

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 937**

Introduced by Education Committee: Murman, 38, Chairperson; Conrad, 46;  
Juarez, 5; Lonowski, 33; Meyer, G., 17; Sanders, 45.

Read first time January 09, 2026

Committee: Education

1 A BILL FOR AN ACT relating to education; to amend sections 79-239,  
2 79-308, 79-528, 79-816, 79-8,113, 79-8,114, 79-1035, 79-11,157.01,  
3 79-3407, 79-3703, and 79-3704, Reissue Revised Statutes of Nebraska;  
4 to change provisions relating to option enrollment, reading  
5 deficiency, and dyslexia reporting; to repeal obsolete provisions  
6 relating to grants for an evaluation model and funding from solar or  
7 wind agreements on school lands; to change reporting deadlines; to  
8 repeal obsolete provisions relating to learning community levies; to  
9 change provisions relating to the Nebraska Teacher Apprenticeship  
10 Program; to change provisions relating to the Teacher Recruitment  
11 and Retention Act; to define terms; to change provisions relating to  
12 the College Pathway Program Act; to harmonize provisions; to repeal  
13 the original sections; and to outright repeal sections 79-309.01 and  
14 79-718, Reissue Revised Statutes of Nebraska.  
15 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 79-239, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           79-239 (1) If an application is rejected by the option school  
4 district or if the resident school district rejects a request for release  
5 under subsection (1) of section 79-237, the rejecting school district  
6 shall provide written notification to the parent or guardian stating (a)  
7 the specific reasons for the rejection including, for students with an  
8 individualized education program under the federal Individuals with  
9 Disabilities Education Act, 20 U.S.C. 1400 et seq., or with a diagnosed  
10 disability as defined in section 79-1118.01, a description of services  
11 and accommodations required that the school district does not have the  
12 capacity to provide, and (b) the process for appealing such rejection to  
13 the State Board of Education. Such notification shall be sent by  
14 certified mail.

15           (2) The parent or legal guardian may appeal a rejection to the State  
16 Board of Education by filing a written request, together with a copy of  
17 the rejection notice, with the State Board of Education. Such request and  
18 copy of the notice must be received by the board within thirty days after  
19 the date the notification of the rejection was received by the parent or  
20 legal guardian. Such hearing shall be held in accordance with the  
21 Administrative Procedure Act and shall determine whether the procedures  
22 of sections 79-234 to 79-241 have been followed. Any rejection based upon  
23 capacity limitations established under section 79-238 shall be the  
24 responsibility of the school district to prove in any appeal filed with  
25 the state board.

26           (3)(a) As part of the end-of-the-school-year annual statistical  
27 summary required pursuant to section 79-528, Beginning July 1, 2024, and  
28 on or before July 1 of each year thereafter, each school district shall  
29 provide ~~to the State Department of Education~~ information prescribed by  
30 the Commissioner of Education relating to all applications received  
31 pursuant to section 79-237 rejected by the ~~option~~ school district. Such

1 information shall include, but not be limited to, (a) the number of  
2 applications approved and the number of applications rejected by in each  
3 ~~public school in~~ such school district, (b) an explanation why each  
4 rejected application was rejected, (c) whether each application for  
5 option enrollment indicated that the student had an individualized  
6 education program under the federal Individuals with Disabilities  
7 Education Act, 20 U.S.C. 1400 et seq., or had been identified as a  
8 student with a disability as defined in section 79-1118.01, and (d) if  
9 the school district is in a learning community, whether information  
10 regarding the requirements of subsection (4) of section 79-238 was  
11 provided to the applicant.

12 (b) The Commissioner of Education shall annually compile the  
13 information received pursuant to this subsection and provide a report on  
14 such information electronically to the Legislature beginning on September  
15 1, 2024, and on or before September 1 of each year thereafter. The State  
16 Board of Education may adopt and promulgate rules and regulations to  
17 carry out this subsection.

