

Board of Education Regular Meeting

Monday, June 10, 2024 7:00 PM

Blair Central Office
1326 Park Street
Blair, NE 68008

Agenda

1. Call to Order

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted in the meeting room at a location accessible to members of the public and attached to the online agenda.

Mrs. Kari Loseke, Board President, will call the Board of Education Regular meeting to order.

2. Roll Call

The Board Secretary will conduct roll call attendance.

3. Approval of Absent Board Members

4. Pledge of Allegiance

Dr. Gilson will lead the Board in the Pledge of Allegiance.

5. Approval of Emergency Additions to the Agenda

6. Call for Removal of Consent Agenda Items

7. Approval of the Consent Agenda

7.1. Waiver of reading minutes from previous meeting

7.2. Acceptance of minutes of the previous meeting as published

- May 13, 2024 Board of Education Regular Meeting Minutes

7.3. Receipt of Communications

7.4. Treasurer's Report

- General Fund

- Building Fund and Savings & Depreciation

7.5. Audit of Claims

- Activity Fund
- General Fund

8. Business

8.1. Items removed from Consent Agenda

8.2. Recognitions

8.3. Acceptance of Gifts

8.4. Consideration of Communications

8.4.1. Blair High School Cheer Team Pictures

A letter was received from Emily Schultz, BHS Cheer Coach, requesting permission for the BHS Cheer Team to have their pictures taken professionally on Sunday, June 16, 2024. The cheer team hires a professional photographer each year for team and individual pictures that are used throughout the season for signs, buttons, celebrations, and senior banners.

The administration recommends approving this request.

8.5. Comments From The Public

This is the portion of the meeting when members of the public may address the board about matters of public concern.

INSTRUCTIONS FOR MEMBERS OF THE PUBLIC WHO WISH TO SPEAK:

- Getting started: When you have been recognized, please stand and state your name.
- Time Limit: The board has the discretion to limit the amount of time set aside for public participation and unless stated otherwise, will employ a time limit of 5 minutes or less.
- Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require you to follow the district's complaint procedure before addressing the board. Board members will generally not respond to any questions or comments you make about individual staff members or students. Please remember that slanderous comments will not be tolerated.
- General Rules: This is a public meeting for the conduct of business. Comments from within the audience while others are speaking will not be tolerated. Offensive language, personal attacks, and hostile conduct will not be tolerated.

- No action by the Board: The Board will not act on any matter unless it is on the published agenda.

8.6. Committee Reports

8.6.1. Policy Committee

The Policy Committee met on Monday, June 3, 2024. Meeting minutes are attached.

8.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Tuesday, May 28, 2024. Meeting minutes are attached.

8.6.3. Finance Committee

The Finance Committee met on Tuesday, June 4, 2024. Meeting minutes are attached.

8.7. Approval of New Teachers

- Alazha Powell, Otte Middle School Special Education Teacher
- Chelsea Kwapnioski, Deerfield Elementary Grade 3 Teacher

8.8. Acceptance of Resignations

8.9. Superintendent Report

8.10. Informational Items

Monthly Board Reports

- Director of Student Services
- Blair High School
- Otte Middle School
- Arbor Park Elementary
- Deerfield Elementary

8.11. Closed Session

The Board of Education is authorized by state statute to hold closed sessions. Closed sessions may be held when clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual. Reasons that meet this standard include but are not limited to: (a) strategy sessions with respect to collective bargaining, real estate matters, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) discussion regarding deployment of security personnel or devices; (c) investigative proceedings regarding allegations of criminal misconduct; (d) evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; and (e) legal advice.

8.12. Items From Closed Session

Possible action items from Closed Session:

- To approve the Superintendent Evaluation completed on June 10, 2024, and for a copy of the approved evaluation to be placed in the superintendent's personnel file.
- To approve a 2-year contract for Randall Gilson, Ed.D. with a salary set at \$190,900.00 Effective July 1, 2024.

9. Adjournment

NEBRASKA OPEN MEETINGS ACT

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Source: Laws 2004, LB 821, § 34.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

Source: Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

Annotations

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or

advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

Source: Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2.

Annotations

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

Source: Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

Annotations

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal

Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

- (a) Reasonable advance publicized notice is given;
- (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;
- (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;
- (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and
- (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or
- (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public

power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by

telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

Source:Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5.

Effective Date: September 1, 2019

Cross References

- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.
- **Municipal Cooperative Financing Act**, see section 18-2401.

Annotations

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Source: Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1.

Annotations

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

Source: Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1.

Annotations

- If a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Source: Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

Annotations

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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Source: http://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414

Date: July 2019

Board of Education Regular Meeting

May 13, 2024 at 7:00pm

Blair Central Office

1326 Park Street, Blair NE 68008

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted in the room at a location accessible to members of the public and attached to the online agenda. The meeting notice was published in the Washington County Pilot-Tribune & Enterprise on Tuesday, May 7, 2024.

1. Call to Order

Mrs. Kari Loseke, President, called the Board of Education Regular meeting to order at 7:00pm.

2. Roll Call

Present Board Members: Denise Cada, Brandi Petersen, Kari Loseke, Steve Callaghan, Deb Parks, Tim Welch, and Courtney Tabor

2.1. Approval of Absent Board Members

Motion Passed: I move to approve the absence of Board Member(s): Ginger Fredericksen passed with a motion by Steve Callaghan and a second by Brandi Petersen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

3. Pledge of Allegiance

FBLA (Future Business Leaders of America) students, Izzy Hartvigsen and Claire Locken, led the Board in the Pledge of Allegiance and presented their FBLA Annual Business Report.

4. Approval of Emergency Additions to the Agenda – None

5. Call for Removal of Consent Agenda Items - None

6. Consent Agenda

Motion Passed: I move to approve the Consent Agenda as presented passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

- 6.1. Waiver of reading minutes from previous meeting**
- 6.2. Acceptance of minutes of the previous meeting as published**
- 6.3. Receipt of Communications**
- 6.4. Treasurer's Report**
- 6.5. Audit of Claims**

7. Business

7.1. Items removed from Consent Agenda - None

7.2. Recognitions

7.3. Acceptance of Gifts

7.3.1. Blair Community Schools Foundation

The Blair Community Schools Foundation donated \$20,000 to provide support to help finance the purple exchange zones to be added to the Krantz Field track during the upcoming scheduled renovation.

Motion Passed: I move to accept the donation from the Blair Community Schools Foundation in the amount of \$20,000 to provide support to finance purple exchange zones to be added to the Krantz Field track passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.3.2. Anonymous Donation

Blair Community Schools received an anonymous donation in the amount of \$5,000 to be used to help finance new purple exchange zones to be added to the Krantz Field track during the upcoming scheduled renovation.

Motion Passed: I move to accept the anonymous donation in the amount of \$5,000 to be used to help finance new purple exchange zones to be added to the Krantz Field track passed with a motion by Steve Callaghan and a second by Deb Parks.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.3.3. Nebraska FFA Foundation

The Blair FFA received a donation in the amount of \$1,627.57 from the Nebraska FFA Foundation. Morgan Casper, FFA Advisor, informed the club participates in the "I Believe in the Future of Ag" campaign during their fruit sales fundraiser. This is a program that is run by the Nebraska FFA

Foundation which tries to encourage local donations and support of FFA Chapters at the local level. Local donations get sent to the Foundation, which then returns the donations plus a percentage of a pool of money from corporate sponsors based on how much was donated at the local level.

Motion Passed: I move to accept the donation from the Nebraska FFA Foundation in the amount of \$1,627.57 passed with a motion by Steve Callaghan and a second by Deb Parks.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.3.4. Nebraska FFA Foundation

Mr. Tyler Siecke, District Activities Director, informed RT Masonry would like to donate paint, an estimated value of \$1,200, to paint the concession stand at Krantz Field, located at Blair High School.

Motion Passed: I move to accept the donation from RT Masonry for paint, an estimated value of \$1,200, to paint the concession stand at Krantz Field, located at Blair High School passed with a motion by Steve Callaghan and a second by Brandi Petersen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.3.5. Family Fare Donation

Monica Maly, High School Special Education Teacher, has received a donation from Family Fare in the amount of \$1,000. This donation will fully fund the Family Fare grocery store stimulator. In addition, they have also donated signage, stickers and other items to make this a very positive opportunity for kids to know Family Fare. Family Fare was excited to partner with us and to create opportunities for the ACP/Life Skills students at Blair High School.

Motion Passed: I move to accept a donation from Family Fare in the amount of \$1,000 for the ACP/Life Skills program at Blair High School passed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.3.6. AKRS Equipment Donation

Monica Maly, High School Special Education Teacher, received a donation from AKRS Equipment, Mike Mackie - Store Manager, for tools valued at \$1,000. The high school ACP/Life Skills classroom at Blair High School will receive a fully stocked tool box and replica toys of AKRS Equipment.

Motion Passed: I move to accept the donation from AKRS Equipment for tools valued at \$1,000 for the high school ACP/Life Skills classroom passed with a motion by Brandi Petersen and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.4. Consideration of Communications

7.4.1. FBLA National Leadership Conference

A letter has been received from Mrs. Vicki Schrick, FBLA Adviser, requesting permission for five (5) FBLA members to attend the FBLA National Leadership Conference that will be held in Orlando, Florida from Thursday, June 27 - Wednesday, July 3, 2024. Mrs. Vicki Schrick and Mrs. Tatum Hartvigsen, Assistant FBLA Advisor, will provide guidance and support at this event.

Motion Passed: I move to approve the request for five (5) FBLA members to attend the FBLA National Leadership Conference in Orlando, Florida from June 27 through July 3, 2024 passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.5. Comments from The Public – Comments were heard from two (2) patrons.

7.6. Committee Reports

7.6.1. Policy/Curriculum/Americanism Committee

The Policy/Curriculum Committee met on Monday, April 22, 2024 at 12:00pm. A report from the committee was given by Deb Parks.

7.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Tuesday, April 23, 2024 at 4:00pm. A report was given by Steve Callaghan.

Motion Passed: I move to approve the bid from Floors, Inc., in the amount of \$37,392 for new carpet at Otte Middle School passed with a motion by Steve Callaghan and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the bid from Superior Lighting in the amount of \$90,800 to upgrade the districts exterior lighting passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the purchase from HD Supply for a new Windor/Karcher Chariot scrubber for the amount of \$8,897.95 passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the bid from Matheson Gas in the amount of \$46,479.28 for the purchase of an air filtration system for the welding lab at Blair High School and to approve the bid from Mechanical Systems for \$24,650.00 for the installation of the air filtration system for the welding lab at Blair High School passed with a motion by Steve Callaghan and a second by Deb Parks.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move approve the bid from McKinnis Roofing in the amount of \$33,096.00 for the purchase and installation of new 26-gauge pre-finished steel PBR style panels at the Allen Building and the bid from Dick's Electric in the amount of \$24,225.00 for the supply and installation of items presented passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.6.3. Finance Committee

The Finance Committee met on Wednesday, May 8, 2024 at 12:00pm. A report from the committee was given by Brandi Petersen.

Motion Passed: I move to approve the purchase of a new dishwasher from AE Supply in the amount of \$6,600 for Blair High School passed with a motion by Brandi Petersen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the recommendation for meal prices for the 2024-25 school year as presented passed with a motion by Brandi Petersen and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the administration to enter into a renewal contract with Food Service Management Company, Taher, Inc., as presented passed with a motion by Brandi Petersen and a second by Deb Parks.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent

Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed (As Amended): I move to approve to enter into a contract with Finalsight beginning July 1, 2024 through July 1, 2028 with an initial fee of \$27,950 and an annual fee of \$18,200 passed with a motion by Brandi Petersen and a second by Denise Cada.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the purchase from Sterling for a Server VH1 in the amount of \$7,051.41 passed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the quote from Follett in the amount of \$9,260.12 for the initial set-up and first year service for their Destiny Cloud service and an annual fee thereafter for \$6,230.12 passed with a motion by Brandi Petersen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the quote from NWEA in the amount of \$21,000.00 for the 2024-25 school year passed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes

Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve Bart Moore's Subcontracting, Inc., to repair the washout issue at Krantz Field with the amount not to exceed \$10,000 passed with a motion by Brandi Petersen and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve the quote from Bear Painting in the amount of \$5,320 for painting the HAL room at Arbor Park Elementary passed with a motion by Brandi Petersen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to accept the bid from Fisher Tracks, Inc., in the amount of \$23,200 to add purple exchange zones to the track at Krantz Field passed with a motion by Brandi Petersen and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to allow the Superintendent, at his discretion, to approve emergency paid leave for those staff members affected by the tornado and storm passed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent

Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Failed: I move to approve the district to pay for a work visa for a Spanish Teacher at Otte Middle School not to exceed \$20,000 failed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	No
Steve Callaghan	No
Ginger Fredericksen	Absent
Kari Loseke	No
Deb Parks	No
Brandi Petersen	No
Courtney Tabor	No
Tim Welch	No

Motion Passed: I move to approve the quote from PowerSchool for services of PowerSchool Records and Applicant Tracking for an initial first year set-up in the amount of \$25,179.00 and an annual fee of \$12,044.50 passed with a motion by Brandi Petersen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Motion Passed: I move to approve \$50,000 for the increase of certified administrators' total compensation inclusive of wages and benefits, for the 2024-25 school year to be allocated by the Superintendent passed with a motion by Brandi Petersen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.7. Approval of New Certified Staff

- Emily Jackson – Otte Middle School Vocal Music
- Lori Morrison – Otte Middle School Grade 7 Science
- Layne Lueders – Otte Middle School Guidance Counselor

- Isabella Jetensky – Deerfield Elementary Art Teacher

Motion Passed: I move to approve new certified staff members, Emily Jackson, Lori Morrison, Layne Lueders, and Isabella Jetensky as presented passed with a motion by Steve Callaghan and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.8. Acceptance of Resignation

- Jordyn Hite – Speech Language Pathologist
- Maggie Swenson – Grade 2, Deerfield Elementary

Motion Passed: I move to accept the resignation of Jordyn Hite and Maggie Swenson upon the conclusion of the 2023-24 school year passed with a motion by Brandi Petersen and a second by Tim Welch.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

7.9. Superintendent Report

7.10. Informational Item

8. Adjournment

Motion Passed: I move to adjourn the meeting at 9:19pm passed with a motion by Steve Callaghan and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Absent
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Courtney Tabor	Yes
Tim Welch	Yes

Randall Gilson, Ed.D.
Superintendent

Blair Community Schools
 Financial Report to the Board of Education
 Cash-Bank Reconciliation
 May 31, 2024

05/01/2024 through 5/31/24

Book Balance

Beginning Balance		\$6,647,266.19
Total Receipts		\$5,994,891.98
Total Disbursements		-\$2,212,691.07
Reconciled Book Balance-Ending Balance		\$10,429,467.10

Bank Balance

Beginning Balance		\$1,770,187.36
Deposits	\$5,968,075.92	
Interest	\$251.83	
Total Receipts		\$5,968,327.75
Total Disbursements		-\$6,680,050.10
Bank Balance Ending Balance		\$1,058,465.01
Add Deposit in Transit		\$13,392.68
Less Outstanding Checks/Wires		-\$17,068.89
Reconciled Bank Balance-Ending Balance		\$1,054,788.80

Reconciled Balance		\$1,054,788.80
Total Investments		\$9,374,678.30
Total General Fund Balance		\$10,429,467.10

Leslie Watts

 Leslie Watts, Board of Education Treasurer

6/4/24

 Date

Blair Community Schools
 Financial Report to the Board of Education
 Building Fund
 May 31, 2024

05/01/2024 through 5/31/24

Beginning Balance	\$1,995,404.64
Total Receipts	\$1,127,295.36
Total Disbursements	-\$613,630.03
Building Fund Balance	\$2,509,069.97

Bank Balance

Bank Balance Ending Balance	\$309,517.77
Less Outstanding Checks/Wires	\$0.00
Reconciled Bank Balance	\$309,517.77
Total Investments	\$2,199,552.20
Total Building Fund Balance	\$2,509,069.97

Blair Community Schools
 Financial Report to the Board of Education
 Savings Depreciation
 May 31, 2024

05/01/2024 through 5/31/24

Beginning Balance	\$1,938,617.87
Total Receipts	\$5,520.36
Total Disbursements	-\$159,285.41
Savings Depreciation Fund Balance	\$1,784,852.82

Bank Balance

Bank Balance Ending Balance	\$1,784,852.82
Less Outstanding Checks/Wires	\$0.00
Total Savings Depreciation Fund Balance	\$1,784,852.82

ACTIVITY FUND & STUDENT FEE FUND-CHECKS ISSUED IN MAY 2024 TO BE RATIFIED 6/10/2024			
VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
JANELLE JAWORSKI	\$187.03	DF/W ADV COUNCIL	EMPLOYEE REIMB-MUSIC PROGRAM SUPPLIES
VISA	\$41.68	DF/W ADV COUNCIL	JIMMY JOHNS
VISA	\$44.00	DF/W ADV COUNCIL	SQUARE DONUT
VISA	\$129.90	DF/W ADV COUNCIL	COSTCO
AMAZON CAPITAL SERVICES	\$1,758.00	DF/W ADV COUNCIL	LAMINATOR
INTERSTATE STUDIO PUB.	\$150.00	DF/W ADV COUNCIL	DF YEARBOOKS
VISA	\$23.97	AP ADVISORY COUNCIL	WALMART
VISA	\$270.79	AP ADVISORY COUNCIL	WALMART
AMAZON CAPITAL SERVICES	\$49.18	AP ADVISORY COUNCIL	VENDING MACHINE BOOKS
VISA	\$53.02	AP ADVISORY COUNCIL	JIMMY JOHNS
VISA	\$203.77	AP ADVISORY COUNCIL	JIMMY JOHNS
BLACK SQUIRREL ENTERPRISES LLC	\$125.00	TRACK-OMS	TRACK TIMING
AMAZON CAPITAL SERVICES	\$33.49	8TH GRADE DANCE	8TH GRD DANCE SUPPLY
VISA	\$197.36	8TH GRADE DANCE	SAMS CLUB
VISA	\$107.76	OBMS STUDENT SENATE	SAMS CLUB
NCDA	\$114.00	8TH GRADE SHOW CHOIR	SHOW CHOIR FEES
COLLEGE ENTRANCE EXAMINATION BOARD	\$6,061.00	ADV. PLACEMENT TEST FEES	AP EXAMS
VISA	\$13.98	TENNIS	BLAIR ACE HARDWARE
WAVERLY HIGH SCHOOL	\$85.00	TENNIS	TENNIS ENTRY
DREW AREHART	\$75.00	BOYS SOCCER	OFFICIAL
RYAN FUCHS	\$150.00	BOYS SOCCER	OFFICIAL
ERIK LILLA	\$150.00	BOYS SOCCER	OFFICIAL
DANIEL THOMPSON	\$155.00	BOYS SOCCER	OFFICIAL
BOB FISCHER	\$155.00	BOYS SOCCER	OFFICIAL
TROY BROWN	\$80.00	BOYS SOCCER	OFFICIAL
KYLE HEALEY	\$96.00	BOYS SOCCER	OFFICIAL
TYLER SIECKE	\$50.59	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$130.65	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$241.20	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$122.61	TRACK-BHS	EMPLOYEE MILEAGE
DON PETERSEN	\$112.50	TRACK-BHS	TRACK WORKER
BO HANSEN	\$112.50	TRACK-BHS	TRACK WORKER
DARREN HARSIN	\$112.50	TRACK-BHS	TRACK WORKER
CASH	\$416.00	TRACK-BHS	MEAL \$
AMAZON CAPITAL SERVICES	\$29.98	TRACK-BHS	TRACK SUPPLIES
AMAZON CAPITAL SERVICES	\$85.38	TRACK-BHS	TRACK SUPPLIES
VISA	\$16.99	TRACK-BHS	CASEYS
TEKAMAH-HERMAN HIGH SCHOOL	\$60.00	TRACK-BHS	TRACK ENTRY
SCHUYLER CENTRAL HIGH SCHOOL	\$100.00	TRACK-BHS	TRACK ENTRY FEE
BOONE CENTRAL	\$100.00	TRACK-BHS	TRACK ENTRY
VISA	\$140.00	TRACK-BHS	KANSAS ATHLETICS
TYLER SIECKE	\$208.36	GIRLS SOCCER	EMPLOYEE MILEAGE
TROY BROWN	\$94.00	GIRLS SOCCER	OFFICIAL
DREW AREHART	\$75.00	GIRLS SOCCER	OFFICIAL
JASON TAYLOR	\$150.00	GIRLS SOCCER	OFFICIAL
GREG ANDERSON	\$80.00	GIRLS SOCCER	OFFICIAL
BRIAN ANDERSON	\$97.00	GIRLS SOCCER	OFFICIAL
TYLER SIECKE	\$50.59	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$130.65	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$241.20	TRACK-BHS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$122.61	TRACK-BHS	EMPLOYEE MILEAGE
BO HANSEN	\$112.50	TRACK-BHS	TRACK WORKER
DON PETERSEN	\$112.50	TRACK-BHS	TRACK WORKER
DARREN HARSIN	\$112.50	TRACK-BHS	TRACK WORKER
CASH	\$416.00	TRACK-BHS	MEAL \$
AMAZON CAPITAL SERVICES	\$29.98	TRACK-BHS	TRACK SUPPLIES
AMAZON CAPITAL SERVICES	\$85.38	TRACK-BHS	TRACK SUPPLIES
VISA	\$16.99	TRACK-BHS	CASEYS
TEKAMAH-HERMAN HIGH SCHOOL	\$60.00	TRACK-BHS	TRACK ENTRY
SCHUYLER CENTRAL HIGH SCHOOL	\$100.00	TRACK-BHS	TRACK ENTRY FEE
VISA	\$140.00	TRACK-BHS	KANSAS ATHLETICS
TYLER SIECKE	\$91.12	BOYS GOLF	EMPLOYEE MILEAGE
OFFICE DEPOT	\$42.72	BOYS GOLF	BHS SUPPLIES
TEKAMAH-HERMAN HIGH SCHOOL	\$50.00	BOYS GOLF	BOYS GOLF ENTRY
BENNINGTON PUBLIC SCHOOLS	\$125.00	BOYS GOLF	GOLF ENTRY FEE
WAYNE HIGH SCHOOL	\$110.00	BOYS GOLF	ENTRY FEE
SKUTT CATHOLIC HIGH SCHOOL	\$125.00	BOYS GOLF	GOLF ENTRY
BOARDERS INN & SUITES	\$1,359.50	SKILLS USA	SKILLS USA LODGING
VISA	\$34.98	SKILLS USA	WALMART
AMY LUEDERS	\$33.37	BEAR TRACKS	CONFERENCE MEALS
VISA	\$62.91	BEAR TRACKS	SLAPS BBQ
VISA	\$73.91	BEAR TRACKS	SLAPS BBQ
NHSPA	\$1,750.00	BEAR TRACKS	WORKSHOP
VISA	\$50.00	BOARD OF ED	AMAZON
VISA	\$172.14	BOARD OF ED	AMAZON

