant to section 79-1601
28 not to meet accreditation or approval requirements to participate in any
29 extracurricular activities as defined in section 79-2,126, including, but
30 not limited to, interschool competitions, to the same extent and subject
31 to the same requirements, conditions, and procedures as a student

1 enrolled in a public school governed by such board, except that any
2 school which elects pursuant to section 79-1601 not to meet accreditation
3 or approval requirements shall set the standards for satisfactory
4 academic performance for a student from the school to participate in
5 extracurricular activities pursuant to this subsection and shall provide
6 assurances of compliance with such academic standards.

7 (3) School board policies and procedures adopted pursuant to
8 subsection (2) of this section (a) shall require any student desiring to
9 participate ~~participating~~ in extracurricular activities regulated by an
10 athletics or activities association to which such school is a member
11 pursuant to such subsection to be enrolled in ~~no more and no less than~~
12 five credit hours offered by the school district in any semester in order
13 to participate in such extracurricular activities, but may not prohibit a
14 student from enrolling in more than five credit hours, (b) shall not
15 allow any preference in the selection of a student for participation in
16 an extracurricular activity based on such student's status as a full-time
17 student in the school district, and (c) may require any student
18 participating in extracurricular activities pursuant to such subsection
19 to follow school policies that apply to other students when present on
20 school grounds or at a school-sponsored activity or athletic event.
21 Participation in extracurricular activities pursuant to subsection (2) of
22 this section shall not entitle a student to transportation, except to and
23 from practices and events to the same extent as public school students
24 participating in such activities, or transportation reimbursement
25 pursuant to section 79-611.

26 (4) Nothing in this section shall be construed to exempt any student
27 from the compulsory attendance provisions of section ~~sections~~ 79-201 or
28 any statutes relating to habitual truancy ~~to 79-210~~.

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

31 85-304 (1) The Board of Trustees of the Nebraska State Colleges

1 shall have the power:

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

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

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

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

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

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

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

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

23 (2) The board shall have the duty:

24 (a) To institute a continuing program of preventive maintenance and
25 a program of deferred maintenance consistent with the provisions of the
26 Deferred Building Renewal Act; and

27 (b) To consult with the Nebraska Arts Council and acquire works of
28 art for the original construction of any public building under its
29 supervision consistent with sections 82-317 to 82-329 and 85-304 to
30 85-304.03.

31 **Sec. 4.** (1) The Board of Trustees of the Nebraska State Colleges

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

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

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

1 85-1402 For purposes of the Coordinating Commission for
2 Postsecondary Education Act:

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

28 (b) For purposes of this subdivision:

29 (i) Directly financed shall mean funded by:

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

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

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

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

15 (iii) Minimum capital expenditure shall mean:

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

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

21 ~~Both The base amounts amount for the facility's operations and~~
22 ~~maintenance costs~~ shall be subject to any inflationary or market
23 adjustments made by the commission pursuant to this subdivision. The
24 commission shall adjust the base amounts ~~amount~~ on a biennial basis
25 beginning January 1, 2026 ~~2010~~. The adjustments shall be based on
26 percentage changes in a construction cost index and any other published
27 index relevant to operations and utilities costs, both as selected by the
28 commission in cooperation with the public institutions. The index or
29 indices shall reflect inflationary or market trends for the applicable
30 operations and maintenance or construction costs;

31 (2) Commission shall mean the Coordinating Commission for

1 Postsecondary Education;

2 (3) Coordination shall mean:

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

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

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

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

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

26 (6) Program shall mean any program of instruction which leads
27 directly to a degree, diploma, or certificate and, for purposes of
28 section 85-1414, shall include public service programs and all off-campus
29 instructional programs, whether or not such programs lead directly to a
30 degree, diploma, or certificate. Program shall also include the
31 establishment of any new college, school, major division, education

1 center, or institute but shall not include reasonable and moderate
2 extensions of existing curricula which have a direct relationship to
3 existing programs;