18 **Sec. 2.** Section 79-308, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 79-308 ~~(1)~~The Commissioner of Education shall organize institutes  
21 and conferences at such times and places as he or she deems practicable.  
22 He or she shall, as far as practicable, attend such institutes and  
23 conferences, provide proper instructors for the same, and in other ways  
24 seek to improve the efficiency of teachers and advance the cause of  
25 education in the state.

26 ~~(2)~~ The Legislature finds that ~~(a)~~ an educator effectiveness system  
27 ~~includes a quality evaluation system with the primary goal of improving~~  
28 ~~instruction and learning in every school district and (b) school~~  
29 ~~districts have an opportunity to receive training on the quality~~  
30 ~~evaluation models.~~

31 ~~(3)~~ Beginning with the ~~2016-17~~ school year through the ~~2020-21~~

1 ~~school year, school districts may apply to the State Department of~~  
2 ~~Education for grant funding for a period of up to two years to implement~~  
3 ~~an evaluation model for effective educators and to obtain the necessary~~  
4 ~~training for administrators and teachers for such model.~~

5 **Sec. 3.** Section 79-528, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 79-528 (1)(a) On or before October 15 ~~July 20~~ in all school  
8 districts, the superintendent shall file with the State Department of  
9 Education a report showing the number of children from five through  
10 eighteen years of age belonging to the school district according to the  
11 census taken as provided in sections 79-524 and 79-578.

12 (b) The board of any district neglecting to take and report the  
13 enumeration shall be liable to the school district for all school money  
14 which such district may lose by such neglect.

15 (2) On or before June 30 the superintendent of each school district  
16 shall file with the Commissioner of Education a report described as an  
17 end-of-the-school-year annual statistical summary showing (a) the number  
18 of children attending school during the year under five years of age, (b)  
19 the length of time the school has been taught during the year by a  
20 qualified teacher, (c) the length of time taught by each substitute  
21 teacher, (d) information regarding option enrollment applications as  
22 required under subdivision (3)(a) of section 79-239, (e) information  
23 regarding children who display deficiencies in reading as required under  
24 subsection (1) of section 79-11,157.01, and (f) ~~(d)~~ such other  
25 information as the Commissioner of Education directs.

26 (3) On or before November 1 the superintendent of each school  
27 district shall submit to the Commissioner of Education a report described  
28 as the annual financial report showing (a) ~~(i)~~ the amount of money  
29 received from all sources during the year and the amount of money  
30 expended by the school district during the year, ~~(b) ~~(ii)~~ the amount of~~  
31 bonded indebtedness, ~~(c) ~~(iii)~~ such other information as shall be~~

1 necessary to fulfill the requirements of the Tax Equity and Educational  
2 Opportunities Support Act and section 79-1114, and (d) ~~(iv)~~ such other  
3 information as the Commissioner of Education directs.

4 (4)(a) On or before October 15 of each year, the superintendent of  
5 each school district shall file with the commissioner the fall school  
6 district membership report, which report shall include the number of  
7 children from birth through twenty years of age enrolled in the district  
8 on October 1 of a given school year. The report shall enumerate (i)  
9 students by grade level, (ii) school district levies and total assessed  
10 valuation for the current fiscal year, (iii) students enrolled in the  
11 district as option students, resident students enrolled in another  
12 district as option students, students enrolled in the district as open  
13 enrollment students, and resident students enrolled in another district  
14 as open enrollment students, and (iv) such other information as the  
15 Commissioner of Education directs.

16 ~~(b) On or before October 15 of each year prior to 2017, each~~  
17 ~~learning community coordinating council shall issue to the department a~~  
18 ~~report which enumerates the learning community levies pursuant to~~  
19 ~~subdivision (2)(b) of section 77-3442 and total assessed valuation for~~  
20 ~~the current fiscal year.~~

21 (b) ~~(c)~~ When any school district fails to submit its fall membership  
22 report by November 1, the commissioner shall, after notice to the  
23 district and an opportunity to be heard, direct that any state aid  
24 granted pursuant to the Tax Equity and Educational Opportunities Support  
25 Act be withheld until such time as the report is received by the  
26 department. In addition, the commissioner shall direct the county  
27 treasurer to withhold all school money belonging to the school district  
28 until such time as the commissioner notifies the county treasurer of  
29 receipt of such report. The county treasurer shall withhold such money.