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
BRADEN MCGILL	\$472.62	CLASS OF 2021	SUPPLIES
TYLER SIECKE	\$21.98	CLASS OF 2019	EMPLOYEE MILEAGE
FREMONT RENTALS	\$473.40	CLASS OF 2019	PROM SUPPLIES
AMAZON CAPITAL SERVICES	\$74.68	CLASS OF 2019	PROM SUPPLIES
BRETT LEGRAND	\$171.19	CLASS OF 2019	PROM SUPPLIES
WASHINGTON CO CHAMBER OF COMMERCE	\$350.00	CLASS OF 2019	CHAMBER BUCKS
TYLER SIECKE	\$125.56	BASEBALL	EMPLOYEE MILEAGE
SCOTT GERDES	\$140.00	BASEBALL	UMPIRE
KADEYN JOHNSON	\$140.00	BASEBALL	UMPIRE
DAN FLYNN	\$140.00	BASEBALL	UMPIRE
DUSTIN MOORE	\$140.00	BASEBALL	UMPIRE
NEBR UMPIRES ASSN.	\$192.00	BASEBALL	BASEBALL ASSIGNOR
MAXWELL HUNT	\$130.00	BASEBALL	UMPIRE
MARK HUNT	\$130.00	BASEBALL	UMPIRE
JAY KATELMAN	\$130.00	BASEBALL	UMPIRE
KADEYN JOHNSON	\$130.00	BASEBALL	UMPIRE
ALEX EDDY	\$130.00	BASEBALL	UMPIRE
RORY VOS	\$130.00	BASEBALL	UMPIRE
CASH	\$648.00	BASEBALL	MEAL \$
VISA	\$1,089.44	NATIONAL HONOR SOCIETY	4IMPRINT
AMY LUEDERS	\$51.36	NATIONAL HONOR SOCIETY	PIZZA HUT
S E SMITH & SONS	\$140.75	DRAMATICS	DRAMA SUPPLIES
AMAZON CAPITAL SERVICES	\$146.05	DRAMATICS	PLAY PROPS
AMAZON CAPITAL SERVICES	\$205.91	DRAMATICS	PLAY COSTUMES
SARAH TOMSIC	\$61.92	SPEECH CLUB	SPEECH SUPPLIES
VISA	\$135.12	F. F. A.	LEADBELLY
VISA	\$155.95	F. F. A.	LEADBELLY
VISA	\$165.17	F. F. A.	LEADBELLY
VISA	\$166.18	F. F. A.	LEADBELLY
AMAZON CAPITAL SERVICES	\$38.59	F. F. A.	FFA CUPS
AMAZON CAPITAL SERVICES	\$375.19	F. F. A.	FFA SUPPLIES
AMAZON CAPITAL SERVICES	\$2,135.93	F. F. A.	FFA SUPPLIES
VISA	\$229.84	F. F. A.	WALGREENS
JOSEY STODDARD	\$72.76	F. F. A.	FFA SUPPLIES
VISA	\$51.33	F. F. A.	CASEYS
THE LEADERSHIP CENTER	\$635.00	F. F. A.	FFA OFFICER TRAINING
NEBR FFA ASSOCIATION	\$90.00	F. F. A.	HORSE EVALUATION
NEBR FBLA	\$3,200.00	F. B. L. A.	2024 NLC TRAVEL
NEBR FBLA	\$6,369.99	F. B. L. A.	2024 NLC TRAVEL
CROWNE PLAZA KEARNEY	\$1,249.50	F. B. L. A.	FBLA LODGING
VISA	\$9.73	F. B. L. A.	PHILLIPS 66
VISA	\$14.50	F. B. L. A.	STARBUCKS
VISA	\$17.82	F. B. L. A.	STARBUCKS
VISA	\$19.54	F. B. L. A.	ARBYS
VISA	\$62.22	F. B. L. A.	FYRE MODERN GRILL
ARLINGTON PUBLIC SCHOOLS	\$43.75	F. B. L. A.	TRADING PINS
FBLA PBLA INC	\$710.00	F. B. L. A.	REGISTRATION/ADMISSIO
FBLA PBLA INC	\$2,250.00	F. B. L. A.	REGISTRATION/ADMISSIO
VISA	\$112.00	HS FACULTY CONCESSIONS	CASEYS
KELLI WESTPHAL	\$74.04	JOURNALISM CLUB	STATE JOURNALISM MEAL
CONCORD THEATRICALS CORP	\$660.00	MUSICAL	MUSICAL RIGHTS
CONCORD THEATRICALS CORP	\$3,393.69	MUSICAL	MUSICAL RIGHTS
KREATIVE FORCE CHOREO	\$3,131.00	DANCE TEAM	DANCE CHOREOGRAPHY
CHAMPION TEAMWEAR	\$153.98	DANCE TEAM	ALL SPORT BACKPACK
CHAMPION TEAMWEAR	\$6.99	DANCE TEAM	ESTIMATED SHIPPING/HANDLI
CASHELL SHONKA	\$59.95	DANCE TEAM	CHEER MUSIC
AMAZON CAPITAL SERVICES	\$29.97	HS STUDENT SENATE	STUDENT SEN FLOWERS
LEIGHTON WARE	\$250.00	SHOW CHOIR	SHOW CHOIR JUDGE
GABRIELLE MORIN	\$250.00	SHOW CHOIR	SHOW CHOIR JUDGE
BRAXTON CARR	\$350.00	SHOW CHOIR	CHOREOGRAPHER
VARSITY ATHLETIC APPAREL	\$178.00	SHOW CHOIR	SHOW CHOIR SUPPLIES
VARSITY ATHLETIC APPAREL	\$589.00	SHOW CHOIR	PRODUCT #5188
HAUFF SPORTS	\$602.94	UNIFIED SPORTS	UNIFIED JERSEYS
ROSE KLEIN	\$70.98	UNIFIED SPORTS	PIZZA
TYLER SIECKE	\$139.62	ALL SPORTS	EMPLOYEE MILEAGE
TYLER SIECKE	\$249.51	ALL SPORTS	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$99.16	ALL SPORTS	EMPLOYEE MILEAGE
NOLAN WOLFE	\$70.00	ALL SPORTS	SPRING WORKER
AMAZON CAPITAL SERVICES	\$33.98	ALL SPORTS	THERAPY MACHINE
VISA	\$183.51	ALL SPORTS	HAUFF
CMC NEPTUNE	\$2,210.00	ALL SPORTS	NEPTUNE 1 YEAR
AMAZON CAPITAL SERVICES	\$79.95	ALL SPORTS	SENIOR NIGHT FLOWERS
VISA	\$1.00	ALL SPORTS	OMAHA WORLD HERALD
CURT SCOTT	\$135.00	CAMP-BOYS SOCCER	SOCCER SENIOR GIFTS
CURT SCOTT	\$50.13	CAMP-BOYS SOCCER	REIMBURSEMENT
HAUFF SPORTS	\$425.52	CAMP-CROSS COUNTRY	XC CAMP SHIRTS
CISHIRTS	\$115.56	CAMP-GIRLS SOCCER	SOCCER SHIRTS

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
LINE DRIVE INC	\$4,021.00	CHEERLEADERS	CHEER SUPPLIES
AMAZON CAPITAL SERVICES	\$55.98	BHS CONCESSIONS	CONCESSION SUPPLIES
PEPSI CO	\$860.81	BHS CONCESSIONS	CONCESSION SUPPLIES
VISA	\$11.87	BHS CONCESSIONS	WALMART
VISA	\$99.98	BHS CONCESSIONS	SAMS CLUB
VISA	\$251.98	BHS CONCESSIONS	SAMS CLUB
VISA	\$439.96	BHS CONCESSIONS	SAMS CLUB
VISA	\$659.94	BHS CONCESSIONS	SAMS CLUB
VISA	\$1,169.88	BHS CONCESSIONS	SAMS CLUB
VISA	\$1,449.94	BHS CONCESSIONS	SAMS CLUB
AMAZON CAPITAL SERVICES	\$1,387.98	ALL SPORTS - ADVERTISING	SPONSOR AD TVS
APPLE INC	\$2,790.00	PE UNIFORMS (STUDENT FEES)	10.2-INCH IPAD WI-FI 64 G
APPLE INC	\$1,395.00	PE UNIFORMS (STUDENT FEES)	10.2-INCH IPAD WI-FI 64GB
CDW GOVERNMENT INC	\$33,624.00	TECHNOLOGY FEE	NEW COMPUTERS
JEFF WESTOVER	\$125.00	TRACK-OMS	TRACK
BLACK SQUIRREL ENTERPRISES LLC	\$62.50	TRACK-OMS	TRACK TIMER
HAUFF SPORTS	\$8.50	TRACK-OMS	TRACK SUPPLIES
VISA	\$10.00	TRACK-OMS	CENTER TROPHY COMPANY
VISA	\$15.52	TRACK-OMS	AMAZON
VISA	\$31.91	TRACK-OMS	AMAZON
VISA	\$79.19	TRACK-OMS	AMAZON
VISA	\$184.88	TRACK-OMS	AMAZON
GOTHENBURG PUBLIC SCHOOLS	\$12.00	TRACK-OMS	TRACK ENTRY
NORRIS PUBLIC SCHOOLS	\$100.00	TRACK-OMS	TRACK ENTRY
JEFF WESTOVER	\$125.00	TRACK-OMS	TRACK
BLACK SQUIRREL ENTERPRISES LLC	\$62.50	TRACK-OMS	TRACK TIMER
HAUFF SPORTS	\$8.50	TRACK-OMS	TRACK SUPPLIES
VISA	\$15.52	TRACK-OMS	AMAZON
VISA	\$31.91	TRACK-OMS	AMAZON
VISA	\$79.19	TRACK-OMS	AMAZON
VISA	\$184.88	TRACK-OMS	AMAZON
GOTHENBURG PUBLIC SCHOOLS	\$12.00	TRACK-OMS	TRACK ENTRY
NORRIS PUBLIC SCHOOLS	\$100.00	TRACK-OMS	TRACK ENTRY
DIETZE MUSIC HOUSE	\$200.00	BAND INSTRUMENT USEAGE	BAND SUPPLIES
DIETZE MUSIC HOUSE	\$244.80	BAND INSTRUMENT USEAGE	BAND SUPPLIES
MATHESON TRI-GAS INC	\$66.35	VOCATIONAL EDUCATION	WELDING GAS
AG PARTS EDUCATION	\$219.00	TECHNOLOGY FEE	TECH SUPPLIES
AG PARTS EDUCATION	\$439.00	TECHNOLOGY FEE	TECH SUPPLIES
AMAZON CAPITAL SERVICES	\$289.00	TECHNOLOGY FEE	TECH SUPPLIES
CDW GOVERNMENT INC	\$33,624.00	TECHNOLOGY FEE	NEW COMPUTERS
CISHIRTS	\$375.00	BOYS SOCCER	SOCCER UNIFORMS
PLATTSMOUTH HIGH SCHOOL	\$90.00	TRACK-BHS	TRACK ENTRY
HAUFF SPORTS	\$607.04	GIRLS SOCCER	GIRLS SOCCER SUPPLIES
PLATTSMOUTH HIGH SCHOOL	\$90.00	TRACK-BHS	TRACK ENTRY
UNIVERSAL DANCE ASSOCIATION	\$4,928.00	DANCE TEAM	DANCE TEAM CAMP
BOBBYS DANCEWEAR	\$40.80	SHOW CHOIR	SHOW CHOIR ATTIRE
BOBBYS DANCEWEAR	\$214.20	SHOW CHOIR	SHOW CHOIR ATTIRE

GENERAL FUND CLAIMS - 6/10/2024

VENDOR	AMOUNT	DESCRIPTION
ABE'S TRASH SERVICE INC	\$3,566.14	TRASH SERVICES
ACTIVE INTERNET TECHNOLOGIES LLC	\$27,950.00	NEW WEBSITE, SCHOOL MESSENGER RENEWAL
AJ'S SERVICE AND REPAIR INC	\$1,278.49	BUS REPAIRS
ALBIREO ENERGY	\$360.00	HVAC REPAIRS (OMS,N)
AMAZON CAPITAL SERVICES	\$5,457.32	CLASSROOM, TECHNOLOGY, GRANT, OFFICE, SPED SUPPLIES, LIBRARY BOOKS
AMY TESSENDORF	\$151.96	EMPLOYEE MILEAGE
ARBOR FAMILY COUNSELING	\$8,640.00	COUNSELING SERVICES
BALLS OUT MOTORS LLC	\$865.40	GROUPS MOWER REPAIRS
BART MOORE SUBCONTRACTING INC	\$2,375.00	KRANTZ FIELD WASH OUT REPAIR
BIL-DEN GLASS	\$315.00	DOOR REPAIRS (DF)
BLAIR ACE HARDWARE	\$310.88	GROUPS, CUSTODIAL, MAINTENANCE SUPPLIES
BOMGAARS	\$14.09	GROUPS SUPPLIES
BOYS TOWN	\$4,250.00	SPED TUITION- APR24
CAPITAL BUSINESS SYSTEMS INC	\$5,070.68	COPIER LEASE & SERVICES
CHRISTINE ROSS	\$148.23	EMPLOYEE REIMB- COUNSELOR SUPPLIES
CINDY PAGE	\$21.44	EMPLOYEE MILEAGE
CISSY JENNINGS	\$1,162.05	PARENT MILEAGE
CITY OF BLAIR	\$4,150.46	UTILITY - WATER/SEWER
CITY OF BLAIR	\$9,905.61	SRO - APR & MAY24
CJ'S TREE SERVICE	\$6,000.00	TREE REMOVALS AFTER STORM (S, N, AP)
CONTROL SERVICES INC	\$945.90	HVAC REPAIRS (DF)
CORNHUSKER INTERNATIONAL TRUCKS	\$1,085.86	BUS REPAIRS
DOUG'S TURF CARE INC	\$2,015.92	GROUPS IRRIGATION REPAIRS (AP,DF)
EAKES OFFICE PLUS	\$117.13	FAX SERVICES- MAY24
EDUCATIONAL SERVICE UNIT #3	\$25,015.51	SPED-VISION, BROOKE VALLEY TUITION, MIPS, TRAININGS, CHECK SUPPLIES
FAIRWAY OIL LLC	\$6,775.18	BUS & VEHICLE FUEL- PROPANE, GAS, DIESAL
FASTWYRE BROADBAND CABLE	\$198.50	TELEPHONE AND INTERNET SERVICES
FOLLETT SCHOOL SOLUTIONS LLC	\$826.65	DF LIBRARY BOOKS
FUN & FUNCTION	\$776.23	GRANT-SENONSORY WALL PANNELS- PREK
GOODWILL INDUSTRIES INC	\$7,150.00	SPED WORK EXPERIENCE
HEARTLAND FOUNDATION	\$3,960.00	SPED TUITION- MAY24
HEARTLAND TIRES & TREADS INC	\$186.38	BUS REPAIRS
HEATHER ENGLISH	\$125.00	CONTRACT LABOR- SIXPENSE SHIRTS
HUNTEL COMMUNICATIONS INC	\$3,451.35	PHONE REPAIRS
IDEAL PURE WATER	\$491.99	PURIFIED WATER SUPPLIES
INSPIRA FINANCIAL	\$167.70	FLEX PLAN FEE- MAY24
J F AHERN CO	\$4,435.00	AP FIRE SPRINKLER
JESSICA COLE	\$77.32	EMPLOYEE MILEAGE
JOHN DEERE FINANCIAL	\$1,738.32	GROUPS MOWER REPAIRS
JOSTENS	\$357.73	DIPLOMA COVERS SUPPLIES- GRADUATION
KELLEY RYDEN	\$168.84	PARENT MILEAGE
KERSTEN PETERS	\$60.33	EMPLOYEE REIMB- SKILLS ACADEMY SUPPLIES
LANA VALASEK	\$1,080.00	EMPLOYEE TUITION ASSISTANCE BENEFIT
LESLEY WARD	\$50.82	EMPLOYEE REIMB- SIXPENCE TRAINING TRAVEL COSTS
LINCOLN PUBLIC SCHOOLS	\$1,600.00	EMPLOYEE TRAINING REGISTRATION (BHS)
LITTLE BLOSSOMS	\$18,338.00	CONTRACTED BUS SERVICES
LONG'S OK TIRE	\$109.90	MOWER TIRE REPAIRS
MARCIE REED	\$1,125.60	PARENT MILEAGE
MCKINNIS ROOFING INC	\$9,779.48	ROOF REPAIRS (DF, AP, OMS, BHS)
MECHANICAL SYSTEMS INC	\$2,092.49	HVAC REPAIRS (S,OMS,N)
MEMORIAL COMMUNITY HOSPITAL	\$96.00	BUS DRIVER PHYSICALS
NAEA	\$450.00	24-25 NAEA FEES
NANNEN PHYSICAL THERAPY	\$21,004.36	CONTRACTED SERVICES- OCCUPATIONAL & PHYSICAL THERAPY
NE STATE FIRE MARSHAL/BOILER DIV	\$540.00	BOILER INSPECTIONS (S,AP,OMS,BHS,N)
NEBR AIR FILTER INC	\$223.11	AIR FILTER SUPPLIES
NEBRASKA CENTRAL EQUIPMENT INC	\$223.11	CUSTODIAL SUPPLIES
OFFICE DEPOT	\$2,019.51	DISTRICT COPY PAPER, CLASSROOM, OFFICE, CUSTODIAL SUPPLIES
OMAHA PUBLIC POWER DISTRICT	\$24,931.71	UTILITY - ELECTRICITY
ONESOURCE THE BACKGROUND CK CO	\$465.50	BACKGROUND CHECKS
PEST SOLUTIONS 365	\$725.00	PEST CONTROL
REGAL AWARDS INC	\$187.81	STAFF RECOGNITION
S & S PUMPING SERVICE	\$265.00	BHS GREENHOUSE SEPTIC REPAIRS
SARA SKINNER-PETRU	\$145.25	EMPLOYEE REIMB- TEACHER PAY TEACHERS WORKBOOKS
SOUTH FLORIDA TECH SOLUTIONS INC	\$71.90	SPED SUPPLIES
SPARTAN STORES LLC	\$363.85	FCS & SPED SUPPLIES, STAFF APPRECIATION
STERICYCLE INC	\$187.97	SHREDDING SERVICES
STRATUS BUILDING SOLUTIONS	\$19,090.00	CUSTODIAL CONTRACT SERVICES - BHS, AP
TAHER INC	\$1,243.25	SIXPENCE GRANT COMMUNITY OUTREACH MEALS, MEETINGS
TALBOT LAW OFFICE P.C. LLC	\$350.00	LEGAL SERVICES
TERESE MCKEE	\$35.88	EMPLOYEE REIB- POSTAGE

THE HOME DEPOT PRO	\$17,473.40	CUSTODIAL AND GROUNDS SUPPLIES
TOM SHAFFER	\$167.50	PARENT MILEAGE
UNITE PRIVATE NETWORKS LLC	\$842.24	DISTRICT NETWORK SVCS
US CELLULAR	\$217.45	STUDENT MIFI HOTSPOTS
VERIZON	\$130.32	WIRELESS PHONE HOTSPOTS
VEX ROBOTICS	\$696.76	ROBOTICS CLASSROOM SUPPLIES
WALSWORTH PUBL CO INC	\$150.00	TRAINING- VIRTUAL ACADEMY
WEST MUSIC	\$92.00	VOCAL MUSIC CURRICULUM (AP)
WOODHOUSE FORD	\$1,400.00	TRUCK AND VEHICLE REPAIRS
ZIMCO SUPPLY	\$1,810.00	GROUNDS SUPPLIES (DF)
Summary	\$271,894.76	

GENERAL FUND-CHECKS ISSUED TO BE RATIFIED 6/10/2024

VENDOR	TOTAL	DESCRIPTION
BLAIR POST OFFICE	\$3,672.00	CENSUS POSTAGE
VISA	\$7,912.20	TRAVEL, DUES, TRAINING & INSERVICE, SUPPLIES, MISC, REPAIRS, MEETINGS, EQUIPMENT, TECHNOLOGY NEEDS, CLASSROOM SUPPLIES & MATERIALS, STAFF RECOGNITION & APPRECIATION, GROUNDS & MAINTENANCE SUPPLIES, POSTAGE
FASTWYRE BROADBAND CABLE	\$2,237.18	TELEPHONE AND INTERNET
LESLEY WARD	\$344.54	EMPLOYEE REIMB- SIXPENANCE GRANT SUPPLIES
Summary	\$14,165.92	

GENERAL FUND-MAY 2024 PAYROLL & BENEFITS TO BE RATIFIED 6/10/2024

GROSS PAYROLL	\$1,390,651.98	GROSS SALARY & WAGES
NET PAYROLL - DIRECT DEPOSITS	\$980,308.52	NET PAY CHECKS- DIRECT DEPOSIT TOTALS
NET PAYROLL - MANUAL CHECKS	\$0.00	NET PAY CHECKS - MANUAL CHECK TOTALS
NEBRASKA REVENUE NEB EPAY.	\$47,419.44	NE STATE W/H
OMNI FINANCIAL1 CORP COLL	\$4,467.00	P/R DEDUCTION - 403(B) INVESTMENTS
OUTGOING WIRE TO US TREASURY	\$323,138.92	FEDERAL W/H, FICA W/H & FICA TAXES
RETIREMENT	\$249,142.71	RETIREMENT DEDUCTION & BENEFIT
VISION SERVICE PLAN INSURANCE CO	\$1,455.56	P/R DEDUCTION - VISION INSURANCE
MADISON NATIONAL LIFE INSURANCE CO.	\$4,556.75	EMPLOYEE LTD INSURANCE
SECTION 125	\$8,097.54	P/R DEDUCTION - FLEX PLAN CONTRIBUTIONS
BLUE CROSS BLUE SHIELD	\$270,932.00	EMPLOYEE HEALTH & DENTAL INSURANCE
DISTRICT COURT OF LANCASTER COUNTY	\$718.09	P/R DEDUCTION - GARNISHMENT
CREDIT MANAGEMENT SERVICES	\$303.46	P/R DEDUCTION - GARNISHMENT
ERIN MCCARTNEY	\$185.00	P/R DEDUCTION - GARNISHMENT

LUNCH FUND-ISSUED TO BE RATIFIED 6/10/2024

VENDOR	TOTAL	DESCRIPTION
KINDRA BARBRE	\$30.30	STUDENT ACCOUNT BALANCE REFUND
SHEILA CZAPLA	\$33.05	STUDENT ACCOUNT BALANCE REFUND
CHRISTIE GUTZMANN	\$45.00	STUDENT ACCOUNT BALANCE REFUND
MARISSA KESSLER	\$64.90	STUDENT ACCOUNT BALANCE REFUND
MARGARET MARTIN	\$443.65	STUDENT ACCOUNT BALANCE REFUND
Summary	\$616.90	

BOND FUND CLAIMS 6/10/2024

VENDOR	TOTAL	DESCRIPTION
BOK FINANCIAL	\$1,001,527.28	BOND DEBT SERVICE- PRINCIPAL & INTEREST
Summary	\$1,001,527.28	

LUNCH FUND CLAIMS 6/10/2024

VENDOR	TOTAL	DESCRIPTION
THE HOME DEPOT	\$2,905.01	ANTI SLIP MATS - FOOD SERVICE DEPARTMENT (AP,BHS,OMS)
S & S PUMPING	\$300.00	PUMP GREASE TRAP (BHS)
Summary	\$3,205.01	

BUILDING FUND CLAIMS 6/10/2024

VENDOR	TOTAL	DESCRIPTION
MECHANICAL SYSTEMS INC	\$294,500.00	ROOF TOP UNITS (RTU)- BHS GYM & AUX GYM
FLUID MECHANICAL LLC	\$1,200.00	BHS WELDING LAB AIR LINE- PLUMBING
Summary	\$295,700.00	

SAVINGS/DEPRECIATION FUND CLAIMS 6/10/2024

VENDOR	TOTAL	DESCRIPTION
DIETZE MUSIC	\$6,740.00	NEW TUBAS (OMS)
FOLLETT CONTENT SOLUTIONS	\$37,486.91	3RD-5TH GRADE LIBRARY BOOK ORDER (DF)
Summary	\$44,226.91	

Policy/Curriculum Committee Meeting Minutes

Monday, June 3, 2024
Call to Order at 11:00am
Central Office

Committee Members Present: Deb Parks (Chair), Denise Cada and Courtney Tabor

Others Present: Dr. Randall Gilson, Dr. Violet Glasshoff, Brett Schwartz, and Angie Conety

1. Old Business

A. Lexia

Dr. Glasshoff presented two quotes from Lexia to the Finance Committee last month. Lexia is a science-based reading system designed to supplement regular classroom instruction. The Finance Committee chose to table the item and to have Dr. Glasshoff present it back to the Policy/Curriculum Committee meeting.