4 (7) Public institution shall mean each campus of a public
5 postsecondary educational institution which is or may be established by
6 the Legislature, which is under the direction of a governing board, and
7 which is administered as a separate unit by the board; and

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

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

12 85-1412 The commission shall have the following additional powers
13 and duties:

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

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

28 (3) Establish any advisory committees as may be necessary to
29 undertake the coordination function of the commission pursuant to section
30 85-1403 or to solicit input from affected parties such as students,
31 faculty, governing boards, administrators of the public institutions,

1 administrators of the private nonprofit institutions of postsecondary
2 education and proprietary institutions in the state, and community and
3 business leaders regarding the coordination function of the commission;

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

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

12 (6) Administer the Integrated Postsecondary Education Data System or
13 other information system or systems to provide the commission with
14 timely, comprehensive, and meaningful information pertinent to the
15 exercise of its duties. The information system shall be designed to
16 provide comparable data on each public institution. The commission shall
17 also administer the uniform information system prescribed in sections
18 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public
19 institutions shall supply the appropriate data for the information system
20 or systems required by the commission;

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

31 (8) Accept and administer loans, grants, and programs from the

1 federal or state government and from other sources, public and private,
2 for carrying out any of its functions, including the administration of
3 privately endowed scholarship programs. Such loans and grants shall not
4 be expended for any other purposes than those for which the loans and
5 grants were provided. The commission shall determine eligibility for such
6 loans, grants, and programs, and such loans and grants shall not be
7 expended unless approved by the Governor;

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

14 (10) ~~(9)~~ On or before December 1 of each even-numbered year, submit
15 to the Legislature and the Governor a report of its objectives and
16 activities and any new private colleges in Nebraska and the
17 implementation of any recommendations of the commission for the preceding
18 two calendar years. The report submitted to the Legislature shall be
19 submitted electronically;

20 (11) ~~(10)~~ Provide staff support for interstate compacts on
21 postsecondary education; and

22 (12) ~~(11)~~ Request inclusion of the commission in any existing grant
23 review process and information system.

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

26 85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges
27 shall award a Nebraska Career Scholarship that does not exceed a maximum
28 of fifteen thousand dollars per year to any eligible state college
29 student (i) who achieved a composite score on a standard college
30 admission test equivalent to a score of at least eighteen out of a
31 maximum score of thirty-six or an equivalent score on the SAT® or who had

1 a high school grade-point average of 3.0 or greater on a four-point scale
2 and (ii) who is enrolled in an eligible program of study.

3 (b) The Board of Trustees of the Nebraska State Colleges shall
4 allocate funds appropriated to the board under the Nebraska Career
5 Scholarship Act between the state college campuses, determine the
6 eligibility of students enrolled in a state college, receive and process
7 applications for awards to individual students, and disburse funds
8 directly to scholarship recipients during the fiscal year. Eligibility
9 criteria shall include being a first-time freshman or a transfer student
10 and enrollment in an eligible program of study.

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

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

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

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

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

28 (4) Each scholarship awarded under this section shall be
29 automatically renewed on an annual basis if the student remains enrolled
30 in good standing in the eligible program of study for which such
31 scholarship was awarded, except that no student shall receive a

1 scholarship renewal after four years of participation in such eligible
2 program of study.

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

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

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

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

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

30 (e) The number and percent of scholarship recipients who graduated
31 during the immediately prior calendar year who obtained employment in a

1 major-related field in the state.

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

4 85-3004 (1)(a) The Board of Regents of the University of Nebraska
5 shall award a Nebraska Career Scholarship to any eligible university
6 student who is enrolled in an eligible program of study in an amount not
7 to exceed:

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

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

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

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

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

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

31 (i) Through academic year 2023-24, a program of study offered by the

1 University of Nebraska in mathematics, engineering, health care, and
2 computer information systems;

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

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

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

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

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

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

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

31 (b) The total number of scholarship recipients in each eligible

1 program of study for the current academic year and the total number of
2 such scholarship recipients who are newly enrolled in each eligible
3 program of study for such academic year, based upon official fall census
4 data;