30 **Sec. 4.** Section 79-816, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           79-816 (1) The State Department of Education shall create and  
2 administer the Nebraska Teacher Apprenticeship Program. The purpose of  
3 the program is to help recruit and increase the number of teachers  
4 throughout the state by utilizing an apprenticeship model for training.  
5 The program shall provide for an applicant who successfully completes the  
6 program to obtain a certificate or permit issued by the Commissioner of  
7 Education. The department may work with standard institutions of higher  
8 education as defined in section 79-807, the Department of Labor, and  
9 other entities the State Department of Education deems necessary to  
10 develop and implement the program.

11           (2) An individual may apply for participation in the program if the  
12 individual (a) is an employee of a school approved or accredited by the  
13 State Department of Education or (b) has a contract to begin working for  
14 a school approved or accredited by the State Department of Education at  
15 the start of the school year for which the individual is applying for  
16 participation in the program.

17           (3) The department shall determine requirements for completion of  
18 the program by an applicant. The requirements shall include, but need not  
19 be limited to:

20           (a) The completion of a one-year apprenticeship in a classroom;

21           (b) A baccalaureate degree from a standard institution of higher  
22 education; and

23           (c) Successful completion of a subject area examination as  
24 determined by the Commissioner of Education and ~~pedagogy examination~~  
25 ~~created by the department as part of the program.~~

26           (4) The Commissioner of Education shall issue a certificate to teach  
27 as set forth pursuant to the rules and regulations adopted and  
28 promulgated pursuant to sections 79-806 to 79-815 to an applicant who  
29 successfully completes the program.

30           (5) It is the intent of the Legislature to appropriate one million  
31 dollars for fiscal year 2023-24 and each fiscal year thereafter from the

1 Education Future Fund to the State Department of Education for the  
2 program.

3 **Sec. 5.** Section 79-8,113, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 79-8,113 For purposes of the Nebraska Teacher Recruitment and  
6 Retention Act:

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

8 (2) Dual enrollment means a course taught to students for credit at  
9 both a high school and a postsecondary institution;

10 (3) ~~(2)~~ Grant means a grant for teacher recruitment and retention  
11 payments under the Nebraska Teacher Recruitment and Retention Act; and

12 (4) ~~(3)~~ Teacher means a person who holds a valid certificate to  
13 teach in Nebraska issued by the Commissioner of Education and is employed  
14 in Nebraska for the instruction of students in elementary or high school  
15 grades.

16 **Sec. 6.** Section 79-8,114, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 79-8,114 (1) A teacher may apply to the department for a grant. The  
19 department shall not prioritize a grant based upon the school where the  
20 applicant teaches.

21 (2) A teacher is eligible to apply for:

22 (a) A retention one grant of two thousand five hundred dollars if  
23 the teacher has signed a contract to complete such teacher's second  
24 complete school year of full-time employment as a teacher at a Nebraska  
25 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

26 (b) A retention two grant of two thousand five hundred dollars if  
27 the teacher has signed a contract to complete such teacher's fourth  
28 complete school year of full-time employment as a teacher at a Nebraska  
29 school in school year 2023-24, 2024-25, 2025-26, or 2026-27;

30 (c) A retention three grant of two thousand five hundred dollars if  
31 the teacher has signed a contract to complete such teacher's sixth

1 complete school year of full-time employment as a teacher at a Nebraska  
2 school in school year 2023-24, 2024-25, 2025-26, or 2026-27; and

3 (d)(i) A high-need retention grant of five thousand dollars if on or  
4 after June 2, 2023, a teacher:

5 (A) Obtains an endorsement in special education, mathematics,  
6 science, or technology , ~~or dual credit~~; and ~~(B)(I) For an application~~  
7 ~~submitted prior to April 17, 2024, signs a contract to complete a school~~  
8 ~~year of full-time employment as a teacher at a Nebraska school in school~~  
9 ~~year 2024-25, 2025-26, or 2026-27; or (II) For an application submitted~~  
10 ~~on or after April 17, 2024, signs a contract to complete a school year of~~  
11 ~~full-time employment as a teacher to teach in such endorsement area at a~~  
12 ~~Nebraska school in school year 2024-25, 2025-26, or 2026-27; or -~~

13 (B) Signs a contract to complete a school year of full-time  
14 employment as a teacher at a Nebraska school in school year 2026-27 and  
15 teaches at least one dual enrollment course during such school year.