During Friday morning elementary PLC's, it was noted that teachers wished they had Lexia for all elementary students. Right now, only those who qualify for intervention and help with the reading team get access. The district currently purchases 500 licenses, which are mostly used at the K-5 level and a handful of middle school students. We move students in and out of the license based on the work they do with the reading team. The quotes presented were for; (1) all students and (2) for 500 licenses.

Dr. Glasshoff informed, currently we do not have data that supports that Lexia is helping students with their fundamental literacy skills. It is her recommendation we keep it to 500 licenses for the 2024-25 school year and track Lexia data and revisit it for the 2025-26 school year if needed.

B. Policy Revisions (600's)

Dr. Gilson shared several policies with the committee that we will be going over more in-depth in the next couple months. He asked them to review the policies and to let him know if they would like any changes.

C. Reading Task Force Update and Recommendation

D. Dr. Glasshoff informed there is a K-5 Reading Parental/Community Meeting scheduled for Wednesday, June 5th at 5:00pm at Central Office in the Board Room to share an update on curriculum.

2. New Business

E. 2024-25 Handbooks

Dr. Gilson shared the draft 2024-25 handbooks for; Preschool, K-5 Elementary, Otte Middle School, Blair High School, Certified Staff, Classified Staff, Transportation, and Substitute Teacher. The handbooks will be presented in July for Board approval.

F. Option Enrollment

LB 1329 changes Nebraska's Option Enrollment laws. Under the new law, a student may option once during elementary, once during middle school or junior high school, and once during high school for a total of three (3) times. This law ends the traditional rule of one (1) option per student.

In addition, the new law changes the procedures for students optioning into and from districts. If a student is an option student, the student needs a release only from the option district. This change removes the student's resident district from option decisions if the student is an option student.

G. Training

LB 1329 softened the training requirements for the statute's mandated trainings. Instead of a defined amount of time, the identified trainings need only be as long as the School Board reasonably determines. This will require the School Board to approve the trainings identified by the administration. As a result, a motion may be presented at the July or August Board meeting for approval of the recommended reasonable required staff trainings.

H. Preschool

LB 71 will allow kindergarten-eligible students to remain in preschool. This new law initially conflicts with the current NDE Rule 11, though NDE has stated that it intends to revise Rule 11 in response to LB 71. The new law would allow for an older age preschool classroom option. This is something we could look into for the 2025-26 school year but for the 2024-25 school year our preschool program is at capacity.

I. Truancy

LB 1329 revises the truancy statutes to add a firm deadline for schools to provide services to address barriers for student's attendance. Under the new law, once a student has missed twenty (20) days of school, the school is required to write to the parents about the student's excessive absences and meet with the parents or guardians to address the excessive absences. In addition, any educational evaluations must be agreed to by the student's parent or guardian before the school initiates an educational evaluation. This should improve truancy numbers.

J. LB 304

LB 304 requires the district to post on our website each organization to which the Board belongs and those dues; and fees paid to any lobbyists.

K. FAFSA – Free Application for Student Aid

Last year, LB 705 implemented the FAFSA requirement for graduation. NDE has now circulated the opt-out form for those students who do not want to complete the FAFSA. One of the three bases for a student opt-out is if the principal determines that "good cause" exists to excuse the student from completing the FAFSA. The law does not define what constitutes "good Cause". We will use the summer months to determine how this FAFSA process will be tracked for all our students.

L. Retention

LB 71 gives parents more authority to require their student to retake a grade level. For students in grades K-4, a parent may require their student to retake a grade level if the student meets one of the following qualifications: (1) academic needs, (2) illness, or (3) excessive absenteeism. Students in grades 5-12 may only be retained by the parent due to excessive absenteeism. Current policy 611.02-Student Promotion, Retention, or Acceleration, states it is the combined views of the teacher, principal, nurse, and counselor are taken into consideration along with those of the parents. This is a change that will be reflected in the handbook and policy.

M. Open Meetings Act

LB 43 - Beginning in July 2024, Open Meetings Act will require school boards allow members of the public an opportunity to speak at each meeting.

LB 287 eased the newspaper publication requirements. From now on, if a newspaper refuses, neglects, or is unable to timely publish notice of a board meeting, then the board may give notice by (1) posting the notice on the newspaper's website (if available) and (2) posting the notice in conspicuous places within the district.

N. Records Request

Under current law, any person could submit a public records request and be entitled to the first four (4) hours of staff time spent responding to the request. If the records request exceeds the four (4) hours of staff time, the school could charge for their extended time. LB 43 changes this process.

Beginning in July 2024, any Nebraska resident and news media (regardless of location) are entitled to the first eight (8) hours of staff time for free. In addition, non-residents will no longer be entitled to any free time, so third party vendors will be required to pay for all record requests. As part of the new records request process, we will begin developing a document to request residency information in response to a records request.

O. Purchasing

LB 1300 has imposed new requirement to ensure that no public technology contracts are awarded to any "scrutinized company" (companies operated or owned by foreign adversaries). The following language will be used for technology contracts to meet the new law's requirements: Pursuant to federal and state law, the Company hereby certifies that: (1) the Company is not a "scrutinized company" (as defined by state and federal law); (2) the Company will not subcontract with any "scrutinized company" for any aspect of the performance of this Agreement; and (3) that any products or services to be provided under this Agreement do not originate with any "scrutinized company." The Company agrees to immediately notify the School District if anything in this certification is no longer accurate.

P. Contracting with Self

LB 287 adds a new conflict of interest provision for public employees. Under these new parameters, any public employee whose annual salary and benefits totals at least \$150,000 may not use their official duties to financially benefit themselves or their family. Evidently, a situation arose in a Nebraska city where a city council gave the city manager the authority to enter into contracts for up to a certain amount of money. That city manager then apparently contracted with an immediate family member that, in the end, financially benefited the city manager. In response, the Legislature amended the conflict-of-interest statutes to prohibit this type of arrangement. As a standard rule for school administrators, any contract that would financially benefit the administrator or administrator's immediate family (like hiring a spouse's company to mow the school lawn in the summer) should be approved by the Board of Education (instead of the administrator unilaterally signing the contract).

Q. Blair High School Language Arts Teachers

Teachers from the Language Arts department shared the process used for evaluating their curriculum. They also shared two new books will be added to the 2024-25 school year curriculum.

1. The Codebreakers
2. Tuesdays with Morrie

R. Next Scheduled Policy Committee Meeting

Monday, June 17, 2024 at 12:00pm.

3. Adjournment

S. Adjournment:

The committee adjourned at 11:45am.

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 43

FINAL READING

Introduced by Sanders, 45; Conrad, 46.

Read first time January 05, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to law; to amend sections 84-712, 84-712.01,
2 and 84-712.07, Reissue Revised Statutes of Nebraska, and sections
3 84-712.03, 84-712.05, 84-920, and 84-1412, Revised Statutes
4 Cumulative Supplement, 2022; to adopt the First Freedom Act; to
5 authorize wearing of tribal regalia by students as prescribed; to
6 change public records provisions relating to residents,
7 nonresidents, fees, duties, and remedies; to allow certain records
8 relating to cybersecurity to be withheld from the public as
9 prescribed; to provide a duty for the Nebraska Information
10 Technology Commission; to provide requirements regarding the
11 interpretation of statutes, rules, and regulations as prescribed; to
12 prohibit state agencies from imposing annual filing and reporting
13 requirements on charitable organizations as prescribed; to state
14 intent; to adopt the Personal Privacy Protection Act; to define
15 terms; to change provisions relating to public meetings; to
16 harmonize provisions; to provide operative dates; to provide
17 severability; to repeal the original sections; and to declare an
18 emergency.
19 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 5 of this act shall be known and may be
2 cited as the First Freedom Act.

3 Sec. 2. For purposes of the First Freedom Act:

4 (1) Exercise of religion means the practice or observance of
5 religion and includes any action that is motivated by a sincerely held
6 religious belief, whether or not the exercise is compulsory or central to
7 a larger system of religious belief;

8 (2) Person means any individual, association, partnership,
9 corporation, church, religious institution, estate, trust, foundation, or
10 other legal entity;

11 (3) Religious organization means:

12 (a) A house of worship;

13 (b) A religious group, corporation, association, educational
14 institution, ministry, order, society, or similar entity, regardless of
15 whether it is integrated or affiliated with a church or other house of
16 worship; or

17 (c) An officer, owner, employee, manager, religious leader, clergy,
18 or minister of an entity or organization described in subdivision (3)(a)
19 or (b) of this section;

20 (4) Religious service means a meeting, gathering, or assembly of two
21 or more persons organized by a religious organization for the purpose of
22 worship, teaching, training, providing educational services, conducting
23 religious rituals, or other activities that are deemed necessary by the
24 religious organization for the exercise of religion;

25 (5) State action means the implementation or application of any law,
26 including state and local laws, ordinances, rules, regulations, and
27 policies, whether statutory or otherwise, or other action by the state or
28 any political subdivision thereof and any local government, municipality,
29 instrumentality, or public official authorized by state or local law; and

30 (6)(a) Substantially burden means any action that directly or
31 indirectly constrains, inhibits, curtails, or denies the exercise of

1 religion by any person or compels any action contrary to a person's
2 exercise of religion.

3 (b) Substantially burden includes withholding benefits, imposing
4 criminal, civil, or administrative penalties or damages, or exclusion
5 from governmental programs or access to governmental facilities.

6 Sec. 3. Notwithstanding any other provision of law, state action
7 shall not:

8 (1) Substantially burden a person's right to the exercise of
9 religion unless it is demonstrated that applying the burden to that
10 person's exercise of religion in this particular instance is essential to
11 further a compelling governmental interest and is the least restrictive
12 means of furthering that compelling governmental interest; or

13 (2) Restrict a religious organization from operating and engaging in
14 religious services during a state of emergency to a greater extent than
15 the state restricts other organizations or businesses from operating
16 during a state of emergency.

17 Sec. 4. (1) A person or religious organization whose exercise of
18 religion or religious service has been burdened or restricted, or is
19 likely to be burdened or restricted, in violation of the First Freedom
20 Act, may bring a civil action or assert such violation or impending
21 violation as a defense in a judicial or administrative proceeding.

22 (2) This section applies regardless of whether the state or a
23 political subdivision is a party to the judicial or administrative
24 proceeding.

25 (3) A person or religious organization asserting a claim or defense
26 under this section may obtain appropriate relief, including against the
27 state or a political subdivision. Appropriate relief includes:

28 (a) Actual damages;

29 (b) Such preliminary and other equitable or declaratory relief as
30 may be appropriate; and

31 (c) Reasonable attorney's fees and other litigation costs reasonably

1 incurred.

2 Sec. 5. The First Freedom Act applies to all state and local laws,
3 and the implementation of those laws, whether statutory or otherwise,
4 regardless of whether adopted before or after the operative date of this
5 section.

6 Sec. 6. (1) A person who is a member of an indigenous tribe of the
7 United States or another country and is a student attending an approved
8 or accredited public school may wear tribal regalia in any public or
9 private location where the person is otherwise authorized to be on such
10 school grounds or at any school function. Nothing in this section limits
11 the authority of administrative and teaching personnel to regulate
12 student behavior as provided in section 79-258 or the authority of a
13 school to regulate student behavior to further school purposes or to
14 prevent interference with the educational process.

15 (2) A school may adopt a policy to accommodate this section. Such
16 policy may specify the characteristics of any garment, jewelry, other
17 adornment, or object that such school finds will endanger the safety of a
18 student or others or interfere with school purposes or the educational
19 process if worn by a student during a specified activity.

20 (3) For purposes of this section, tribal regalia means traditional
21 garments, jewelry, other adornments, or similar objects of cultural
22 significance worn by members of an indigenous tribe of the United States
23 or another country. Tribal regalia does not include any firearm or other
24 dangerous weapon. Tribal regalia also does not include, except in
25 compliance with an appropriate federal permit, any object that is
26 otherwise prohibited by federal law.

27 Sec. 7. (1) A person who is a member of an indigenous tribe of the
28 United States or another country and is a student attending any Nebraska
29 public postsecondary institution may wear traditional tribal regalia in
30 any public or private location where the person is otherwise authorized
31 to be on such school grounds or at any school function. Nothing in this

1 section limits the authority of administrative and teaching personnel of
2 a Nebraska public postsecondary institution to regulate student behavior
3 to further school purposes or to prevent interference with the
4 educational process.

5 (2) A Nebraska public postsecondary institution may adopt a policy
6 to accommodate this section. Such policy may specify the characteristics
7 of any garment, jewelry, other adornment, or object that such school
8 finds will endanger the safety of a student or others or interfere with
9 school purposes or the educational process if worn by such student during
10 a specified activity.

11 (3) For purposes of this section:

12 (a) Nebraska public postsecondary institution has the same meaning
13 as in section 85-2403; and

14 (b) Tribal regalia means traditional garments, jewelry, other
15 adornments, or similar objects of cultural significance worn by members
16 of an indigenous tribe of the United States or another country. Tribal
17 regalia does not include any firearm or other dangerous weapon. Tribal
18 regalia also does not include, except in compliance with an appropriate
19 federal permit, any object that is otherwise prohibited by federal law.

20 Sec. 8. Section 84-712, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 84-712 (1) Except as otherwise expressly provided by statute, all
23 residents ~~citizens~~ of this state and all other persons interested in the
24 examination of the public records as defined in section 84-712.01 are
25 hereby fully empowered and authorized to (a) examine such records, and
26 make memoranda, copies using their own copying or photocopying equipment
27 in accordance with subsection (2) of this section, and abstracts
28 therefrom, all free of charge, during the hours the respective offices
29 may be kept open for the ordinary transaction of business and (b) except
30 if federal copyright law otherwise provides, obtain copies of public
31 records in accordance with subsection (3) of this section during the

1 hours the respective offices may be kept open for the ordinary
2 transaction of business.

3 (2) Copies made by residents ~~citizens~~ or other persons using their
4 own copying or photocopying equipment pursuant to subdivision (1)(a) of
5 this section shall be made on the premises of the custodian of the public
6 record or at a location mutually agreed to by the requester and the
7 custodian.

8 (3)(a) Copies may be obtained pursuant to subdivision (1)(b) of this
9 section only if the custodian has copying equipment reasonably available.
10 Such copies may be obtained in any form designated by the requester in
11 which the public record is maintained or produced, including, but not
12 limited to, printouts, electronic data, discs, tapes, and photocopies.
13 This section shall not be construed to require a custodian to copy any
14 public record that is available to the requester on the custodian's
15 website on the Internet. The custodian of the public record is required
16 to provide the location of the public record on the Internet to the
17 requester. If the requester does not have reasonable access to the
18 Internet due to lack of computer, lack of Internet availability, or
19 inability to use a computer or the Internet, the custodian shall produce
20 copies for the requester as provided in this section.

21 (b) Except as otherwise provided by statute, the public body, public
22 entity, or public official which is the custodian of a public record may
23 charge a fee for providing copies of such public record pursuant to
24 subdivision (1)(b) of this section, which fee shall not exceed the actual
25 added cost of making the copies available. For purposes of this
26 subdivision, (i) for photocopies, the actual added cost of making the
27 copies available shall not exceed the amount of the reasonably calculated
28 actual added cost of the photocopies, which may include a reasonably
29 apportioned cost of the supplies, such as paper, toner, and equipment,
30 used in preparing the copies, as well as any additional payment
31 obligation of the custodian for time of contractors necessarily incurred

1 to comply with the request for copies, (ii) for printouts of computerized
2 data on paper, the actual added cost of making the copies available shall
3 include the reasonably calculated actual added cost of computer run time
4 and the cost of materials for making the copy, and (iii) for electronic
5 data, the actual added cost of making the copies available shall include
6 the reasonably calculated actual added cost of the computer run time, any
7 necessary analysis and programming by the public body, public entity,
8 public official, or third-party information technology services company
9 contracted to provide computer services to the public body, public
10 entity, or public official, and the production of the report in the form
11 furnished to the requester.

12 (c) For residents of Nebraska, the ~~The~~ actual added cost used as the
13 basis for the calculation of a fee for records shall not include any
14 charge for the existing salary or pay obligation to the public officers
15 or employees with respect to the first eight ~~four~~ cumulative hours of
16 searching, identifying, physically redacting, or copying. A special
17 service charge reflecting the calculated labor cost may be included in
18 the fee for time required in excess of eight ~~four~~ cumulative hours, since
19 that large of a request may cause some delay or disruption of the other
20 responsibilities of the custodian's office, except that the fee for
21 records shall not include any charge for the services of an attorney or
22 any other person to review the requested public records seeking a legal
23 basis to withhold the public records from the public. No special service
24 charge or fee shall be charged for copies of blank forms or pages that
25 have all meaningful information redacted.

26 (d) For nonresidents of Nebraska, the actual added cost used as the
27 basis for the calculation of a fee for records may include a charge for
28 the proportion of the existing salary or pay obligation to the public
29 officers or employees, including a proportional charge for the services
30 of an attorney to review the requested public records, for the time spent
31 searching, identifying, physically redacting, copying, or reviewing such

1 records.

2 (e) ~~(d)~~ State agencies which provide electronic access to public
3 records through a portal established under section 84-1204 shall obtain
4 approval of their proposed reasonable fees for such records pursuant to
5 sections 84-1205.02 and 84-1205.03, if applicable, and the actual added
6 cost of making the copies available may include the approved fee for the
7 portal.

8 (f) ~~(e)~~ This section shall not be construed to require a public body
9 or custodian of a public record to produce or generate any public record
10 in a new or different form or format modified from that of the original
11 public record.

12 (g) ~~(f)~~ If copies requested in accordance with subdivision (1)(b) of
13 this section are estimated by the custodian of such public records to
14 cost more than fifty dollars, the custodian may require the requester to
15 furnish a deposit prior to fulfilling such request.

16 (h) The custodian may waive or reduce any fee described in this
17 section if the waiver or reduction of the fee would be in the public
18 interest. Waiver or reduction of the fee is in the public interest if
19 disclosure of the public record at issue is likely to contribute to the
20 understanding of the operations or activities of government and is not
21 primarily in the commercial interest of the person requesting such
22 records.

23 (4) Upon receipt of a written request for access to or copies of a
24 public record, the custodian of such record shall provide to the
25 requester as soon as is practicable and without delay, but not more than
26 four business days after actual receipt of the request, an estimate of
27 the expected cost of the copies and either (a) access to or, if copying
28 equipment is reasonably available, copies of the public record, (b) if
29 there is a legal basis for denial of access or copies, a written denial
30 of the request together with the information specified in section
31 84-712.04, or (c) if the entire request cannot with reasonable good faith

1 efforts be fulfilled within four business days after actual receipt of
2 the request due to the significant difficulty or the extensiveness of the
3 request, a written explanation, including the earliest practicable date
4 for fulfilling the request, an estimate of the expected cost of any
5 copies, and an opportunity for the requester to modify or prioritize the
6 items within the request. The requester shall have ten business days to
7 review the estimated costs, including any special service charge, and
8 request the custodian to fulfill the original request, negotiate with the
9 custodian to narrow or simplify the request, or withdraw the request. If
10 the requester does not respond to the custodian within ten business days,
11 the custodian shall not proceed to fulfill the request. The four business
12 days shall be computed by excluding the day the request is received,
13 after which the designated period of time begins to run. Business day
14 does not include a Saturday, a Sunday, or a day during which the offices
15 of the custodian of the public records are closed.

16 (5) For purposes of sections 84-712 to 84-712.09, resident means a
17 person domiciled in this state and includes news media without regard to
18 domicile.

19 Sec. 9. Section 84-712.01, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 84-712.01 (1) Except when any other statute expressly provides that
22 particular information or records shall not be made public, public
23 records shall include all records and documents, regardless of physical
24 form, of or belonging to this state, any county, city, village, political
25 subdivision, or tax-supported district in this state, or any agency,
26 branch, department, board, bureau, commission, council, subunit, or
27 committee of any of the foregoing. Data which is a public record in its
28 original form shall remain a public record when maintained in computer
29 files.