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

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

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

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

21 85-3006 (1)(a) The Coordinating Commission for Postsecondary
22 Education, in collaboration with private colleges that elect to
23 participate, shall award a Nebraska Career Scholarship that does not
24 exceed a maximum of ten thousand dollars per year to any private college
25 student who achieved a composite score on a standard college admission
26 test equivalent to a score of at least eighteen out of a maximum score of
27 thirty-six or an equivalent score on the SAT® or who had a high school
28 grade-point average of 3.0 or greater on a four-point scale and who is
29 enrolled in an eligible program of study.

30 (b) Each participating private college, acting as an agent of the
31 state, shall determine the eligibility of students enrolled in the

1 private college, receive and process applications for awards to
2 individual students, and disburse funds directly to scholarship
3 recipients during the fiscal year. Eligibility criteria shall include
4 being a first-time freshman or a transfer student and enrollment in an
5 eligible program of study.

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

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

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

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

23 (2) ~~(3)~~ A Nebraska Career Scholarship may be used by the scholarship
24 recipient for tuition, fees, required tools and equipment, and room and
25 board.

26 (3) ~~(4)~~ Each scholarship awarded under this section shall be
27 automatically renewed on an annual basis if the student remains enrolled
28 in good standing in the eligible program of study for which such
29 scholarship was awarded, except that no student shall receive a
30 scholarship renewal after four years of participation in such eligible
31 program of study.

1 ~~(4)~~ ~~(5)~~ Each participating private college shall collect information
2 on each scholarship recipient who has been awarded a Nebraska Career
3 Scholarship by such private college and shall share such information with
4 the Coordinating Commission for Postsecondary Education.

5 ~~(5)~~ ~~(6)~~ The Coordinating Commission for Postsecondary Education
6 shall report electronically to the Clerk of the Legislature and the
7 Governor on or before December 1 of each year the following information
8 for each eligible program of study at a private college in the current or
9 prior academic year:

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

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

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

20 ~~(d) The number of students participating in an internship, an~~
21 ~~apprenticeship, a clinical position, or employment in a major-related~~
22 ~~field during the immediately prior academic year and a comparison of~~
23 ~~participation rates for scholarship recipients and nonscholarship~~
24 ~~students;~~

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

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

1 ~~graduates from the immediately prior academic year who obtained~~
2 ~~employment in a major-related field in the state within four months after~~
3 ~~graduation and the average starting salary for such graduates.~~

4 (6) (7) The Coordinating Commission for Postsecondary Education
5 shall allocate the amount appropriated to the commission to carry out
6 this section to private colleges that elect to participate under the
7 Nebraska Career Scholarship Act. The commission shall establish a
8 separate budget subprogram for such allocations.

9 **Sec. 10.** Section 85-3202, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 85-3202 For purposes of the Door to College Scholarship Act:

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

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

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

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

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

24 (a) Located in Nebraska;

25 (b) Primarily engaged in the instruction of students;

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

30 (d) Offering courses of instruction in regularly scheduled classes
31 to regularly enrolled undergraduate students who reside in Nebraska and

1 have received a high school diploma or the equivalent; and

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

4 (6) Eligible student means an undergraduate student who:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Nebraska;

2 (c) Foreign adversarial source means:

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

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

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

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

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

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

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

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

30 (ii) A description of the type of reportable funding and the purpose
31 for such funding, including whether the reportable funding is part of an

1 ongoing relationship with the foreign adversarial source;

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

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

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

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

15 **Sec. 13.** Section 12 of this act becomes operative on July 1, 2025.
16 Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 of this act become
17 operative three calendar months after the adjournment of this legislative
18 session. The other sections of this act become operative on their
19 effective date.

20 **Sec. 14.** Original sections 79-215, 79-2,136, 85-304, 85-1402,
21 85-1412, 85-3003, 85-3004, 85-3006, and 85-3202, Reissue Revised Statutes
22 of Nebraska, are repealed.

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