16 (ii) A teacher shall only be eligible to receive one high-need  
17 retention grant.

18 **Sec. 7.** Section 79-1035, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 79-1035 (1) ~~(1)(a)~~ The State Treasurer shall, on or before January  
21 25 of each year, make a complete exhibit of all money belonging to the  
22 permanent school fund and the temporary school fund as returned to him or  
23 her from the several counties, together with the amount derived from  
24 other sources, and deliver such exhibit duly certified to the  
25 Commissioner of Education and the chairperson of the Education Committee  
26 of the Legislature.

27 ~~(b) Through 2021, the exhibit required in subdivision (1)(a) of this~~  
28 ~~section shall include a separate accounting, not to exceed an amount of~~  
29 ~~ten million dollars, of the income from solar and wind agreements on~~  
30 ~~school lands. The amount of income from solar and wind agreements on~~  
31 ~~school lands shall be used to fund the grants described in section~~

1 ~~79-308. The Board of Educational Lands and Funds shall provide the State~~  
2 ~~Treasurer with the information necessary to make the exhibit required by~~  
3 ~~this subsection. Separate accounting shall not be made for income from~~  
4 ~~solar or wind agreements on school lands that exceeds the sum of ten~~  
5 ~~million dollars.~~

6 (2) On or before February 25 following receipt of the exhibit from  
7 the State Treasurer pursuant to subsection (1) of this section, the  
8 Commissioner of Education shall make the apportionment of the temporary  
9 school fund to each school district as follows: From the whole amount,  
10 there shall be paid to those districts in which there are school or  
11 saline lands, which lands are used for a public purpose, an amount in  
12 lieu of tax money that would be raised if such lands were taxable, to be  
13 fixed in the manner prescribed in section 79-1036; and the remainder  
14 shall be apportioned to the districts according to the pro rata  
15 enumeration of children who are five through eighteen years of age in  
16 each district last returned from the school district. The calculation of  
17 apportionment for each school fiscal year shall include any corrections  
18 to the prior school fiscal year's apportionment.

19 (3) The Commissioner of Education shall certify the amount of the  
20 apportionment of the temporary school fund as provided in subsection (2)  
21 of this section to the Director of Administrative Services. The Director  
22 of Administrative Services shall issue payments to the various districts  
23 for the respective amounts so certified by the Commissioner of Education.

24 ~~(4) For purposes of this section, agreement means any lease,~~  
25 ~~easement, covenant, or other such contractual arrangement.~~

26 **Sec. 8.** Section 79-11,157.01, Reissue Revised Statutes of Nebraska,  
27 is amended to read:

28 79-11,157.01 (1) As part of the end-of-the-school-year annual  
29 statistical summary required pursuant to section 79-528 ~~On or before July~~  
30 ~~1 of each year,~~ each school district shall provide information in the  
31 manner to the State Department of Education, ~~on forms~~ prescribed by the

1 ~~Commissioner of Education department, information relating to children in~~  
2 ~~kindergarten through grade three who display deficiencies in reading,~~  
3 ~~including, but not limited to, characteristics of dyslexia. Such~~  
4 ~~information shall include, but not be limited to, the number of students~~  
5 ~~in each public school in such district:~~

6 ~~(a) Tested for a specific learning disability in the area of~~  
7 ~~reading, including tests that identify characteristics of dyslexia and~~  
8 ~~the results of such tests;~~

9 ~~(b) Identified as having a reading issue, including dyslexia,~~  
10 ~~pursuant to the assessment administered under the Nebraska Reading~~  
11 ~~Improvement Act; and~~

12 ~~(c) Identified as described in subdivision (b) of this subsection~~  
13 ~~that have shown growth on the measure used to identify the reading issue.~~

14 (2) The Commissioner ~~State Department~~ of Education shall annually  
15 compile the information received pursuant to subsection (1) of this  
16 section and provide a report on such information electronically to the  
17 Legislature on or before September 1 of each year. Such report shall  
18 include, but not be limited to, the number of students who display  
19 deficiencies in reading, including, but not limited to, characteristics  
20 of dyslexia, by grade level in each school of the school district unless  
21 such information can be withheld under subsection (1) of section  
22 84-712.05.