30 (2) When a custodian of a public record of a county provides to a
31 member of the public, upon request, a copy of the public record by

1 transmitting it from a modem to an outside modem, a reasonable fee may be
2 charged for such specialized service. Such fee may include a reasonable
3 amount representing a portion of the amortization of the cost of computer
4 equipment, including software, necessarily added in order to provide such
5 specialized service. This subsection shall not be construed to require a
6 governmental entity to acquire computer capability to generate public
7 records in a new or different form when that new form would require
8 additional computer equipment or software not already possessed by the
9 governmental entity.

10 (3) Sections 84-712 to 84-712.03 shall be liberally construed
11 whenever any state, county, or political subdivision fiscal records,
12 audit, warrant, voucher, invoice, purchase order, requisition, payroll,
13 check, receipt, or other record of receipt, cash, or expenditure
14 involving public funds is involved in order that the residents ~~citizens~~
15 of this state shall have the full right to know of and have full access
16 to information on the public finances of the government and the public
17 bodies and entities created to serve them.

18 Sec. 10. Section 84-712.03, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 84-712.03 (1) Any person denied any rights granted by sections
21 84-712 to 84-712.03 may elect to:

22 (a) File for speedy relief by a writ of mandamus in the district
23 court within whose jurisdiction the state, county, or political
24 subdivision officer who has custody of the public record can be served;
25 or

26 (b) Petition the Attorney General to review the matter to determine
27 whether a record may be withheld from public inspection or whether the
28 public body that is custodian of such record has otherwise failed to
29 comply with such sections, including whether the fees estimated or
30 charged by the custodian are actual added costs or special service
31 charges as provided under section 84-712. This determination shall be

1 made within fifteen calendar days after the submission of the petition.
2 If the Attorney General determines that the record may not be withheld or
3 that the public body is otherwise not in compliance, the public body
4 shall be ordered to disclose the record immediately or otherwise comply.
5 If the public body continues to withhold the record or remain in
6 noncompliance, the person seeking disclosure or compliance may (i) bring
7 suit in the trial court of general jurisdiction or (ii) demand in writing
8 that the Attorney General bring suit in the name of the state in the
9 trial court of general jurisdiction for the same purpose. If such demand
10 is made, the Attorney General shall bring suit within fifteen calendar
11 days after its receipt. The requester shall have an absolute right to
12 intervene as a full party in the suit at any time.

13 (2) In any suit filed under this section, the court has jurisdiction
14 to enjoin the public body from withholding records, to order the
15 disclosure, and to grant such other equitable relief as may be proper.
16 The court shall determine the matter de novo and the burden is on the
17 public body to sustain its action. The court may view the records in
18 controversy in camera before reaching a decision, and in the discretion
19 of the court other persons, including the requester, counsel, and
20 necessary expert witnesses, may be permitted to view the records, subject
21 to necessary protective orders.

22 (3) Proceedings arising under this section shall be advanced on the
23 trial docket and heard and decided by the court as soon as reasonably
24 possible and ~~, except as to the cases the court considers of greater~~
25 ~~importance,~~ shall take precedence on the trial docket over all other
26 cases and shall be assigned for hearing, trial, or argument at the
27 earliest practicable date and expedited in every way.

28 Sec. 11. Section 84-712.05, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 84-712.05 The following records, unless publicly disclosed in an
31 open court, open administrative proceeding, or open meeting or disclosed

1 by a public entity pursuant to its duties, may be withheld from the
2 public by the lawful custodian of the records:

3 (1) Personal information in records regarding a student, prospective
4 student, or former student of any educational institution or exempt
5 school that has effectuated an election not to meet state approval or
6 accreditation requirements pursuant to section 79-1601 when such records
7 are maintained by and in the possession of a public entity, other than
8 routine directory information specified and made public consistent with
9 20 U.S.C. 1232g, as such section existed on February 1, 2013, and
10 regulations adopted thereunder;

11 (2) Medical records, other than records of births and deaths and
12 except as provided in subdivision (5) of this section, in any form
13 concerning any person; records of elections filed under section 44-2821;
14 and patient safety work product under the Patient Safety Improvement Act;

15 (3) Trade secrets, academic and scientific research work which is in
16 progress and unpublished, and other proprietary or commercial information
17 which if released would give advantage to business competitors and serve
18 no public purpose;

19 (4) Records which represent the work product of an attorney and the
20 public body involved which are related to preparation for litigation,
21 labor negotiations, or claims made by or against the public body or which
22 are confidential communications as defined in section 27-503;

23 (5) Records developed or received by law enforcement agencies and
24 other public bodies charged with duties of investigation or examination
25 of persons, institutions, or businesses, when the records constitute a
26 part of the examination, investigation, intelligence information, ~~citizen~~
27 complaints or inquiries from residents of this state or other interested
28 persons, informant identification, or strategic or tactical information
29 used in law enforcement training, except that this subdivision shall not
30 apply to records so developed or received:

31 (a) Relating to the presence of and amount or concentration of

1 alcohol or drugs in any body fluid of any person; or

2 (b) Relating to the cause of or circumstances surrounding the death
3 of an employee arising from or related to his or her employment if, after
4 an investigation is concluded, a family member of the deceased employee
5 makes a request for access to or copies of such records. This subdivision
6 does not require access to or copies of informant identification, the
7 names or identifying information of members of the public ~~citizens~~ making
8 complaints or inquiries, other information which would compromise an
9 ongoing criminal investigation, or information which may be withheld from
10 the public under another provision of law. For purposes of this
11 subdivision, family member means a spouse, child, parent, sibling,
12 grandchild, or grandparent by blood, marriage, or adoption;

13 (6) The identity and personal identifying information of an alleged
14 victim of sexual assault or sex trafficking as provided in section
15 29-4316;

16 (7) Appraisals or appraisal information and negotiation records
17 concerning the purchase or sale, by a public body, of any interest in
18 real or personal property, prior to completion of the purchase or sale;

19 (8) Personal information in records regarding personnel of public
20 bodies other than salaries and routine directory information;

21 (9) Information solely pertaining to protection of the security of
22 public property and persons on or within public property, such as
23 specific, unique vulnerability assessments or specific, unique response
24 plans, either of which is intended to prevent or mitigate criminal acts
25 the public disclosure of which would create a substantial likelihood of
26 endangering public safety or property; computer or communications network
27 schema, passwords, and user identification names; guard schedules; lock
28 combinations; or public utility infrastructure specifications or design
29 drawings the public disclosure of which would create a substantial
30 likelihood of endangering public safety or property, unless otherwise
31 provided by state or federal law;

1 (10) Information that relates details of physical and cyber assets
2 of critical energy infrastructure or critical electric infrastructure,
3 including (a) specific engineering, vulnerability, or detailed design
4 information about proposed or existing critical energy infrastructure or
5 critical electric infrastructure that (i) relates details about the
6 production, generation, transportation, transmission, or distribution of
7 energy, (ii) could be useful to a person in planning an attack on such
8 critical infrastructure, and (iii) does not simply give the general
9 location of the critical infrastructure and (b) the identity of personnel
10 whose primary job function makes such personnel responsible for (i)
11 providing or granting individuals access to physical or cyber assets or
12 (ii) operating and maintaining physical or cyber assets, if a reasonable
13 person, knowledgeable of the electric utility or energy industry, would
14 conclude that the public disclosure of such identity could create a
15 substantial likelihood of risk to such physical or cyber assets.
16 Subdivision (10)(b) of this section shall not apply to the identity of a
17 chief executive officer, general manager, vice president, or board member
18 of a public entity that manages critical energy infrastructure or
19 critical electric infrastructure. The lawful custodian of the records
20 must provide a detailed job description for any personnel whose identity
21 is withheld pursuant to subdivision (10)(b) of this section. For purposes
22 of subdivision (10) of this section, critical energy infrastructure and
23 critical electric infrastructure mean existing and proposed systems and
24 assets, including a system or asset of the bulk-power system, whether
25 physical or virtual, the incapacity or destruction of which would
26 negatively affect security, economic security, public health or safety,
27 or any combination of such matters;

28 (11) The security standards, procedures, policies, plans,
29 specifications, diagrams, access lists, and other security-related
30 records of the Lottery Division of the Department of Revenue and those
31 persons or entities with which the division has entered into contractual

1 relationships. Nothing in this subdivision shall allow the division to
2 withhold from the public any information relating to amounts paid persons
3 or entities with which the division has entered into contractual
4 relationships, amounts of prizes paid, the name of the prize winner, and
5 the city, village, or county where the prize winner resides;

6 (12) With respect to public utilities and except as provided in
7 sections 43-512.06 and 70-101, personally identified private customer
8 ~~citizen~~ account payment and customer use information, credit information
9 on others supplied in confidence, and customer lists;

10 (13) Records or portions of records kept by a publicly funded
11 library which, when examined with or without other records, reveal the
12 identity of any library patron using the library's materials or services;

13 (14) Correspondence, memoranda, and records of telephone calls
14 related to the performance of duties by a member of the Legislature in
15 whatever form. The lawful custodian of the correspondence, memoranda, and
16 records of telephone calls, upon approval of the Executive Board of the
17 Legislative Council, shall release the correspondence, memoranda, and
18 records of telephone calls which are not designated as sensitive or
19 confidential in nature to any person performing an audit of the
20 Legislature. A member's correspondence, memoranda, and records of
21 confidential telephone calls related to the performance of his or her
22 legislative duties shall only be released to any other person with the
23 explicit approval of the member;

24 (15) Records or portions of records kept by public bodies which
25 would reveal the location, character, or ownership of any known
26 archaeological, historical, or paleontological site in Nebraska when
27 necessary to protect the site from a reasonably held fear of theft,
28 vandalism, or trespass. This section shall not apply to the release of
29 information for the purpose of scholarly research, examination by other
30 public bodies for the protection of the resource or by recognized tribes,
31 the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or

1 the federal Native American Graves Protection and Repatriation Act;

2 (16) Records or portions of records kept by public bodies which
3 maintain collections of archaeological, historical, or paleontological
4 significance which reveal the names and addresses of donors of such
5 articles of archaeological, historical, or paleontological significance
6 unless the donor approves disclosure, except as the records or portions
7 thereof may be needed to carry out the purposes of the Unmarked Human
8 Burial Sites and Skeletal Remains Protection Act or the federal Native
9 American Graves Protection and Repatriation Act;

10 (17) Library, archive, and museum materials acquired from
11 nongovernmental entities and preserved solely for reference, research, or
12 exhibition purposes, for the duration specified in subdivision (17)(b) of
13 this section, if:

14 (a) Such materials are received by the public custodian as a gift,
15 purchase, bequest, or transfer; and

16 (b) The donor, seller, testator, or transferor conditions such gift,
17 purchase, bequest, or transfer on the materials being kept confidential
18 for a specified period of time;

19 (18) Job application materials submitted by applicants, other than
20 finalists or a priority candidate for a position described in section
21 85-106.06 selected using the enhanced public scrutiny process in section
22 85-106.06, who have applied for employment by any public body as defined
23 in section 84-1409. For purposes of this subdivision, (a) job application
24 materials means employment applications, resumes, reference letters, and
25 school transcripts and (b) finalist means any applicant who is not an
26 applicant for a position described in section 85-106.06 and (i) who
27 reaches the final pool of applicants, numbering four or more, from which
28 the successful applicant is to be selected, (ii) who is an original
29 applicant when the final pool of applicants numbers less than four, or
30 (iii) who is an original applicant and there are four or fewer original
31 applicants;

1 (19)(a) Records obtained by the Public Employees Retirement Board
2 pursuant to section 84-1512 and (b) records maintained by the board of
3 education of a Class V school district and obtained by the board of
4 trustees or the Public Employees Retirement Board for the administration
5 of a retirement system provided for under the Class V School Employees
6 Retirement Act pursuant to section 79-989;

7 (20) Social security numbers; credit card, charge card, or debit
8 card numbers and expiration dates; and financial account numbers supplied
9 to state and local governments ~~by citizens~~;

10 (21) Information exchanged between a jurisdictional utility and city
11 pursuant to section 66-1867;

12 (22) Draft records obtained by the Nebraska Retirement Systems
13 Committee of the Legislature and the Governor from Nebraska Public
14 Employees Retirement Systems pursuant to subsection (4) of section
15 84-1503;

16 (23) All prescription drug information submitted pursuant to section
17 71-2454, all data contained in the prescription drug monitoring system,
18 and any report obtained from data contained in the prescription drug
19 monitoring system;

20 (24) Information obtained by any government entity, whether federal,
21 state, county, or local, regarding firearm registration, possession,
22 sale, or use that is obtained for purposes of an application permitted or
23 required by law or contained in a permit or license issued by such
24 entity. Such information shall be available upon request to any federal,
25 state, county, or local law enforcement agency; ~~and~~

26 (25) The security standards, procedures, policies, plans,
27 specifications, diagrams, and access lists and other security-related
28 records of the State Racing and Gaming Commission, those persons or
29 entities with which the commission has entered into contractual
30 relationships, and the names of any individuals placed on the list of
31 self-excluded persons with the commission as provided in section 9-1118.

1 Nothing in this subdivision shall allow the commission to withhold from
2 the public any information relating to the amount paid any person or
3 entity with which the commission has entered into a contractual
4 relationship, the amount of any prize paid, the name of the prize winner,
5 and the city, village, or county where the prize winner resides; and -

6 (26) Records relating to the nature, location, or function of
7 cybersecurity by the State of Nebraska or any of its political
8 subdivisions or any other public entity subject to sections 84-712 to
9 84-712.09, including, but not limited to, devices, programs, or systems
10 designed to protect computer, information technology, or communications
11 systems against terrorist or other attacks. The Nebraska Information
12 Technology Commission shall adopt and promulgate rules and regulations to
13 implement this subdivision.

14 Sec. 12. Section 84-712.07, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 84-712.07 The provisions of sections 84-712, 84-712.01, 84-712.03 to
17 84-712.09, and 84-1413 pertaining to the rights of residents of this
18 state and all other interested persons ~~citizens~~ to access to public
19 records may be enforced by equitable relief, whether or not any other
20 remedy is also available. In any case in which the complainant seeking
21 access has substantially prevailed, the court may assess against the
22 public body which had denied access to their records, reasonable attorney
23 fees and other litigation costs reasonably incurred by the complainant.

24 Sec. 13. Any court reviewing an appeal from a contested case shall
25 interpret the statute or rule or regulation de novo on the record and
26 shall not defer to the agency's interpretation of such statute or rule or
27 regulation.

28 Sec. 14. In actions brought by or against state agencies, after
29 applying all customary tools of interpretation of a statute or rule or
30 regulation, the court or hearing officer shall resolve any remaining
31 doubt in favor of a reasonable interpretation which is consistent with an

1 individual's fundamental constitutional rights.

2 Sec. 15. (1) The Legislature finds that this section is necessary
3 to minimize burdens on the charitable sector and encourage a grantmaking
4 environment that is free and independent from intrusive or politically
5 motivated regulation.

6 (2) For purposes of this section:

7 (a) Agency means each board, commission, department, officer,
8 division, or other administrative office or unit of the state government
9 authorized by law to adopt and promulgate rules and regulations, except
10 the Adjutant General's office as provided in Chapter 55, the Legislature,
11 the courts, including the Nebraska Workers' Compensation Court, and the
12 Commission of Industrial Relations; and

13 (b) Agency includes the Secretary of State and the Attorney General.

14 (3) Absent the showing of a compelling state interest or federal
15 funding requirement, an agency shall not require any annual filing or
16 reporting by a charitable organization, whether regulated or specifically
17 exempted from regulation, that is more burdensome than any requirements
18 authorized by state law. Any such filing or reporting requirement shall
19 be narrowly tailored to achieve such compelling state interest.

20 (4) This section shall not be construed to limit or restrict the
21 powers, duties, remedies, or penalties available to the Attorney General
22 or Secretary of State under statute or common law, including, but not
23 limited to, issuance of a civil investigative demand or subpoena.

24 Sec. 16. Section 84-920, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 84-920 Sections 84-901 to 84-920 and sections 13, 14, and 15 of this
27 act, and the Occupational Board Reform Act, and the Personal Privacy
28 Protection Act shall be known and may be cited as the Administrative
29 Procedure Act.

30 Sec. 17. Sections 17 to 20 of this act shall be known and may be
31 cited as the Personal Privacy Protection Act.

1 Sec. 18. For purposes of the Personal Privacy Protection Act:

2 (1) Nonprofit organization means a nonprofit organization holding a
3 certificate of exemption under section 501(c) of the Internal Revenue
4 Code;

5 (2) Person means any individual, partnership, limited liability
6 company, corporation, association, firm, or agent or employee of any such
7 individual or business entity;

8 (3) Personal information means any list, record, register, registry,
9 roll, roster, or other compilation of data that directly or indirectly
10 identifies a person as a member, supporter, or volunteer of, or donor of
11 financial or nonfinancial support to, any nonprofit organization; and

12 (4) Public agency means any state or local governmental unit,
13 including, but not limited to:

14 (a) The State of Nebraska;

15 (b) Any agency, department, division, office, commission, board,
16 bureau, committee, council, or other entity of the state;

17 (c) The University of Nebraska or any state college;

18 (d) Any political subdivision of the state, including, but not
19 limited to, any county, city, village, township, school district,
20 community college area, public power district, rural fire district, or
21 other local governmental unit, or agency, authority, council, board, or
22 commission thereof;

23 (e) Any state or local court, tribunal, or other judicial or quasi-
24 judicial body; or

25 (f) Any public corporation whose primary function is to act as an
26 instrumentality or agency of the state or of any other public agency.

27 Sec. 19. (1) Notwithstanding any provision of law to the contrary,
28 and except as otherwise provided in this section, each public agency is
29 prohibited from:

30 (a) Requiring any individual to provide personal information or
31 otherwise compelling the release of personal information;

1 (b) Requiring any nonprofit organization to provide such public
2 agency with personal information or otherwise compelling the release of
3 personal information;

4 (c) Publicizing or otherwise publicly disclosing personal
5 information in the possession of such public agency without the express
6 permission of every individual who is identifiable from the potential
7 release of such personal information, including individuals identifiable
8 as members, supporters, or volunteers of, or donors to, a nonprofit
9 organization; or

10 (d) Requesting or requiring a current or prospective contractor or
11 grantee to provide such public agency with a list of nonprofit
12 organizations to which such contractor or grantee has provided financial
13 or nonfinancial support.

14 (2) Personal information is exempt from disclosure under public
15 records laws, including, but not limited to, sections 84-712 to 84-712.09
16 and 84-1413.

17 (3) This section does not prohibit:

18 (a) Any report or disclosure required by the Nebraska Political
19 Accountability and Disclosure Act;

20 (b) Any report or disclosure by a public agency regarding testimony
21 received at a public hearing conducted by such public agency;

22 (c) Any lawful warrant, subpoena, or order issued by a court of
23 competent jurisdiction for the production of personal information;

24 (d) Any lawful request for discovery of personal information in
25 litigation if both of the following conditions are met:

26 (i) The requestor demonstrates a compelling need for such personal
27 information by clear and convincing evidence; and

28 (ii) The requestor obtains an order barring disclosure of such
29 personal information to any person not named in the litigation;

30 (e) Admission of personal information as relevant evidence before a
31 court of competent jurisdiction. However, no court shall publicly reveal

1 personal information absent a specific finding of good cause;

2 (f) Any report or disclosure required by state or federal law or
3 regulation for an employee of the University of Nebraska or any state
4 college. Except as otherwise required by law, no such report or
5 disclosure shall be subject to release under the state public records
6 laws;

7 (g) Any report or disclosure required by conflict of interest,
8 conflict of commitment, or outside income policies for an employee or
9 contractor of the University of Nebraska or any state college. Except as
10 otherwise required by law, no such report or disclosure shall be subject
11 to release under the state public records laws;

12 (h) Any document required or permitted to be filed with the
13 Secretary of State disclosing the identity of any director, officer,
14 incorporator, or registered agent of a nonprofit organization;

15 (i) Any request for information required by the Uniform
16 Credentialing Act or Health Care Facility Licensure Act or by a federal
17 funding agency;

18 (j) A request for information required for a criminal history record
19 information check undertaken pursuant to express statutory authority,
20 except that such information shall only be used in connection with the
21 specific criminal history record information check and for any related
22 proceedings;

23 (k)(i) The Auditor of Public Accounts from accessing personal
24 information during an examination undertaken pursuant to express
25 statutory authority. The auditor may publicly disclose personal
26 information obtained during such examination only if that information:

27 (A) Pertains specifically to a person who has violated or is alleged
28 to have violated a state or federal law, rule, or regulation or an
29 ordinance of a city or village; or

30 (B) Pertains to a person directly associated with a violation
31 described in subdivision (3)(k)(i)(A) of this section.

1 (ii) This subdivision (3)(k) shall be strictly construed and only
2 authorizes disclosure of personal information pertaining to a person who
3 meets the criteria described in subdivision (3)(k)(i) of this section.

4 (iii) All other personal information accessed by the Auditor of
5 Public Accounts shall be subject to the restrictions on working papers
6 contained in section 84-311; or

7 (1) Subject to compliance with section 8-112, any request for, or
8 release of, information, a record, or a report, obtained by the
9 Department of Banking and Finance from a nonprofit organization.

10 Sec. 20. Any person aggrieved by a violation of the Personal
11 Privacy Protection Act may bring a civil action for appropriate relief.
12 Appropriate relief includes:

13 (1) The greater of actual damages or two thousand five hundred
14 dollars in liquidated damages per violation; and

15 (2) Such preliminary and other equitable or declaratory relief as
16 may be appropriate.

17 Sec. 21. Section 84-1412, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 84-1412 (1) Subject to the Open Meetings Act, the public has the
20 right to attend and the right to speak at meetings of public bodies, and
21 all or any part of a meeting of a public body, except for closed sessions
22 called pursuant to section 84-1410, may be videotaped, televised,
23 photographed, broadcast, or recorded by any person in attendance by means
24 of a tape recorder, a camera, video equipment, or any other means of
25 pictorial or sonic reproduction or in writing. Except for closed sessions
26 called pursuant to section 84-1410, a public body shall allow members of
27 the public an opportunity to speak at each meeting.

28 (2) It shall not be a violation of subsection (1) of this section
29 for any public body to make and enforce reasonable rules and regulations
30 regarding the conduct of persons attending, speaking at, videotaping,
31 televising, photographing, broadcasting, or recording its meetings,

1 including meetings held by virtual conferencing. ~~A body may not be~~
2 ~~required to allow citizens to speak at each meeting, but it may not~~
3 ~~forbid public participation at all meetings.~~

4 (3) No public body shall require members of the public to identify
5 themselves as a condition for admission to the meeting nor shall such
6 body require that the name of any member of the public be placed on the
7 agenda prior to such meeting in order to speak about items on the agenda.
8 The body shall require any member of the public desiring to address the
9 body to identify himself or herself, including an address and the name of
10 any organization represented by such person unless the address
11 requirement is waived to protect the security of the individual.

12 (4) No public body shall, for the purpose of circumventing the Open
13 Meetings Act, hold a meeting in a place known by the body to be too small
14 to accommodate the anticipated audience.

15 (5) No public body shall be deemed in violation of this section if
16 it holds its meeting in its traditional meeting place which is located in
17 this state.

18 (6) No public body shall be deemed in violation of this section if
19 it holds a meeting outside of this state if, but only if:

20 (a) A member entity of the public body is located outside of this
21 state and the meeting is in that member's jurisdiction;

22 (b) All out-of-state locations identified in the notice are located
23 within public buildings used by members of the entity or at a place which
24 will accommodate the anticipated audience;

25 (c) Reasonable arrangements are made to accommodate the public's
26 right to attend, hear, and speak at the meeting, including making virtual
27 conferencing available at an instate location to members, the public, or
28 the press, if requested twenty-four hours in advance;

29 (d) No more than twenty-five percent of the public body's meetings
30 in a calendar year are held out-of-state;

31 (e) Out-of-state meetings are not used to circumvent any of the

1 public government purposes established in the Open Meetings Act; and

2 (f) The public body publishes notice of the out-of-state meeting at
3 least twenty-one days before the date of the meeting in a legal newspaper
4 of statewide circulation.

5 (7) Each public body shall, upon request, make a reasonable effort
6 to accommodate the public's right to hear the discussion and testimony
7 presented at a meeting.

8 (8) Public bodies shall make available at the meeting or the instate
9 location for virtual conferencing as required by subdivision (6)(c) of
10 this section, for examination and copying by members of the public, at
11 least one copy of all reproducible written material to be discussed at an
12 open meeting, either in paper or electronic form. Public bodies shall
13 make available at least one current copy of the Open Meetings Act posted
14 in the meeting room at a location accessible to members of the public. At
15 the beginning of the meeting, the public shall be informed about the
16 location of the posted information.

17 Sec. 22. Sections 1, 2, 3, 4, 5, 8, 9, 10, 12, 13, 14, 15, 16, 21,
18 and 24 of this act become operative three calendar months after the
19 adjournment of this legislative session. Sections 17, 18, 19, and 20 of
20 this act become operative on January 1, 2025. Sections 6 and 7 of this
21 act become operative on July 1, 2025. The other sections of this act
22 become operative on their effective date.

23 Sec. 23. If any section in this act or any part of any section is
24 declared invalid or unconstitutional, the declaration shall not affect
25 the validity or constitutionality of the remaining portions.

26 Sec. 24. Original sections 84-712, 84-712.01, and 84-712.07,
27 Reissue Revised Statutes of Nebraska, and sections 84-712.03, 84-920, and
28 84-1412, Revised Statutes Cumulative Supplement, 2022, are repealed.

29 Sec. 25. Original section 84-712.05, Revised Statutes Cumulative
30 Supplement, 2022, is repealed.

31 Sec. 26. Since an emergency exists, this act takes effect when

1 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1329

Introduced by Murman, 38.

Read first time January 17, 2024

Committee: Education

- 1 A BILL FOR AN ACT relating to the Nebraska Career Scholarship Act; to
- 2 amend sections 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006,
- 3 Revised Statutes Cumulative Supplement, 2022; to change provisions
- 4 relating to an award to a student attending a community college,
- 5 state college, private college, or the University of Nebraska under
- 6 the act; to change and provide definitions; to harmonize provisions;
- 7 and to repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-3002, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 85-3002 For purposes of the Nebraska Career Scholarship Act:

4 (1) Community college means a public postsecondary educational
5 institution which is part of the community college system and includes
6 all branches and campuses of such institution located within the State of
7 Nebraska;

8 (2) First-time freshman means a student who enrolled in an eligible
9 program of study who has not previously been enrolled in a postsecondary
10 institution within three years immediately preceding the application for
11 a scholarship pursuant to the act and has not previously earned a
12 postsecondary credential except as a dual credit or early-college high
13 school student as the student's first enrollment in any postsecondary
14 institution after graduating from high school or receiving a diploma of
15 high school equivalency;

16 (3) Nebraska Career Scholarship means a scholarship awarded under
17 the act or a scholarship awarded as a Nebraska Career Scholarship
18 pursuant to Laws 2021, LB380, or Laws 2020, LB1008;

19 (4) Nonscholarship student means a student who has never been
20 awarded a Nebraska Career Scholarship for the applicable eligible program
21 of study;

22 (5) Private college means an accredited private nonprofit
23 institution of postsecondary education located within the State of
24 Nebraska;

25 (6) Scholarship recipient means a student who has been awarded a
26 Nebraska Career Scholarship; ~~and~~

27 (7) Standard college admission test means the national assessment
28 instrument that is also used as the standard college admission test
29 selected by the State Board of Education and administered to students in
30 the eleventh grade pursuant to subsection (9) of section 79-760.03; and -

31 (8) Transfer student means a student who has not previously earned a

1 postsecondary credential and has transferred into an eligible program of
2 study (a) from another postsecondary institution or (b) from another
3 program of study within the same postsecondary institution. A student
4 that previously earned a postsecondary credential, but only as a dual-
5 credit or early-college high school student, shall be considered a
6 transfer student if such student transferred into an eligible program of
7 study from another postsecondary institution or a program within the same
8 postsecondary institution directly following such student's early-college
9 high school enrollment.

10 Sec. 2. Section 85-3003, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges
13 shall award a Nebraska Career Scholarship that does not exceed a maximum
14 of fifteen thousand dollars per year to any eligible state college
15 student who achieved a composite score on a standard college admission
16 test equivalent to a score of at least eighteen out of a maximum score of
17 thirty-six and who is enrolled in an eligible program of study.

18 (b) The Board of Trustees of the Nebraska State Colleges shall
19 allocate funds appropriated to the board under the Nebraska Career
20 Scholarship Act between the state college campuses, determine the
21 eligibility of students enrolled in a state college, receive and process
22 applications for awards to individual students, and disperse funds
23 directly to scholarship recipients during the fiscal year. Eligibility
24 criteria shall include being a first-time freshman or a transfer student
25 and enrollment in an eligible program of study.

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

28 (i) Through academic year 2023-24, a program of study at a state
29 college in rangeland management, industrial technology, criminal justice,
30 business administration, education, communication, or computer
31 information systems; and

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

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

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

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

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

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

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

1 ~~each eligible the program of study for such academic year, based upon~~
2 ~~official fall census data;~~

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

11 ~~(d) The number of students participating in an internship, an~~
12 ~~apprenticeship, a clinical position, or employment in a major-related~~
13 ~~field during the immediately prior academic year and a comparison of~~
14 ~~participation rates for scholarship recipients and nonscholarship~~
15 ~~students;~~

16 (d) ~~(e)~~ The total number of scholarship recipients who graduated
17 during graduates for the immediately prior academic year, the number of
18 scholarship recipient graduates for such academic year, and a comparison
19 of the four-year graduation rates between the for scholarship recipients
20 who graduated and the overall institution's four-year graduate rate
21 reported to the Integrated Postsecondary Education Data System for the
22 same year and nonscholarship students; and

23 (e) ~~(f)~~ The number and percent of scholarship recipients who
24 graduated during graduates from the immediately prior calendar academic
25 year who obtained employment in a major-related field in the state within
26 four months after graduation and the average starting salary for such
27 graduates.

28 Sec. 3. Section 85-3004, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 85-3004 (1)(a) The Board of Regents of the University of Nebraska
31 shall award a Nebraska Career Scholarship to any eligible university

1 student who is enrolled in an eligible program of study in an amount not
2 to exceed:

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

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

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

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

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

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

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

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

1 in the state.

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

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

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

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

20 (a) The total number of students enrolled in each eligible the
21 program of study in the immediately prior academic year and the total
22 number of students enrolled in each eligible the program of study as of
23 September 30 for the current academic year, based upon official fall
24 census data;

25 (b) The total number of scholarship recipients in each eligible the
26 program of study as of September 30 for the current academic year and the
27 total number of such scholarship recipients who are newly enrolled in
28 each eligible the program of study for such academic year, based upon
29 official fall census data;

30 (c) The total number of newly awarded scholarship recipients
31 students retained across all eligible programs of study in the program

1 from the immediately prior academic year to the current academic year and
2 a comparison of the retention rates between those of the newly awarded
3 scholarship recipients and the institution's overall first to second year
4 retention rate reported to the Integrated Postsecondary Education Data
5 System for the same year ~~scholarship recipients and nonscholarship~~
6 ~~students;~~

7 ~~(d) The number of students participating in an internship, an~~
8 ~~apprenticeship, a clinical position, or employment in a major-related~~
9 ~~field during the immediately prior academic year and a comparison of~~
10 ~~participation rates for scholarship recipients and nonscholarship~~
11 ~~students;~~

12 ~~(d) (e) The total number of scholarship recipients who graduated~~
13 ~~during graduates for the immediately prior academic year, the number of~~
14 ~~scholarship recipient graduates for such academic year, and a comparison~~
15 ~~of the four-year graduation rates between the for scholarship recipients~~
16 ~~who graduated and the overall institution's four-year graduate rate~~
17 ~~reported to the Integrated Postsecondary Education Data System for the~~
18 ~~same year and nonscholarship students; and~~

19 ~~(e) (f) The number and percent of scholarship recipients who~~
20 ~~graduated during graduates from the immediately prior calendar academic~~
21 ~~year who obtained employment in a major-related field in the state within~~
22 ~~four months after graduation and the average starting salary for such~~
23 ~~graduates.~~

24 Sec. 4. Section 85-3005, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 85-3005 (1)(a) The Coordinating Commission for Postsecondary
27 Education ~~Department of Economic Development~~, in collaboration with the
28 community colleges, shall award a Nebraska Career Scholarship that does
29 not exceed a maximum of fifteen ~~five~~ thousand dollars per year to any
30 eligible community college student who is enrolled in an eligible program
31 of study in an identified shortage area or skilled trade that meets the

1 workforce needs of the state.

2 (b) The Coordinating Commission for Postsecondary Education, in
3 consultation with the State Department of Education, the Department of
4 Labor, the Department of Economic Development, and any advisory committee
5 established by the Coordinating Commission for Postsecondary Education
6 for such purpose, Department of Economic Development shall identify
7 shortage areas and skilled trades that meet workforce needs for purposes
8 of this section and shall periodically review and revise the
9 identification of such shortage areas and skilled trades.

10 (c) For purposes of this section, an eligible program of study means
11 a program of study offered by a community college in a shortage area or
12 skilled trade identified pursuant to subdivision (b) of this subsection.

13 (d) Each community college area, acting as an agent of the state,
14 shall determine the eligibility of students enrolled in the community
15 college, receive and process applications for awards to individual
16 students, and disperse funds directly to scholarship recipients during
17 the fiscal year. Eligibility criteria shall include being a first-time
18 freshman or a transfer student and enrollment in an eligible program of
19 study.

20 (2) Each scholarship recipient enrolled in more than a one-semester
21 or sixteen-credit-hour program of study shall register with the
22 appropriate campus office to obtain a Nebraska-based internship,
23 apprenticeship, clinical position, experiential learning activity, or
24 employment in a major-related field prior to completion of the student's
25 eligible program of study.

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

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

1 scholarship was awarded, except that no student shall receive a
2 scholarship renewal after three years of participation in such eligible
3 program of study.

4 (5) Each community college area shall collect information on each
5 scholarship recipient who has been awarded a Nebraska Career Scholarship
6 by such community college area and shall share such information with the
7 Coordinating Commission for Postsecondary Education ~~Department of~~
8 ~~Economic Development~~.

9 (6) The Coordinating Commission for Postsecondary Education
10 ~~Department of Economic Development~~ shall report electronically to the
11 Clerk of the Legislature and the Governor on or before December 1 of each
12 year the following information:

13 (a) For each eligible program of study at a community college in the
14 current or prior academic year:

15 (i) The total number of students enrolled in the program in the
16 immediately prior academic year and the total number of students enrolled
17 in the program as of the most recent census date for the community
18 college area; and

19 (ii) The total number of scholarship recipients in the program as of
20 the most recent census date for the community college area; ~~and~~

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

26 (b) The first to second year retention rate of new scholarship
27 recipients for all eligible programs of study from the immediately prior
28 academic year as compared to the institution's overall first to second
29 year retention rate as reported to the Integrated Postsecondary Education
30 Data System for the same year ~~total number of first-time freshman~~
31 ~~scholarship recipients retained in year two of the scholarship~~

1 ~~recipient's eligible program of study and a comparison of the retention~~
2 ~~rate for first-time freshman scholarship recipients to the overall~~
3 ~~retention rate for first-time freshman students;~~

4 (c) The total number of first-time freshman scholarship recipients
5 who complete the program of study by earning the certificate, diploma, or
6 degree that signifies completion and a comparison of the on-time
7 completion rate for scholarship recipients to the overall on-time
8 completion rate for all first-time freshman students; and

9 (d) The number of scholarship recipients obtaining employment in the
10 state within five fiscal quarters of completion of an eligible program of
11 study using Department of Labor data. ~~;~~ and

12 ~~(e) The average salary of scholarship recipients, as determined by~~
13 ~~the Department of Labor, for the fifth fiscal quarter following~~
14 ~~completion.~~

15 (7) The Coordinating Commission for Postsecondary Education
16 ~~Department of Economic Development~~ shall allocate to community colleges
17 the amount appropriated to the commission ~~department~~ to carry out this
18 section. The commission ~~department~~ shall establish a separate budget
19 subprogram for such allocation.

20 Sec. 5. Section 85-3006, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

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

31 (b) Each participating private college, acting as an agent of the

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

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

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

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

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

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

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

1 program of study.

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

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

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

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

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

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

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

31 (f) The number of graduates from the immediately prior academic year

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

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

10 Sec. 6. Original sections 85-3002, 85-3003, 85-3004, 85-3005, and
11 85-3006, Revised Statutes Cumulative Supplement, 2022, are repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 71

Introduced by Sanders, 45; Albrecht, 17; Briese, 41; Linehan, 39; Murman, 38.

Read first time January 05, 2023

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531,
2 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to the involvement of parents and guardians in
4 the education of their children; to require each public school
5 district to develop and adopt a policy relating to the rights of
6 each parent and guardian to access testing information and
7 curriculum and excuse their child from certain instruction or
8 activities; to provide powers and duties to the Commissioner of
9 Education; and to repeal the original sections.

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

1 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-530 The Legislature finds and declares:

4 (1) That ~~parental~~ involvement of parents and guardians is a key
5 factor in the education of children;

6 (2) That parents or guardians need to be informed of the educational
7 practices affecting their children; and

8 (3) That public schools should foster and facilitate parents' and
9 guardians' access to ~~parental~~ information about and involvement in
10 educational practices affecting their children.

11 It is the intent of the Legislature, through the enactment of
12 sections 79-531 to 79-533 and sections 5, 6, and 7 of this act, to
13 strengthen the level of ~~parental~~ involvement and participation by parents
14 and guardians in the public school system of the state.

15 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-531 On or before July 1, 2024 ~~1995~~, each public school district
18 in the state shall develop and adopt a policy stating how the district
19 will ~~seek to~~ involve parents and guardians in the education of their
20 children ~~schools~~ and the rights of each parent and guardian to: what
21 ~~parents' rights shall be relating to access to the schools,~~

22 (1) Access testing information, ~~and curriculum; and matters.~~

23 (2) Request that a child be excused from specific instruction or
24 activities.

25 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 79-532 (1) The policy required by section 79-531 shall include, but
28 need not be limited to, the following:

29 (a) (1) How the school district will provide access to parents or
30 guardians concerning textbooks; ~~tests; activities information; digital~~
31 materials; websites or applications used for learning; training materials

1 for teachers, administrators, and staff; procedures for the review and
2 approval of training materials, learning materials, and activities; 7 and
3 other curriculum materials used in the school district;

4 (b) ~~(2)~~ How the school district will accommodate ~~handle~~ requests by
5 parents or guardians to attend and monitor courses, assemblies,
6 counseling sessions, and other instructional activities;

7 (c) ~~(3)~~ Under what circumstances parents or guardians may ask that
8 their children be excused from testing, classroom instruction, learning
9 materials, activities, guest speaker events, and other school experiences
10 the parents or guardians may find objectionable;

11 (d) ~~(4)~~ How the school district will provide access to records of
12 students;

13 (e) ~~(5)~~ What the school district's testing policy will be; and

14 (f) ~~(6)~~ How the school district participates in surveys of students
15 and the right of parents or guardians to remove their children from such
16 surveys.

17 (2) Nothing in this section shall be construed to require disclosure
18 of information in violation of the federal Family Educational Rights and
19 Privacy Act of 1974, as amended, 20 U.S.C. 1232g, or any federal
20 regulations and applicable guidelines adopted in accordance with such
21 act, as such act, regulations, and guidelines existed on January 1, 2023.

22 Sec. 4. Section 79-533, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 79-533 The policy required by section 79-531 shall be developed with
25 parental ~~input from parents and guardians~~ and shall be the subject of a
26 public hearing before the school board or board of education of the
27 school district before adoption by the board. The policy shall be
28 reviewed annually and either altered and adopted as altered or reaffirmed
29 by the board following a public hearing. Any public hearing under this
30 section shall include a reasonable opportunity for public comments.

31 Sec. 5. By August 1, 2024, each school district shall make the

1 policy required by section 79-531 accessible on the school district's
2 public website. The policy shall be accessible by a prominently displayed
3 link on such website. If the policy is altered, the new version of the
4 policy shall be made accessible within a reasonable time thereafter.

5 Sec. 6. To the extent practicable, each public school district
6 shall make a reasonable effort to make any learning materials, including
7 original materials, available for inspection by a parent or guardian upon
8 request.

9 Sec. 7. If the Commissioner of Education determines that any school
10 district has intentionally refused, in a material manner, to comply with
11 sections 79-531 to 79-533 and sections 5 and 6 of this act, the
12 commissioner shall notify the school district of the noncompliance and
13 allow the school district a reasonable time to comply. If the
14 commissioner determines, after such time has elapsed, that the school
15 district is not in compliance and has not made a good faith attempt to
16 comply, the commissioner shall take appropriate remedial action within
17 the commissioner's authority, up to and including qualifying such
18 noncompliance as a violation of the rules and regulations for the
19 accreditation of schools.

20 Sec. 8. Original sections 79-530, 79-531, 79-532, and 79-533,
21 Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 705

Approved by the Governor June 1, 2023

Introduced by Murman, 38; Walz, 15; Fredrickson, 20; Vargas, 7.

A BILL FOR AN ACT relating to education; to amend sections 9-812, 9-836.01, 79-239, 79-244, 79-254, 79-256, 79-263, 79-265, 79-266, 79-267, 79-268, 79-269, 79-272, 79-276, 79-278, 79-282, 79-283, 79-287, 79-2,146, 79-809, 79-8,132, 79-8,135, 79-8,138, 79-8,139, 79-8,140, 79-2304, 81-145, 81-1118.02, 85-102, 85-328, 85-601, 85-602, 85-603, 85-604, 85-605, 85-1906, and 85-1907, Reissue Revised Statutes of Nebraska, sections 79-101, 79-238, 79-2,136, 79-2,144, 79-703, 79-729, 79-734, 79-760.01, 79-806, 79-807, 79-808, 79-8,133, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-8,143, 79-8,145, 79-1054, 79-1104.02, 79-1142, 79-11,160, 79-1337, 79-2110, 79-2308, 79-2506, 79-2510, 79-3106, 79-3304, 79-3305, 81-161.04, 81-1118, 84-304, 84-612, 85-502.01, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2022, and section 79-1021, Reissue Revised Statutes of Nebraska, as amended by section 22, Legislative Bill 818, One Hundred Eighth Legislature, First Session, 2023; to provide, change, and eliminate definitions; to change and transfer provisions relating to distribution of lottery funds used for education; to adopt the Behavioral Intervention Training and Teacher Support Act, the College Pathway Program Act, the Door to College Scholarship Act, the Extraordinary Increase in Special Education Expenditures Act, and the Nebraska Teacher Recruitment and Retention Act; to create funds and change provisions relating to funds; to transfer and change provisions of the Excellence in Teaching Act; to establish a mental health training grant program and the Nebraska Teacher Apprenticeship Program; to change provisions relating to student enrollment; to provide and change powers and duties of the Coordinating Commission for Postsecondary Education and the State Board of Education; to change provisions of the Alternative Certification for Quality Teachers Act and authorize the Commissioner of Education to issue alternative certificates to teach; to require behavioral and mental health training for certain school personnel and adoption of related policies; to change provisions of the Student Discipline Act and provisions relating to duties of the state school security director, high school graduation requirements, textbooks, academic content standards, and requirements for teacher certification; to provide for a grant program; to change provisions relating to distance education incentives, the Diploma of High School Equivalency Assistance Act, the School Safety and Security Reporting System Act, the Computer Science and Technology Education Act, and state procurement and materiel requirements; to provide for a transfer from the Cash Reserve Fund; to rename the State College Facility Fee Fund and change provisions related thereto; to change provisions relating to residency, student discipline, and termination of employment for certain public postsecondary institutions; to change provisions of the Nebraska Opportunity Grant Act; to provide for data sharing by certain agencies responsible for students under the jurisdiction of juvenile courts; to prohibit consideration of students' and applicants' criminal history and juvenile records by public colleges and universities as prescribed; to establish a grant program for security-related infrastructure projects; to require schools to allow certain youth organizations to provide information, services, and activities and eliminate a related penalty; to eliminate obsolete provisions; to repeal the Master Teacher Program Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide operative dates; to provide for severability; to repeal the original sections; to outright repeal sections 50-425, 50-426, 50-427, 50-428, 79-2,103, 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129, 79-8,130, and 79-8,131, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Section 1. (1) For fiscal years through fiscal year 2023-24, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred to the Nebraska Education Improvement Fund.

(2) For fiscal years 2024-25 through 2028-29, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred as follows:

- (a) Eight percent to the Behavioral Training Cash Fund;
- (b) Two percent to the College Pathway Program Cash Fund;
- (c) Seven percent to the Community College Gap Assistance Program Fund;
- (d) Ten percent to the Department of Education Innovative Grant Fund;
- (e) Three percent to fund distance education incentives pursuant to section 79-1337;
- (f) One percent to the Door to College Scholarship Fund;
- (g) Eight percent to the Excellence in Teaching Cash Fund;
- (h) One and one-half percent to the Expanded Learning Opportunity Grant

Fund;

(i) One and one-half percent to the Mental Health Training Cash Fund; and
(j) Fifty-eight percent to the Nebraska Opportunity Grant Fund.
(3) For fiscal year 2029-30 and each fiscal year thereafter, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred as the Legislature may direct.