23 (3) The State Board of Education may adopt and promulgate rules and  
24 regulations to carry out this section.

25 **Sec. 9.** Section 79-3407, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 79-3407 The department shall prepare documents to be submitted by  
28 school districts to aid the department in calculating each school  
29 district's property tax request authority and unused property tax request  
30 authority. Each school district shall submit such documents to the  
31 department on or before October 15 ~~September 30~~ of each year. If a school

1 district fails to submit such documents to the department or if the  
2 department determines from such documents that a school district is not  
3 complying with the limits provided in the School District Property Tax  
4 Limitation Act, the department shall notify the school district of its  
5 determination. The Commissioner of Education shall then direct that any  
6 state aid granted pursuant to the Tax Equity and Educational  
7 Opportunities Support Act be withheld until such time as the school  
8 district submits the required documents or complies with the School  
9 District Property Tax Limitation Act. The state aid shall be held for six  
10 months. If the school district complies within the six-month period, it  
11 shall receive the suspended state aid. If the school district fails to  
12 comply within the six-month period, the suspended state aid shall revert  
13 to the General Fund.

14 **Sec. 10.** Section 79-3703, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 79-3703 (1) The State Department of Education shall develop and  
17 administer the College Pathway Program to provide funds ~~grants~~ on or  
18 after July 1, 2024, to eligible providers to provide services in  
19 accordance with subsection (2) of this section to underrepresented and  
20 low-income students in high school and postsecondary education.

21 (2) A provider is eligible for funding ~~a grant~~ pursuant to the  
22 College Pathway Program Act if the provider offers, exclusively to  
23 underrepresented and low-income students, educational services that  
24 provide materials, services, and supports to help a student graduate from  
25 high school, apply for admission to a postsecondary institution, and  
26 complete the requirements to receive an associate degree or a  
27 baccalaureate degree. Such educational services may include:

28 (a) Assistance and tutorials which help students in completing  
29 applications for a college or university, including applying for aid  
30 through the Free Application for Federal Student Aid or other  
31 scholarships;

1 (b) Assistance and materials which help students take the  
2 appropriate high school classes in an area or field of study a student is  
3 interested in and any classes necessary for a student to gain acceptance  
4 at a postsecondary institution or complete the requirements and take the  
5 appropriate postsecondary education classes to receive an associate  
6 degree or a baccalaureate degree; and

7 (c) Any other services specified pursuant to rules and regulations  
8 adopted and promulgated by the State Board of Education.

9 (3) Eligible providers may apply to the State Department of  
10 Education for funding a grant in a manner prescribed by the Commissioner  
11 of Education.

12 **Sec. 11.** Section 79-3704, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 79-3704 (1) On or before December 1, 2024, and each December 1  
15 thereafter, the State Department of Education shall electronically submit  
16 a report to the Clerk of the Legislature regarding the College Pathway  
17 Program Act, including, but not limited to, the recipients of funding  
18 ~~grants~~ and evaluations of the effectiveness of the ~~grant~~ program.

19 (2) The State Board of Education may adopt and promulgate rules and  
20 regulations to carry out the College Pathway Program Act.

21 **Sec. 12.** Original sections 79-239, 79-308, 79-528, 79-816,  
22 79-8,113, 79-8,114, 79-1035, 79-11,157.01, 79-3407, 79-3703, and 79-3704,  
23 Reissue Revised Statutes of Nebraska, are repealed.

24 **Sec. 13.** The following sections are outright repealed: Sections  
25 79-309.01 and 79-718, Reissue Revised Statutes of Nebraska.