(4)(a) The Nebraska Education Improvement Fund is created. The fund shall consist of money transferred pursuant to subsection (1) of this section and any other funds transferred by the Legislature. The fund shall be allocated, after actual and necessary administrative expenses, as provided in this subsection for fiscal years 2016-17 through 2023-24. A portion of each allocation for fiscal year 2023-24 may be retained by the agency to which the allocation is made or the agency administering the fund to which the allocation is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the allocation, except that no amount of the allocation to the Nebraska Opportunity Grant Fund may be used for such purposes.

(b) For fiscal years 2017-18 through 2023-24, an amount equal to ten percent of the revenue received by the Nebraska Education Improvement Fund in the prior fiscal year shall be retained in the fund at all times plus any interest earned during the current fiscal year. The balance of the fund on July 26, 2024, less three percent of the money received for the fourth quarter of fiscal year 2023-24, shall be transferred to the Behavioral Training Cash Fund.

(c) For fiscal year 2023-24, the Nebraska Education Improvement Fund shall be allocated as follows:

(i) One percent of the allocated funds to the Expanded Learning Opportunity Grant Fund to carry out the Expanded Learning Opportunity Grant Program Act;

(ii) Seventeen percent of the allocated funds to the Department of Education Innovative Grant Fund to be used for competitive innovation grants pursuant to section 79-1054;

(iii) Nine percent of the allocated funds to the Community College Gap Assistance Program Fund to carry out the community college gap assistance program;

(iv) Eight percent of the allocated funds to the Excellence in Teaching Cash Fund to carry out the Excellence in Teaching Act;

(v) Sixty-two percent of the allocated funds to the Nebraska Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in conjunction with appropriations from the General Fund; and

(vi) Three percent of the allocated funds to fund distance education incentives pursuant to section 79-1337.

(d) For fiscal year 2029-30 and each fiscal year thereafter, the Nebraska Education Improvement Fund shall be allocated as the Legislature may direct.

(e) Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(5) A portion of each transfer pursuant to subdivisions (2)(c), (e), (f), (g), (h), and (i) of this section may be retained by the agency administering the fund to which such transfer is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the transfer.

(6)(a) On or before September 20, 2022, and on or before each September 20 thereafter, (i) any department or agency receiving a transfer or acting as the administrator for a fund receiving a transfer pursuant to subsection (2) or (4) of this section, (ii) any recipient or subsequent recipient of money from any such fund, and (iii) any service contractor responsible for managing any portion of any such fund or any money disbursed from any such fund on behalf of any entity shall prepare and submit an annual report to the Auditor of Public Accounts in a manner prescribed by the auditor for the immediately preceding July 1 through June 30 fiscal year detailing information regarding the use of such fund or such money.

(b) The Auditor of Public Accounts shall annually compile a summary of the annual reports received pursuant to subdivision (6)(a) of this section, any audits related to transfers pursuant to subsection (2) or (4) of this section conducted by the Auditor of Public Accounts, and any findings or recommendations related to such transfers into a consolidated annual report and shall submit such consolidated annual report electronically to the Legislature on or before January 1, 2023, and on or before each January 1 thereafter.

(c) For purposes of this subsection, recipient, subsequent recipient, or service contractor means a nonprofit entity that expends funds transferred pursuant to subsection (2) or (4) of this section to carry out a state program or function, but does not include an individual who is a direct beneficiary of such a program or function.

(7) On or before December 31, 2027, the Education Committee of the Legislature shall electronically submit recommendations to the Clerk of the Legislature regarding how the money used for education from the State Lottery Operation Trust Fund should be allocated to best advance the educational priorities of the state for the five-year period beginning with fiscal year 2029-30.

Sec. 2. Sections 2 to 5 of this act shall be known and may be cited as the Behavioral Intervention Training and Teacher Support Act.

Sec. 3. (1)(a) Beginning in school year 2024-25, the Educational Service Unit Coordinating Council shall (i) ensure annual behavioral awareness training

is available statewide and (ii) develop, implement, and administer an ongoing statewide teacher support system.

(b) Beginning in school year 2026-27, each school district shall ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training. Each administrator, teacher, paraprofessional, school nurse, and counselor who has received such training shall receive a behavioral awareness training review at least once every three years. Each school district may offer such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees shall have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

(c) Behavioral awareness training shall include, but not be limited to, evidence-based training on a continuum that includes:

(i) Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma;

(ii) Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries; and

(iii) Verbal intervention and de-escalation techniques.

(2)(a) On or before July 1, 2025, and on or before July 1 of each year thereafter, each school district shall submit a behavioral awareness training report to the Educational Service Unit Coordinating Council. Such report shall include the school district behavioral awareness training plan and summarize how such plan fulfills the requirements of this section.

(b) On or before December 31, 2025, and each December 31 thereafter, the Educational Service Unit Coordinating Council shall submit a report electronically to the Education Committee of the Legislature summarizing the behavioral awareness training reports received by school districts, the various trainings provided across the state, the teacher support system, and a financial report of funding received and expended in accordance with the Behavioral Intervention Training and Teacher Support Act.

(3)(a) Behavioral awareness training and the teacher support system required pursuant to this section shall be funded from the Behavioral Training Cash Fund.

(b) Any funding received by a school district for behavioral awareness training under the Behavioral Intervention Training and Teacher Support Act shall be considered special grant funds under section 79-1003.

Sec. 4. (1) Each school district shall designate one or more school employees as a behavioral awareness point of contact for each school building or other division as determined by such school district. Each behavioral awareness point of contact shall be trained in behavioral awareness and shall have knowledge of community service providers and other resources that are available for the students and families in such school district.

(2) Each school district shall maintain or have access to a registry of local mental health and counseling resources. The registry shall include resource services that can be accessed by families and individuals outside of school. Each behavioral awareness point of contact shall coordinate access to support services for students whenever possible. Except as provided in section 43-2101, if information for an external support service is provided to an individual student, school personnel shall notify a parent or guardian of such student in writing unless such recommendation involves law enforcement or child protective services. Each school district shall indicate each behavioral awareness point of contact for such school district on the website of the school district and in any school directory for the school that the behavioral awareness point of contact serves.

Sec. 5. The Behavioral Training Cash Fund is created. The fund shall be administered by the State Department of Education, shall consist of money transferred pursuant to section 1 of this act and any money transferred by the Legislature, and shall be used for the purposes of coordinating training and administering the teacher support system in compliance with the Behavioral Intervention Training and Teacher Support Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 6. (1) The State Department of Education shall establish a mental health training grant program. The department shall award mental health training grants from any money available in the Mental Health Training Cash Fund. A grantee shall be a school district or an educational service unit.

(2) Each applicant for a mental health training grant shall describe in the application the training to be provided under the grant on:

(a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health services;

(b) Mental health resources, including, but not limited to, the location of local community mental health centers; and

(c) Action plans and protocols for referral to such resources.

(3) Each application for a mental health training grant shall also include in the application a description of how the training to be provided under the grant will prepare recipients of such training to:

(a) Safely de-escalate crisis situations;

(b) Recognize the signs and symptoms of mental illness, including, but not limited to, schizophrenia, bipolar disorder, major clinical depression, and anxiety disorders; and

(c) Timely refer a student to available mental health services in the early stages of the development of a mental disorder to avoid the need for subsequent behavioral health care and to enhance the effectiveness of mental

health services.

(4) The State Board of Education may adopt and promulgate rules and regulations to carry out this section, including, but not limited to, application procedures, selection procedures, and annual reporting procedures.

(5) Grants received pursuant to this section shall be considered special grant funds under section 79-1003.

Sec. 7. The Mental Health Training Cash Fund is created. The fund shall be administered by the State Department of Education and shall consist of money transferred pursuant to section 1 of this act and any money transferred by the Legislature. The department shall use money in the fund for mental health training grants pursuant to section 6 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 8. Sections 8 to 12 of this act shall be known and may be cited as the College Pathway Program Act.

Sec. 9. For purposes of the College Pathway Program Act:

(1) Eligible provider means a provider who meets the requirements of section 10 of this act;

(2) Low-income student means a student eligible for free or reduced-price lunches in high school or a student whose family's taxable income for the preceding year did not exceed one hundred fifty percent of the federal poverty level; and

(3) Underrepresented student means a student whose race is not proportionately represented at the institution at which the student is enrolled or applying for admission as the representation of such race in the population of Nebraska.

Sec. 10. (1) The State Department of Education shall develop and administer the College Pathway Program to provide grants on or after July 1, 2024, to eligible providers to provide services in accordance with subsection (2) of this section to underrepresented and low-income students in high school and postsecondary education.

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

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

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

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

(3) Eligible providers may apply to the State Department of Education for a grant on forms and in a manner prescribed by the department.

Sec. 11. (1) On or before December 1, 2024, and each December 1 thereafter, the State Department of Education shall electronically submit a report to the Clerk of the Legislature regarding the College Pathway Program Act, including, but not limited to, the recipients of grants and evaluations of the effectiveness of the grant program.

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

Sec. 12. The College Pathway Program Cash Fund is created. The fund shall be administered by the State Department of Education and shall consist of money transferred pursuant to section 1 of this act and any money transferred by the Legislature. The department shall use the fund to carry out the College Pathway Program Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 13. Section 79-8,132, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-8,132~~ Sections ~~13 to 27 of this act~~ ~~79-8,132 to 79-8,140~~ shall be known and may be cited as the Excellence in Teaching Act and shall include the Attracting Excellence to Teaching Program, ~~and~~ the Enhancing Excellence in Teaching Program, and the Career-Readiness and Dual-Credit Education Grant Program.

Sec. 14. (1) On and after July 1, 2024, all powers, duties, and functions that the State Department of Education had pursuant to the Excellence in Teaching Act prior to such date are transferred to the Coordinating Commission for Postsecondary Education.

(2) Any financial obligations of the State Department of Education relating to the Excellence in Teaching Act that remain unpaid as of July 1, 2024, and that are subsequently certified as valid encumbrances to the accounting division of the Department of Administrative Services pursuant to sections 81-138.01 to 81-138.04, shall be paid by the commission from any unexpended balance in the Excellence in Teaching Cash Fund.

(3) On and after July 1, 2024, whenever the State Department of Education

is referred to or designated by any contract or other document in connection with any duties and functions under the Excellence in Teaching Act, such reference or designation shall apply to the commission. All contracts entered into by the State Department of Education prior to July 1, 2024, in connection with any duties and functions under the Excellence in Teaching Act are hereby recognized, with the commission succeeding to all rights and obligations under such contracts. Any cash funds, custodial funds, gifts, trusts, and grants and any appropriations of funds from prior fiscal years available to satisfy obligations incurred under such contracts shall be transferred and appropriated to the commission for the payment of such obligations. All documents and records transferred, or copies of the same, may be authenticated or certified by the commission for all legal purposes.

(4) No suit, action, or other proceeding, judicial or administrative, lawfully commenced prior to July 1, 2024, or which could have been commenced prior to such date, by or against the State Department of Education, the Commissioner of Education, or any employee of the State Department of Education, in relation to the discharge of duties under the Excellence in Teaching Act, shall abate by reason of the transfer of duties and functions under the Excellence in Teaching Act from the State Department of Education to the commission.

(5) On July 1, 2024, all documents and records of the State Department of Education pertaining to duties and functions under the Excellence in Teaching Act shall be transferred to the commission and shall become the property of the commission.

Sec. 15. Section 79-8,133, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,133~~ The Attracting Excellence to Teaching Program is created. For purposes of the Attracting Excellence to Teaching Program:

(1) Commission means the Coordinating Commission for Postsecondary Department means the State Department of Education;

(2) Eligible institution means a not-for-profit college or university which (a) is located in Nebraska, (b) is accredited by an accrediting agency recognized by the United States Department of Education as determined to be acceptable by the State Board of Education, (c) has a teacher education program, and (d) if a privately funded college or university, has not opted out of the program pursuant to rules and regulations;

(3) Eligible student means an individual who (a) is a full-time student, (b) is enrolled in an eligible institution in an undergraduate or a graduate teacher education program working toward his or her initial certificate to teach in Nebraska, (c) if enrolled at a state-funded eligible institution, is a resident student as described in section 85-502 or, if enrolled in a privately funded eligible institution, would be deemed a resident student if enrolled in a state-funded eligible institution, and (d) ~~for applicants applying for the first time on or after April 23, 2009, is a student majoring in a shortage area, and (e) for applicants applying to receive a loan during fiscal year 2011-12 or 2012-13, is a student who previously received a loan pursuant to the Attracting Excellence to Teaching Program in the fiscal year immediately preceding the fiscal year in which the new loan would be received;~~

(4) Full-time student means, in the aggregate, the equivalent of a student who in a twelve-month period is enrolled in twenty-four semester credit hours for undergraduate students or eighteen semester credit hours for graduate students of classroom, laboratory, clinical, practicum, or independent study course work;

(5) Majoring in a shortage area means pursuing a degree which will allow an individual to be properly endorsed to teach in a shortage area;

(6) Shortage area means a secular field of teaching for which there is a shortage, as determined by the State Department of Education department, of properly endorsed teachers at the time the borrower first receives funds pursuant to the program; and

(7) Teacher education program means a program of study approved by the State Board of Education pursuant to subdivision (5)(g) of section 79-318.

Sec. 16. Section 79-8,134, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,134~~ The purposes of the Attracting Excellence to Teaching Program are to:

(1) Attract outstanding students to major in shortage areas at the teacher education programs of Nebraska's postsecondary educational institutions;

(2) Retain resident students and graduates as teachers in the accredited school districts, educational service units, and private schools or approved private schools of Nebraska; and

(3) Establish a loan contract that requires a borrower to obtain employment as a teacher in this state after graduation.

Sec. 17. Section 79-8,135, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-8,135~~ (1) The commission department shall administer the Attracting Excellence to Teaching Program either directly or by contracting with public or private entities.

(2) To be eligible for the program, an eligible student shall:

(a) Graduate in the top quarter of his or her high school class or have a minimum cumulative grade-point average of 3.0 on a four-point scale in an eligible institution;

(b) Agree to complete a teacher education program at an eligible institution and, ~~for applicants applying for the first time on or after April~~

~~23, 2009~~, to complete the major on which the applicant's eligibility is based; and

(c) Commit to teach in an accredited or approved public or private school in Nebraska upon (i) successful completion of the teacher education program for which the applicant is applying to the Attracting Excellence to Teaching Program and (ii) becoming certified pursuant to sections 79-806 to 79-815.

(3) Eligible students may apply on an annual basis for loans in an amount of not more than three thousand dollars per year. Loans awarded to individual students shall not exceed a cumulative period exceeding five consecutive years. Loans shall only be awarded through an eligible institution. Loans shall be funded pursuant to section 24 of this act ~~79-8,137.05~~.

Sec. 18. Section 79-8,137, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,137~~ (1)(a) Prior to receiving any money from a loan pursuant to the Attracting Excellence to Teaching Program, an eligible student shall enter into a contract with the commission department. Such contract shall be exempt from the requirements of sections 73-501 to 73-510.

(b) For eligible students who applied for the first time prior to April 23, 2009, the contract shall require that if (i) the borrower is not employed as a teacher in Nebraska for a time period equal to the number of years required for loan forgiveness pursuant to subsection (2) of this section and is not enrolled as a full-time student in a graduate program within six months after obtaining an undergraduate degree for which a loan from the program was obtained or (ii) the borrower does not complete the requirements for graduation within five consecutive years after receiving the initial loan under the program, then the loan must be repaid, with interest at the rate fixed pursuant to section 45-103 accruing as of the date the borrower signed the contract, and an appropriate penalty as determined by the commission department may be assessed. If a borrower fails to remain enrolled at an eligible institution or otherwise fails to meet the requirements of an eligible student, repayment of the loan shall commence within six months after such change in eligibility. The commission State Board of Education may by rules and regulations provide for exceptions to the conditions of repayment pursuant to this subdivision based upon mitigating circumstances.

(c) For eligible students who apply for the first time on or after April 23, 2009, the contract shall require that if (i) the borrower is not employed as a full-time teacher teaching in an approved or accredited school in Nebraska and teaching at least a portion of the time in the shortage area for which the loan was received for a time period equal to the number of years required for loan forgiveness pursuant to subsection (3) of this section or is not enrolled as a full-time student in a graduate program within six months after obtaining an undergraduate degree for which a loan from the program was obtained or (ii) the borrower does not complete the requirements for graduation within five consecutive years after receiving the initial loan under the program, then the loan shall be repaid with interest at the rate fixed pursuant to section 45-103 accruing as of the date the borrower signed the contract and actual collection costs as determined by the commission department. If a borrower fails to remain enrolled at an eligible institution or otherwise fails to continue to be an eligible student, repayment of the loan shall commence within six months after such change in eligibility. The commission State Board of Education may by rule and regulation provide for exceptions to the conditions of repayment pursuant to this subdivision based upon mitigating circumstances.

(2) If the borrower applied for the first time prior to April 23, 2009, and (a) successfully completes the teacher education program and becomes certified pursuant to sections 79-806 to 79-815, (b) becomes employed as a teacher in this state within six months of becoming certified, and (c) otherwise meets the requirements of the contract, payments shall be suspended for the number of years that the borrower is required to remain employed as a teacher in this state under the contract. For each year that the borrower teaches in Nebraska pursuant to the contract, payments shall be forgiven in an amount equal to the amount borrowed for one year, except that if the borrower teaches in a school district that is in a local system classified as very sparse as defined in section 79-1003 or teaches in a school district in which at least forty percent of the students are poverty students as defined in section 79-1003, payments shall be forgiven each year in an amount equal to the amount borrowed for two years.

(3)(a) If the borrower applies for the first time on or after April 23, 2009, and (i) successfully completes the teacher education program and major for which the borrower is receiving a forgivable loan pursuant to the program and becomes certified pursuant to sections 79-806 to 79-815 with an endorsement in the shortage area for which the loan was received, (ii) becomes employed as a full-time teacher teaching at least a portion of the time in the shortage area for which the loan was received in an approved or accredited school in this state within six months of becoming certified, and (iii) otherwise meets the requirements of the contract, payments shall be suspended for the number of years that the borrower is required to remain employed as a teacher in this state under the contract.

(b) Beginning after the first two years of teaching full-time in Nebraska following graduation for the degree for which the loan was received, for each year that the borrower teaches full-time in Nebraska pursuant to the contract, the loan shall be forgiven in an amount equal to three thousand dollars, except that if the borrower teaches full-time in a school district that is in a local system classified as very sparse as defined in section 79-1003, teaches in a

school building that provides free meals to all students pursuant to the community eligibility provision, teaches in a school building in which at least forty percent of the formula students are poverty students as defined in section 79-1003, or teaches in an accredited or approved private school in Nebraska in which at least forty percent of the enrolled students qualified for free lunches as determined by the most recent data available from the commission department, payments shall be forgiven each year in an amount equal to six thousand dollars.

(4) Beginning on August 1, 2022, if the borrower provides service as a pre-service teacher intern for a full academic semester as part of a clinical experience within an accredited or approved public, private, denominational, or parochial school in Nebraska and subsequently passes all related semester requirements, then the loan shall be forgiven in an amount equal to one thousand dollars for such borrower.

Sec. 19. Section 79-8,137.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,137.01~~ The Enhancing Excellence in Teaching Program is created. For purposes of the Enhancing Excellence in Teaching Program:

(1) Approval to teach postsecondary courses by a Nebraska postsecondary educational institution means official documentation issued by a Nebraska postsecondary educational institution declaring that an individual has met the graduate degree or course requirements necessary to teach courses in a specific subject or subjects offered by the Nebraska postsecondary educational institution for postsecondary degree credit;

(2) Commission (1) Department means the Coordinating Commission for Postsecondary State Department of Education;

(3) ~~(2)~~ Eligible graduate program means (a) a program of study offered by an eligible institution which results in obtaining a graduate degree, (b) ~~or~~ a graduate course of study leading to an endorsement in a shortage area specified by the State Department Board of Education, or (c) a graduate course of study leading to approval to teach postsecondary courses by a Nebraska postsecondary educational institution;

(4) ~~(3)~~ Eligible institution means a not-for-profit college or university which (a) is located in Nebraska, (b) is accredited by an accrediting agency recognized by the United States Department of Education as determined to be acceptable by the State Board of Education, (c) has a teacher education program, and (d) if a privately funded college or university, has not opted out of the Enhancing Excellence in Teaching Program pursuant to rules and regulations;

(5) ~~(4)~~ Eligible student means an individual who (a) is a certificated teacher employed to teach in an approved or accredited school in Nebraska, (b) is enrolled in an eligible graduate program, (c) if enrolled at a state-funded eligible institution, is a resident student as described in section 85-502 or, if enrolled in a privately funded eligible institution, would be deemed a resident student if enrolled in a state-funded eligible institution, ~~(d)(i) (d)~~ is majoring in a shortage area, curriculum and instruction, a subject area in which the individual already holds a secular teaching endorsement, or a subject area that will result in an additional secular teaching endorsement or (ii) is applying for approval to teach postsecondary courses by a Nebraska postsecondary educational institution, which the superintendent of the school district or head administrator of the private, denominational, or parochial school employing the individual believes will be beneficial to the students of such school district or school as evidenced by a statement signed by the superintendent or head administrator, and (e) is applying for a loan pursuant to the Enhancing Excellence in Teaching Program to be received at a time other than during fiscal year 2011-12 or 2012-13;

(6) ~~(5)~~ Majoring in a shortage area or subject area means pursuing a degree or course of study which will allow an individual to be properly endorsed to teach in such shortage area or subject area; ~~and~~

(7) Nebraska postsecondary educational institution means any Nebraska public postsecondary institution as defined in section 85-2403 and any private, nonprofit postsecondary institution with a principal facility in Nebraska that is exempt from the Private Postsecondary Career School Act; and

(8) ~~(6)~~ Shortage area means a secular field of teaching or endorsement area for which there is a shortage, as determined by the State Department of Education department, of properly endorsed teachers at the time the borrower first receives funds pursuant to the Enhancing Excellence in Teaching Program.

Sec. 20. Section 79-8,137.02, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,137.02~~ The purposes of the Enhancing Excellence in Teaching Program are to:

(1) Retain teachers in the accredited school districts, educational service units, and private schools or approved private schools of Nebraska;

(2) Improve the skills of existing teachers in Nebraska through the graduate education or endorsement programs of Nebraska's postsecondary educational institutions; and

(3) Establish a loan contract that requires a borrower to continue employment as a teacher in this state after graduation from an eligible graduate or endorsement program.

Sec. 21. Section 79-8,137.03, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,137.03~~ (1) The commission department shall administer the Enhancing Excellence in Teaching Program either directly or by contracting with public or

private entities.

(2) To be eligible for the program, an eligible student shall:

(a) Agree to complete an eligible graduate program at an eligible institution and to complete the program on which the applicant's eligibility is based as determined by the State Department of Education department; and

(b) Commit to teach in an accredited or approved public or private school in Nebraska upon successful completion of the eligible graduate program for which the applicant is applying to the Enhancing Excellence in Teaching Program and to maintaining certification pursuant to sections 79-806 to 79-815.

(3) Eligible students may apply on an annual basis for loans in an amount of not more than one hundred seventy-five dollars per credit hour. Loans awarded to individual students shall not exceed a cumulative period exceeding five consecutive years. Loans shall only be awarded through the commission department. Loans shall be funded pursuant to section 24 of this act 79-8,137-05.

Sec. 22. Section 79-8,137.04, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,137.04 (1) Prior to receiving any money from a loan pursuant to the Enhancing Excellence in Teaching Program, an eligible student shall enter into a contract with the commission department. Such contract shall be exempt from the requirements of sections 73-501 to 73-510. The contract shall require that if (a) the borrower is not employed as a full-time teacher teaching in an approved or accredited school in Nebraska for a time period equal to the number of years required for loan forgiveness pursuant to subsection (2) of this section or (b) the borrower does not complete the requirements for graduation, for the additional secular teaching endorsement, or for the approval to teach postsecondary courses by a Nebraska postsecondary educational institution within five consecutive years after receiving the initial loan under the program, then the loan shall be repaid, with interest at the rate fixed pursuant to section 45-103 accruing as of the date the borrower signed the contract and actual collection costs as determined by the commission department. If a borrower fails to remain enrolled at an eligible institution or otherwise fails to meet the requirements of an eligible student, repayment of the loan shall commence within six months after such change in eligibility. The commission State Board of Education may by rules and regulations provide for exceptions to the conditions of repayment pursuant to this subsection based upon mitigating circumstances.

(2)(a) If the borrower (i) successfully completes the eligible graduate program for which the borrower is receiving a forgivable loan pursuant to the Enhancing Excellence in Teaching Program and maintains certification pursuant to sections 79-806 to 79-815, (ii) maintains employment as a teacher in an approved or accredited school in this state, and (iii) otherwise meets the requirements of the contract, payments shall be suspended for the number of years that the borrower is required to remain employed as a teacher in this state under the contract.

(b) For recipients who received funds for the first time prior to July 1, 2016, beginning after the first two years of teaching full-time in Nebraska following graduation for the degree for which the loan was received, for each year that the borrower teaches full-time in Nebraska pursuant to the contract, the loan shall be forgiven in an amount equal to three thousand dollars, except that if the borrower teaches full-time in a school district that is in a local system classified as very sparse as defined in section 79-1003, teaches in a school building that provides free meals to all students pursuant to the community eligibility provision, teaches in a school building in which at least forty percent of the students are poverty students as defined in section 79-1003, or teaches in an accredited or approved private school in Nebraska in which at least forty percent of the enrolled students qualified for free lunches as determined by the most recent data available from the State Department of Education department, payments shall be forgiven each year in an amount equal to six thousand dollars.

(c) For recipients who received funds for the first time on or after July 1, 2016, beginning after the first two years of teaching full-time in Nebraska following completion of the eligible graduate program for which the loan was received, for each year that the borrower teaches full-time in Nebraska pursuant to the contract, the loan shall be forgiven in an amount equal to one thousand five hundred dollars, except that if the borrower teaches full-time in a school district that is in a local system classified as very sparse as defined in section 79-1003, teaches in a school building in which at least forty percent of the students are poverty students as defined in section 79-1003, teaches in a school building that provides free meals to all students pursuant to the community eligibility provision, or teaches in an accredited private school or educational service unit or an approved private school in Nebraska in which at least forty percent of the enrolled students qualified for free lunches as determined by the most recent data available from the State Department of Education department, payments shall be forgiven each year in an amount equal to one thousand five hundred dollars for the first year of loan forgiveness and three thousand dollars for each year of loan forgiveness thereafter.

Sec. 23. (1) The Career-Readiness and Dual-Credit Education Grant Program is established. The program shall be administered by the Coordinating Commission for Postsecondary Education. The commission, in consultation with the State Department of Education, the Department of Labor, and any advisory committee established by the commission for such purpose, shall:

(a) Create and establish teacher education pathways enabling the instruction of dual-credit courses and career and technical education courses;

(b) Correlate and prioritize teacher education pathways with Nebraska workforce demand;

(c) Establish a grant program beginning on or after July 1, 2024, to distribute money from the Excellence in Teaching Cash Fund to teachers enrolled in education pathways leading to qualification to teach dual-credit courses and career and technical education courses;

(d) Establish a directory of available teacher education pathways in Nebraska identified by sequence and location; and

(e) On December 31, 2025, and each December 31 thereafter, electronically submit an annual report on grants awarded pursuant to the Career-Readiness and Dual-Credit Education Grant Program to the Clerk of the Legislature. The report shall include, but not be limited to, the number and amount of grants awarded, the postsecondary educational institutions attended by grant recipients, and information regarding the completion of instructor requirements to teach dual-credit courses and career and technical education courses.

(2) The Coordinating Commission for Postsecondary Education may adopt and promulgate rules and regulations to carry out the Career-Readiness and Dual-Credit Education Grant Program.

Sec. 24. Section 79-8,137.05, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-8,137.05~~ (1) The Excellence in Teaching Cash Fund is created. The fund shall consist of transfers ~~appropriations~~ by the Legislature, transfers pursuant to section 1 of this act ~~9-812~~, and loan repayments, penalties, and interest payments received in the course of administering the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program.

~~(2)~~ (2)(a) For all fiscal years beginning on and after July 1, 2024, the commission shall allocate on an annual basis up to two hundred fifty thousand dollars of the funds transferred pursuant to section 1 of this act for grants to teachers pursuant to the Career-Readiness and Dual-Credit Education Grant Program.

(b) For all fiscal years beginning on and after July 1, 2024, the commission shall allocate on an annual basis up to five hundred thousand dollars of the funds transferred pursuant to section 1 of this act for grants and loans to students enrolled in a teacher education program for student-teaching semesters.

(c) Of the funds remaining in the Excellence in Teaching Cash Fund after the distributions pursuant to subdivisions (a) and (b) of this subsection, for ~~For~~ all fiscal years, the commission ~~department~~ shall allocate on an annual basis up to four hundred thousand dollars in the aggregate of the funds to be distributed for the Attracting Excellence to Teaching Program to all eligible institutions according to the distribution formula as determined by rule and regulation. The eligible institutions shall act as agents of the commission ~~department~~ in the distribution of the funds for the Attracting Excellence to Teaching Program to eligible students. The commission ~~department~~ shall allocate on an annual basis up to eight hundred thousand dollars of the remaining available funds to be distributed to eligible students for the Enhancing Excellence in Teaching Program. Funding amounts granted in excess of one million two hundred thousand dollars shall be evenly divided for distribution between the two programs.

(3) Any money in the Excellence in Teaching Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 25. Section 79-8,138, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-8,138~~ The commission ~~department~~ has the administrative responsibility to track borrowers and to develop repayment tracking and collection mechanisms for the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program. The commission ~~department~~ may contract for such services. When a loan has been forgiven pursuant to section 18 ~~79-8,137~~ or 22 of this act ~~79-8,137.04~~, the amount forgiven may be taxable income to the borrower and the commission ~~department~~ shall provide notification of the amount forgiven to the borrower, the Department of Revenue, and the United States Internal Revenue Service if required by the Internal Revenue Code.

Sec. 26. Section 79-8,139, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-8,139~~ (1) Each eligible institution shall file an annual report with the commission ~~department~~ for the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program for any fiscal year in which the eligible institution receives funding to distribute to students pursuant to either or both of such programs containing such information as required by rule and regulation. On or before December 31 of each even-numbered year, the commission ~~department~~ shall submit a report to the Governor, the Clerk of the Legislature, and the Education Committee of the Legislature on the status of the programs, the status of the borrowers, and the impact of the programs on the number of teachers in shortage areas in Nebraska and on the number of teachers receiving graduate degrees in teaching endorsement areas in Nebraska or receiving approval to teach postsecondary courses by a Nebraska postsecondary educational institution. The report submitted to the Clerk of the Legislature and the committee shall be submitted electronically. Each report shall include information on an institution-by-institution basis, the status of

borrowers, and a financial statement with a description of the activity of the Excellence in Teaching Cash Fund.

(2) Any report pursuant to this section which includes information about borrowers shall exclude confidential information or any other information which specifically identifies a borrower.

Sec. 27. Section 79-8,140, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-8,140~~ The State Board of Education may adopt and promulgate rules and regulations to determine teacher shortage areas. The commission may adopt and promulgate rules and regulations and to carry out the Excellence in Teaching Act.

Sec. 28. Sections 28 to 38 of this act shall be known and may be cited as the Door to College Scholarship Act.

Sec. 29. 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 within one year 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. 30. The commission shall, as provided in the Door to College Scholarship Act, provide for awards to be made directly to eligible students beginning with the 2024-25 school year. An award shall not exceed a maximum of five thousand dollars annually to an eligible student with a full-time status and shall be prorated for eligible students with a part-time status. The commission may adjust the value of awards annually to make awards to all eligible applicants who apply by the application deadline set by the commission.

Sec. 31. (1) Eligible postsecondary educational institutions, acting as agents of the commission, shall:

(a) Receive and process applications for awards under the Door to College Scholarship Act;

(b) Determine eligibility of students based on criteria set forth in the act; and

(c) No later than the application deadline set by the commission, make recommendations to the commission for awards to eligible students, including the name and social security number of each eligible student.

(2) An award under the Door to College Scholarship Act shall not be used by a postsecondary educational institution to reduce institutional scholarships, grants, or tuition or fee waivers that a student would otherwise be eligible to receive if such student did not receive an award under the act.

Sec. 32. (1) Within thirty days after receiving recommendations pursuant to section 31 of this act, the commission shall review the recommended awards for compliance with the Door to College Scholarship Act and any rules and regulations adopted and promulgated pursuant to the act and notify each eligible postsecondary educational institution of the approval or disapproval of recommended awards.

(2) The commission shall distribute to each eligible postsecondary educational institution the total award amount approved for eligible students at such institution. The eligible postsecondary educational institution shall act as an agent of the commission to disburse the awards directly to eligible students during the award year.

Sec. 33. An award may be granted to an eligible student for attendance at an eligible postsecondary educational institution if:

(1) The eligible student is accepted for enrollment as follows:

(a) In the case of an eligible student beginning the first year in attendance at an eligible postsecondary educational institution, such eligible student has satisfied requirements for admission and has enrolled or indicated an intent to enroll in an eligible postsecondary educational institution; or

(b) In the case of an eligible student enrolled in an eligible postsecondary educational institution following the successful completion of the student's first year in attendance, such eligible student continues to meet the requirements of the Door to College Scholarship Act and has maintained the minimum standards of performance as required by the eligible postsecondary educational institution in which the eligible student is enrolled;

(2) The eligible student receiving such award certifies that the award will be used only for educational expenses; and

(3) The eligible student has complied with the act and any rules and regulations adopted and promulgated pursuant to the act.

Sec. 34. (1) A recipient of an award shall:

(a) Attend all required courses regularly;

(b) Meet with an assigned advisor at regular intervals to discuss academic progress and to develop a job-search plan; and

(c) Maintain good academic standing at the eligible postsecondary educational institution without any disciplinary action by such institution.

(2) An award may be terminated if such person fails to meet the requirements of this section.

Sec. 35. If an award recipient discontinues attendance before the end of the award year or the award is terminated pursuant to section 34 of this act, the award recipient shall remit any award balance allowable to the eligible postsecondary educational institution in accordance with such institution's withdrawal policy. The institution shall remit such award balance to the commission in accordance with such institution's refund policy.

Sec. 36. (1) The commission shall:

(a) Supervise the issuance of public information concerning the Door to College Scholarship Act; and

(b) Establish a reasonable and fair appeal procedure for students adversely affected by the actions of the commission or an eligible postsecondary educational institution in the distribution of funds or granting or termination of awards pursuant to the act.

(2) The commission may adopt and promulgate rules and regulations necessary to carry out the act.

Sec. 37. The Door to College Scholarship Act does not grant any authority to the commission to:

(1) Control or influence the policies of any eligible postsecondary educational institution because such institution accepts students who receive awards; or

(2) Require any eligible postsecondary educational institution to enroll any student receiving an award or, once admitted, to permit continued enrollment in such institution by any student receiving an award.

Sec. 38. The Door to College Scholarship Fund is created. The commission shall administer the fund, which shall consist of amounts transferred from the State Lottery Operation Trust Fund pursuant to section 1 of this act prior to July 1, 2029, as well as any money transferred by the Legislature and gifts, grants, or bequests from any source, including federal, state, public, and private sources. All amounts accruing to the Door to College Scholarship Fund shall be used to carry out the Door to College Scholarship Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 39. Sections 39 to 42 of this act shall be known and may be cited as the Extraordinary Increase in Special Education Expenditures Act.

Sec. 40. The Legislature finds that:

(1) The cost to educate students with special needs has increased in recent years;

(2) Special education expenditures can be unpredictable for school districts, particularly for school districts with small student populations, and can change dramatically from year to year as students with varying needs join or leave the school district;

(3) School districts may have difficulty covering large unexpected special education expenditures; and

(4) Assisting school districts upfront with large, unexpected special education expenditures allows such school districts to more easily meet the needs of all students.

Sec. 41. (1) On or before January 15 of each school fiscal year, a school district with expected special education expenditures that total (a) at least fifty thousand dollars annually or (b) one-half percent or more of such school district's annual budget, whichever is greater, may submit an application as prescribed by the State Department of Education to the department for a payment from the Education Future Fund to cover an extraordinary increase in special education expenditures pursuant to the requirements of this section. Such application shall include the special education expenditures of the applicant school district as of the immediately preceding December 31 for the school fiscal year in which the application is submitted.

(2) The department shall divide the special education expenditures for the school fiscal year immediately preceding the school fiscal year in which an application is submitted by two and multiply the result by one hundred seven percent for each applicant school district.

(3) Each applicant school district shall qualify for a maximum payment equal to the difference of the special education expenditures for the current school fiscal year submitted pursuant to subsection (1) of this section minus the amount calculated pursuant to subsection (2) of this section for such school district for such school fiscal year.

(4) The department shall make a payment to each applicant school district on or before January 31 for the school fiscal year in which the application is submitted. Such payment shall equal the maximum payment determined pursuant to subsection (3) of this section, except that if the sum of all maximum payments for applicant school districts for such school fiscal year exceeds the available balance for such purpose in the Education Future Fund, each payment shall be reduced proportionally so that the sum of all payments for applicant school districts for such school fiscal year equals the available balance for such purpose in the fund.

Sec. 42. The department shall make a payment to each qualifying applicant school district from the Education Future Fund pursuant to section 41 of this act for an extraordinary increase in special education expenditures. The department shall reimburse the fund for each such payment from the appropriation for special education and support services reimbursements pursuant to section 79-1142 in the school fiscal year immediately following the school fiscal year in which each such payment was made. It is the intent of the Legislature to appropriate up to two million five hundred thousand dollars from the Education Future Fund for fiscal year 2023-24 and each year thereafter for payments to qualifying applicants.

Sec. 43. Sections 43 to 50 of this act shall be known and may be cited as the Nebraska Teacher Recruitment and Retention Act.

Sec. 44. The purpose of the Nebraska Teacher Recruitment and Retention Act is to provide financial incentives to recruit and retain teachers in Nebraska classrooms.

Sec. 45. For purposes of the Nebraska Teacher Recruitment and Retention Act:

- (1) Department means the State Department of Education;
- (2) Grant means a grant for teacher recruitment and retention payments under the Nebraska Teacher Recruitment and Retention Act; and
- (3) Teacher means a person who holds a valid certificate to teach in Nebraska issued by the Commissioner of Education and is employed in Nebraska for the instruction of students in elementary or high school grades.

Sec. 46. (1) A teacher may apply to the department for a grant. The department shall not prioritize a grant based upon the school where the applicant teaches.

- (2) A teacher is eligible to apply for:
 - (a) A retention one grant of two thousand five hundred dollars if the teacher has signed a contract to complete such teacher's second complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27;
 - (b) A retention two grant of two thousand five hundred dollars if the teacher has signed a contract to complete such teacher's fourth complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27;
 - (c) A retention three grant of two thousand five hundred dollars if the teacher has signed a contract to complete such teacher's sixth complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27; and
 - (d)(i) A high-need retention grant of five thousand dollars if on or after the operative date of this section a teacher:
 - (A) Obtains an endorsement in special education, mathematics, science, technology, or dual credit; and
 - (B) Signs a contract to complete a school year of full-time employment as a teacher at a Nebraska school in school year 2024-25, 2025-26, or 2026-27.
 - (ii) A teacher shall only be eligible to receive one high-need retention grant.

Sec. 47. It is the intent of the Legislature to encourage individual schools and school districts to adopt policies incentivizing teacher recruitment and retention through policies similar to the Nebraska Teacher Recruitment and Retention Act. Teachers at schools not adopting a recruitment and retention policy shall not be prohibited from receiving a grant under the Nebraska Teacher Recruitment and Retention Act.

Sec. 48. It is the intent of the Legislature to appropriate ten million dollars from the Education Future Fund to carry out the Nebraska Teacher

Recruitment and Retention Act.

Sec. 49. The State Board of Education may adopt and promulgate rules and regulations to carry out the Nebraska Teacher Recruitment and Retention Act.

Sec. 50. The Nebraska Teacher Recruitment and Retention Act terminates on January 1, 2028.

Sec. 51. (1) The State Department of Education shall create and administer the Nebraska Teacher Apprenticeship Program. The purpose of the program is to help recruit and increase the number of teachers throughout the state by utilizing an apprenticeship model for training. The program shall provide for an applicant who successfully completes the program to obtain a certificate or permit issued by the Commissioner of Education. The department may work with standard institutions of higher education as defined in section 79-807, the Department of Labor, and other entities the State Department of Education deems necessary to develop and implement the program.

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

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

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

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

(c) Successful completion of a subject area examination and pedagogy examination created by the department as part of the program.

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

(5) It is the intent of the Legislature to appropriate one million dollars for fiscal year 2023-24 and each fiscal year thereafter from the Education Future Fund to the State Department of Education for the program.

Sec. 52. Section 9-812, Reissue Revised Statutes of Nebraska, is amended to read:

9-812 (1) All money received from the operation of lottery games conducted pursuant to the State Lottery Act in Nebraska shall be credited to the State Lottery Operation Trust Fund, which fund is hereby created. All payments of the costs of establishing and maintaining the lottery games shall be made from the State Lottery Operation Cash Fund. In accordance with legislative appropriations, money for payments for expenses of the division shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Operation Cash Fund, which fund is hereby created. All money necessary for the payment of lottery prizes shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Prize Trust Fund, which fund is hereby created. The amount used for the payment of lottery prizes shall not be less than forty percent of the dollar amount of the lottery tickets which have been sold.

(2) A portion of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund as provided in subsection (3) of this section. The dollar amount transferred pursuant to this subsection shall equal the greater of (a) the dollar amount transferred to the funds in fiscal year 2002-03 or (b) any amount which constitutes at least twenty-two percent and no more than twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis. To the extent that funds are available, the Tax Commissioner and director may authorize a transfer exceeding twenty-five percent of the dollar amount of the lottery tickets sold on an annualized basis.

(3) Of the money available to be transferred as provided in this subsection to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:

(a) The first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006;

(b) Forty-four Beginning July 1, 2016, forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education and transferred pursuant to section 1 of this act to the Nebraska Education Improvement Fund;

(c) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(d) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the

most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(e) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006.

~~(4) The Nebraska Education Improvement Fund is created. The fund shall consist of money transferred pursuant to subsection (3) of this section, money transferred pursuant to section 85-1920, and any other funds appropriated by the Legislature. The fund shall be allocated, after actual and necessary administrative expenses, as provided in this section for fiscal years 2016-17 through 2023-24. A portion of each allocation may be retained by the agency to which the allocation is made or the agency administering the fund to which the allocation is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the allocation, except that no amount of the allocation to the Nebraska Opportunity Grant Fund may be used for such purposes. On or before December 31, 2022, the Education Committee of the Legislature shall electronically submit recommendations to the Clerk of the Legislature regarding how the fund should be allocated to best advance the educational priorities of the state for the five-year period beginning with fiscal year 2024-25. For fiscal year 2016-17, an amount equal to ten percent of the revenue allocated to the Education Innovation Fund and to the Nebraska Opportunity Grant Fund for fiscal year 2015-16 shall be retained in the Nebraska Education Improvement Fund.~~

~~For fiscal years 2017-18 through 2023-24, an amount equal to ten percent of the revenue received by the Nebraska Education Improvement Fund in the prior fiscal year shall be retained in the fund at all times plus any interest earned during the current fiscal year.~~

~~For fiscal years 2016-17 through 2023-24, the remainder of the fund shall be allocated as follows:~~

~~(a) One percent of the allocated funds to the Expanded Learning Opportunity Grant Fund to carry out the Expanded Learning Opportunity Grant Program Act;~~

~~(b) Seventeen percent of the allocated funds to the Department of Education Innovative Grant Fund to be used for competitive innovation grants pursuant to section 79-1054;~~

~~(c) Nine percent of the allocated funds to the Community College Gap Assistance Program Fund to carry out the community college gap assistance program;~~

~~(d) Eight percent of the allocated funds to the Excellence in Teaching Cash Fund to carry out the Excellence in Teaching Act;~~

~~(e) Sixty-two percent of the allocated funds to the Nebraska Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in conjunction with appropriations from the General Fund; and~~

~~(f) Three percent of the allocated funds to fund distance education incentives pursuant to section 79-1337.~~

~~(5)(a) On or before September 20, 2022, and on or before each September 20 thereafter, (i) any department or agency receiving a transfer or acting as the administrator for a fund receiving a transfer pursuant to subsection (4) of this section, (ii) any recipient or subsequent recipient of money from any such fund, and (iii) any service contractor responsible for managing any portion of any such fund or any money disbursed from any such fund on behalf of any entity shall prepare and submit an annual report to the Auditor of Public Accounts in a manner prescribed by the auditor for the immediately preceding July 1 through June 30 fiscal year detailing information regarding the use of such fund or such money.~~

~~(b) The Auditor of Public Accounts shall annually compile a summary of the annual reports received pursuant to subdivision (5)(a) of this section, any audits related to transfers pursuant to subsection (4) of this section conducted by the Auditor of Public Accounts, and any findings or recommendations related to such transfers into a consolidated annual report and shall submit such consolidated annual report electronically to the Legislature on or before January 1, 2023, and on or before each January 1 thereafter.~~

~~(c) For purposes of this subsection, recipient, subsequent recipient, or service contractor means a nonprofit entity that expends funds transferred pursuant to subsection (4) of this section to carry out a state program or function, but does not include an individual who is a direct beneficiary of such a program or function.~~

~~(4) (6) Any money in the State Lottery Operation Trust Fund, the State Lottery Operation Cash Fund, or the State Lottery Prize Trust Fund, or the Nebraska Education Improvement Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.~~

~~(5) (7) Unclaimed prize money on a winning lottery ticket shall be retained for a period of time prescribed by rules and regulations. If no claim is made within such period, the prize money shall be used at the discretion of~~

the Tax Commissioner for any of the purposes prescribed in this section.

Sec. 53. Section 9-836.01, Reissue Revised Statutes of Nebraska, is amended to read:

9-836.01 The division may endorse and sell for profit tangible personal property related to the lottery. Any money received as profit by the division pursuant to this section shall be remitted to the State Treasurer for credit to the State Lottery Operation Trust Fund to be distributed to ~~the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund~~ pursuant to the requirements of section 9-812.

Sec. 54. Section 79-101, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-101 For purposes of Chapter 79:

(1) School district means the territory under the jurisdiction of a single school board authorized by Chapter 79;

(2) School means a school under the jurisdiction of a school board authorized by Chapter 79;

(3) Legal voter means a registered voter as defined in section 32-115 who is domiciled in a precinct or ward in which he or she is registered to vote and which precinct or ward lies in whole or in part within the boundaries of a school district for which the registered voter chooses to exercise his or her right to vote at a school district election;

(4) Prekindergarten programs means all early childhood programs provided for children who have not reached the age of five by the date provided in section 79-214 for kindergarten entrance;

(5) Elementary grades means grades kindergarten through eight, inclusive;

(6) High school grades means all grades above the eighth grade;

(7) School year means (a) for elementary grades other than kindergarten, the time equivalent to at least one thousand thirty-two instructional hours and (b) for high school grades, the time equivalent to at least one thousand eighty instructional hours;

(8) Instructional hour means a period of time, at least sixty minutes, which is actually used for the instruction of students;

(9) Teacher means any certified employee who is regularly employed for the instruction of pupils in the public schools;

(10) Administrator means any certified employee such as superintendent, assistant superintendent, principal, assistant principal, school nurse, or other supervisory or administrative personnel who do not have as a primary duty the instruction of pupils in the public schools;

(11) School board means the governing body of any school district. Board of education has the same meaning as school board;

(12) Teach means and includes, but is not limited to, the following responsibilities: (a) The organization and management of the classroom or the physical area in which the learning experiences of pupils take place; (b) the assessment and diagnosis of the individual educational needs of the pupils; (c) the planning, selecting, organizing, prescribing, and directing of the learning experiences of pupils; (d) the planning of teaching strategies and the selection of available materials and equipment to be used; and (e) the evaluation and reporting of student progress;

(13) Permanent school fund means the fund described in section 79-1035.01;

(14) Temporary school fund means the fund described in section 79-1035.02;

(15) School lands means the lands described in section 79-1035.03. Educational lands has the same meaning as school lands;

(16) Community eligibility provision means the alternative to household applications for free and reduced-price meals in high-poverty schools enacted in section 104(a) of the federal Healthy, Hunger-Free Kids Act of 2010, section 11(a)(1) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1759a(a)(1), as such act and section existed on January 1, 2015, and administered by the United States Department of Agriculture; and

(17) Certificate, certificated, or certified, when referring to an individual holding a certificate to teach, administer, or provide special services, also includes an individual who holds a permit issued by the Commissioner of Education pursuant to sections 79-806 to 79-815 or an alternative certificate to teach issued pursuant to section 87 of this act.

The State Board of Education may adopt and promulgate rules and regulations to define school day and other appropriate units of the school calendar.

Sec. 55. Section 79-238, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-238 (1)(a) ~~(1)~~ Except as provided in this section and sections 79-235.01 and 79-240, the school board of the option school district shall adopt by resolution specific capacity standards for acceptance and rejection of applications ~~and for providing transportation for option students.~~

(b) Capacity for special education services operated by an option school district shall be determined on a case-by-case basis. If an application for option enrollment received by a school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, such application shall be evaluated by the director of special education services of the school district or the director's designee who shall determine if the school district and the appropriate class, grade level, or school building in such school district has the capacity to provide the applicant the appropriate services and

accommodations.

~~(c) For all other students, standards Standards may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the option school district. Capacity For a school district that is not a member of a learning community, capacity shall be determined by setting a maximum number of option students that a district will accept in any program, class, grade level, or school building, based upon available staff, facilities, projected enrollment of resident students, and projected number of students with which the option school district will contract based on existing contractual arrangements, and availability of appropriate special education programs.~~

~~(d) To facilitate option enrollment within a learning community, member school districts shall annually (a) establish, publish, and report the a maximum capacity for each school building under such district's control pursuant to procedures, criteria, and deadlines established by the State Department of Education learning community coordinating council and (b) provide a copy of the standards for acceptance and rejection of applications and transportation policies for option students to the learning community coordinating council. Except as otherwise provided in this section, a the school board of the option school district may by resolution, prior to October 15 of each school year, declare a program, a class, or a school unavailable to option students for the next school year due to lack of capacity. Standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as provided in section 79-266.01. False or substantively misleading information submitted by a parent or guardian on an application to an option school district may be cause for the option school district to reject a previously accepted application if the rejection occurs prior to the student's attendance as an option student.~~

(2) The school board of every school district shall also adopt specific standards and conditions for acceptance or rejection of a request for release of a resident or option student submitting an application to an option school district after March 15 under subsection (1) of section 79-237. Standards shall not include that a request occurred after the deadline set forth in this subsection.

(3) Any option school district that is not a member of a learning community shall give first priority for enrollment to siblings of option students, except that the option school district shall not be required to accept the sibling of an option student if the district is at capacity except as provided in subsection (1) of section 79-240.

(4) Any option school district that is in a learning community shall give first priority for enrollment to siblings of option students enrolled in the option school district, second priority for enrollment to students who have previously been enrolled in the option school district as an open enrollment student, third priority for enrollment to students who reside in the learning community and who contribute to the socioeconomic diversity of enrollment at the school building to which the student will be assigned pursuant to section 79-235, and final priority for enrollment to other students who reside in the learning community. The option school district shall not be required to accept a student meeting the priority criteria in this section if the district is at capacity as determined pursuant to subsection (1) of this section except as provided in section 79-235.01 or 79-240. For purposes of the enrollment option program, a student who contributes to the socioeconomic diversity of enrollment at a school building within a learning community means (a) a student who does not qualify for free or reduced-price lunches when, based upon the certification pursuant to section 79-2120, the school building the student will be assigned to attend either has more students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community or provides free meals to all students pursuant to the community eligibility provision or (b) a student who qualifies for free or reduced-price lunches based on information collected voluntarily from parents and guardians pursuant to section 79-237 when, based upon the certification pursuant to section 79-2120, the school building the student will be assigned to attend has fewer students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community and does not provide free meals to all students pursuant to the community eligibility provision.

Sec. 56. Section 79-239, Reissue Revised Statutes of Nebraska, is amended to read:

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

(2) The parent or legal guardian may appeal a rejection to the State Board of Education by filing a written request, together with a copy of the rejection notice, with the State Board of Education. Such request and copy of the notice

must be received by the board within thirty days after the date the notification of the rejection was received by the parent or legal guardian. Such hearing shall be held in accordance with the Administrative Procedure Act and shall determine whether the procedures of sections 79-234 to 79-241 have been followed.

(3)(a) Beginning July 1, 2024, and on or before July 1 of each year thereafter, each school district shall provide to the State Department of Education, on forms prescribed by the department, information relating to all applications rejected by the option school district. Such information shall include, but not be limited to, (a) the number of applications rejected in each public school in such district, (b) an explanation why each application was rejected, (c) whether each application for option enrollment indicated that the student had an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or had been diagnosed with a disability as defined in section 79-1118.01, and (d) whether information regarding the requirements of subsection (4) of section 79-238 was provided to the applicant.

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

Sec. 57. Section 79-244, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-244 The enrollment option program does not preclude a school district from contracting with other school districts, educational service units, or other state-approved entities for the provision of services. A child with a disability receiving services from another district pursuant to contract due to lack of appropriate programming in his or her resident school district is not eligible to transfer as an option student into the district currently providing services but is eligible to transfer as an option student into any other district which accepts option students and has an appropriate program.~~

Sec. 58. Section 79-254, Reissue Revised Statutes of Nebraska, is amended to read:

79-254 Sections 79-254 to 79-294 and sections 59, 60, and 61 of this act shall be known and may be cited as the Student Discipline Act.

Sec. 59. (1) On or before July 1, 2025, the State Department of Education shall develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school. The model policy shall include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently such training shall be required.

(2) On or before August 1, 2025, each school district shall develop and adopt a policy consistent with or comparable to the model policy developed by the State Department of Education pursuant to subsection (1) of this section, which shall be a requirement for accreditation in accordance with section 79-703. Such policy shall be filed with the Commissioner of Education. The policy developed and adopted by a school district pursuant to this subsection shall be included with any notifications required under the Student Discipline Act.

(3)(a) Beginning in school year 2026-27, each school district shall ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district policy developed and adopted in accordance with subsection (2) of this section. Such training shall be provided by the school district or such school district's educational service unit.

(b) Each school district shall, either independently, or through the educational service unit of which such school district is a member, develop and provide behavioral awareness and intervention training to employees from such school who have behavioral management responsibilities. If such training is provided by the educational service unit, such training shall be available to any educational service unit employee and any member school district employee that works in a school and has behavioral management responsibilities. Such training shall be consistent with the model policy developed by the State Department of Education pursuant to subsection (1) of this section.

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

Sec. 60. (1) Except as provided in subsection (2) of this section, an elementary school shall not suspend a student in pre-kindergarten through second grade. Each school district shall develop a policy to implement this section which shall include disciplinary measures inside the school as an alternative to suspension.

(2) An elementary school may suspend a student in pre-kindergarten through second grade if such student brings a deadly weapon as defined in section 28-109 on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event.

Sec. 61. Any student who is suspended shall be given an opportunity to complete any classwork and homework missed during the period of suspension, including, but not limited to, examinations. Each school district shall develop

and adopt guidelines that provide any such student with the opportunity to complete classwork and homework. Such guidelines shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork and homework. The guidelines shall be provided to the student and a parent or guardian at the time of suspension.

Sec. 62. Section 79-256, Reissue Revised Statutes of Nebraska, is amended to read:

79-256 For purposes of the Student Discipline Act, unless the context otherwise requires:

(1) Long-term suspension means the exclusion of a student from attendance in all schools within the system for a period exceeding five school days but less than twenty school days;

(2) Expulsion means exclusion from attendance in all schools within the system in accordance with section 79-283;

(3) Mandatory reassignment means the involuntary transfer of a student to another school ~~in connection with any disciplinary action~~; and

(4) Short-term suspension means the exclusion of a student from attendance in all schools within the system for a period not to exceed five school days.

Sec. 63. Section 79-263, Reissue Revised Statutes of Nebraska, is amended to read:

79-263 (1) Except as provided in section 60 of this act, each ~~Each~~ school district shall adopt a policy requiring the expulsion from school for a period of not less than one year of any student who is determined to have knowingly and intentionally possessed, used, or transmitted a firearm on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event. For purposes of this section, firearm means a firearm as defined in 18 U.S.C. 921. The policy shall authorize the superintendent or the school board or board of education to modify the expulsion requirement on an individual basis.

(2) Each school district shall provide annually to the State Department of Education:

(a) An assurance that the school district has in effect the policy required by subsection (1) of this section; and

(b) A description of the circumstances surrounding any expulsions imposed under the policy required by subsection (1) of this section, including:

(i) The name of the school concerned;

(ii) The number of students expelled from the school; and

(iii) The types of weapons concerned.

Sec. 64. Section 79-265, Reissue Revised Statutes of Nebraska, is amended to read:

79-265 (1) Except as provided in section 60 of this act, the ~~The~~ principal may deny any student the right to attend school or to take part in any school function for a period of up to five school days on the following grounds:

(a) Conduct constituting grounds for expulsion as set out in the Student Discipline Act; or

(b) Any other violation of rules and standards of behavior adopted under the act.

(2) Such short-term suspension shall be made only after the principal has made an investigation of the alleged conduct or violation and has determined that such suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.

(3) Before such short-term suspension takes effect, the student shall be given oral or written notice of the charges against him or her, an explanation of the evidence the authorities have, and an opportunity to present his or her version.

(4) Within twenty-four hours or such additional time as is reasonably necessary, not to exceed an additional forty-eight hours, following such suspension, the principal shall send a written statement to the student and his or her parent or guardian describing the student's conduct, misconduct, or violation of the rule or standard and the reasons for the action taken. The principal shall make a reasonable effort to hold a conference with the parent or guardian before or at the time the student returns to school and shall document such effort in writing.

~~(5) Any student who is suspended pursuant to this section may be given an opportunity to complete any classwork, including, but not limited to, examinations, missed during the period of suspension. Each public school district shall develop and adopt guidelines stating the criteria school officials shall use in determining whether and to what extent such opportunity for completion will be granted to suspended students. The guidelines shall be provided to the student and parent or guardian at the time of suspension.~~

Sec. 65. Section 79-266, Reissue Revised Statutes of Nebraska, is amended to read:

79-266 (1) Beginning July 1, 1997, each school district shall have an alternative school, class, or educational program or the procedures of subsection (2) of this section available or in operation for all expelled students.

Any two or more school boards or boards of education may join together in providing alternative schools, classes, or educational programs. Any district may by agreement with another district send its suspended or expelled students to any alternative school, class, or educational program already in operation by such other district. An educational program may include, but shall not be limited to, individually prescribed educational and counseling programs or a

community-centered classroom with experiences for the student as an observer or aide in governmental functions, as an on-the-job trainee, or as a participant in specialized tutorial experiences. Such programs shall include an individualized learning program to enable the student to continue academic work for credit toward graduation. The State Department of Education shall adopt and promulgate rules and regulations relating to alternative schools, classes, and educational programs.

(2) If a district does not provide an alternative school, class, or educational program for expelled students, the district shall follow the procedures in this subsection prior to expelling a student unless the expulsion was required by subsection (4) of section 79-283: A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice. The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian. The plan shall (a) specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided, (b) identify educational objectives that must be achieved in order to receive credits toward graduation, (c) specify the financial resources and community programs available to meet both the educational and behavioral objectives identified, and (d) require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

(3) A school district that has expelled a student may suspend the enforcement of such expulsion unless the expulsion was required by subsection (4) of section 79-283. The suspension may be for a period not to exceed the length of the expulsion. As a condition of such suspended action, the school district may require participation in a plan pursuant to subsection (2) of this section or assign the student to a school, class, or educational program which the school district deems appropriate.

At the conclusion of such suspension period, the school district shall (a) reinstate any student who has satisfactorily participated in a plan pursuant to subsection (2) of this section or the school, class, or educational program to which such student has been assigned and permit the student to return to the school of former attendance or to attend other programs offered by the district or (b) if the student's conduct has been unsatisfactory, enforce the remainder of the expulsion action.

If the student is reinstated, the district may also take action to expunge the record of the expulsion action.

(4) At the conclusion of an expulsion, a school district shall reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.

Sec. 66. Section 79-267, Reissue Revised Statutes of Nebraska, is amended to read:

79-267 Except as provided in section 60 of this act, the following student conduct shall constitute grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Student Discipline Act, when such activity occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event:

(1) Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;

(2) Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;

(3) Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;

(4) Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;

(5) Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon;

(6) Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor;

(7) Public indecency as defined in section 28-806, except that this subdivision shall apply only to students at least twelve years of age but less than nineteen years of age;

(8) Engaging in bullying as defined in section 79-2,137;

(9) Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults

which occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;

(10) Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or

(11) A repeated violation of any rules and standards validly established pursuant to section 79-262 if such violations constitute a substantial interference with school purposes.

It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a student who is truant, tardy, or otherwise absent from required school activities.

Sec. 67. Section 79-268, Reissue Revised Statutes of Nebraska, is amended to read:

79-268 If a principal makes a decision to discipline a student by long-term suspension, expulsion, or mandatory reassignment, the following procedures shall be followed:

(1) The decision as to recommend discipline shall be made within two school days after learning of the alleged student misconduct. On the date of the decision, a written charge and a summary of the evidence supporting such charge shall be filed with the superintendent. The school shall, within two school days after the decision, send written notice by registered or certified mail to the student and his or her parent or guardian informing them of the rights established under the Student Discipline Act;

(2) Such written notice shall include the following:

(a) The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;

(b) The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;

(c) A statement that, before long-term suspension, expulsion, or mandatory reassignment ~~for disciplinary purposes~~ can be invoked, the student has a right to a hearing, upon request, and that if the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork or homework on the specified charges;

(d) A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;

(e) A statement that the principal, legal counsel for the school, the student, the student's parent, or the student's representative or guardian has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and

(f) A form on which the student, the student's parent, or the student's guardian may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail to the address provided on such form, as prescribed in sections 79-271 and 79-272; ~~and~~

(3) When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect ~~if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent,~~ if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers; ~~and -~~

(4) For purposes of this section, mandatory reassignment, regardless of its implementation date, shall be subject to the procedures of this section.

The Student Discipline Act does not preclude the student or the student's parent, guardian, or representative from discussing and settling the matter with appropriate school personnel prior to the time the long-term suspension, expulsion, or mandatory reassignment takes effect hearing stage.

Sec. 68. Section 79-269, Reissue Revised Statutes of Nebraska, is amended to read:

79-269 (1)(a) (1) If a hearing is requested within five school days after receipt of the notice as provided in section 79-268, the superintendent shall recommend appointment of appoint a hearing examiner within two school days after receipt of the hearing request.

(b) The student or the student's parent or guardian may request designation of a hearing examiner other than the hearing examiner recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended

appointment. Upon receiving such request, the superintendent shall provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned. The superintendent may also provide an additional list of hearing examiners that may include hearing examiners employed by or under contract with the school district. The student or the student's parent or guardian shall, within five school days, select a hearing examiner to conduct the hearing who was recommended, provided as an alternative hearing examiner, or included on an additional list, if any, pursuant to this subdivision and shall notify the superintendent in writing of the selection. The superintendent shall appoint the selected hearing examiner upon receipt of such notice.

(c) For purposes of this subsection, individuals whose impartiality may be reasonably questioned shall include, but not be limited to, individuals who:

(i) Have a personal bias or prejudice concerning a party;

(ii) Have personal knowledge of evidentiary facts concerning the proceeding;

(iii) Have served as legal counsel to the school district; or

(iv) Have a spouse who is an employee of, or is under contract with, the school district.

(d) For purposes of this section a qualified hearing examiner shall be an individual who has knowledge of the Student Discipline Act, training in the requirements of the act, or experience conducting student hearings.

(e) The hearing examiner who shall, within two school days after being appointed, give written notice to the principal, the student, and the student's parent or guardian of the time and place for the hearing.

(2) The hearing examiner shall be any person designated pursuant to subsection (1) of this section by the school district's superintendent, school board or board of education, or counsel, if such person (a) has not brought the charges against the student, (b) shall not be a witness at the hearing, and (c) has no involvement in the charge. Expenses and fees of any hearing examiner, in connection with the hearing, shall be paid by the school board.

(3) The hearing shall be held scheduled within a period of five school days after appointment of the hearing examiner it is requested, but such time may be changed by the hearing examiner for good cause with consent of the parties. No hearing shall be held upon less than two school days' actual notice to the principal, the student, and the student's parent or guardian, except with the consent of all the parties.

(4) The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all examine the records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than forty-eight hours at a reasonable time prior to the hearing.

Sec. 69. Section 79-272, Reissue Revised Statutes of Nebraska, is amended to read:

79-272 If a hearing is requested under sections 79-268 and 79-269 more than five school days but not more than thirty calendar days following the actual receipt of written notice, the hearing examiner shall be appointed and the hearing shall be held pursuant to the requirements of section 79-269 but the imposed punishment shall continue in effect pending final determination.

Sec. 70. Section 79-276, Reissue Revised Statutes of Nebraska, is amended to read:

79-276 At a hearing requested under sections 79-268 and 79-269, the principal shall present to the hearing examiner statements, in affidavit form, of any person having information about the student's conduct and the student's records but not unless such statements and records have been provided made available to the student or the student's parent, guardian, or representative at least forty-eight hours prior to the hearing. The information contained in such records shall be explained and interpreted, prior to or at the hearing, to the student, parent, guardian, or representative, upon request, by appropriate school personnel.

Sec. 71. Section 79-278, Reissue Revised Statutes of Nebraska, is amended to read:

79-278 (1) The student, the student's parent, guardian, or representative, the principal, or the hearing examiner may ask witnesses to testify at the hearing requested under sections 79-268 and 79-269. Such testimony shall be under oath, and the hearing examiner shall be authorized to administer the oath. The hearing examiner shall make reasonable effort to assist the student or the student's parent, guardian, or representative in obtaining the attendance of witnesses. The school district shall make available those witnesses who have knowledge of or were involved in the alleged misconduct and subsequent discipline of the student if such witnesses are requested by the student or the student's parent, guardian, or representative and such witnesses are employees or under contract with the school district.

(2) The student, the student's parent, guardian, or representative, the principal, or the hearing examiner has the right to question any witness giving information at the hearing.

Sec. 72. Section 79-282, Reissue Revised Statutes of Nebraska, is amended to read:

79-282 (1) After a hearing requested under sections 79-268 and 79-269, a report shall be made by the hearing examiner of his or her findings and a recommendation of the action to be taken, which report shall be made to the

superintendent and the student or the student's parent or guardian within ten calendar days after the hearing and shall explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended. Such recommendation may range from no action, through the entire field of counseling, to long-term suspension, expulsion, mandatory reassignment, or an alternative educational placement under section 79-266.

(2) A review shall be made of the hearing examiner's report by the superintendent, who may change, revoke, or impose the sanction recommended by the hearing examiner but shall not impose a sanction more severe than that recommended by the hearing examiner. The superintendent shall notify the student or the student's parent or guardian of the superintendent's determination within five school days after receipt of the hearing examiner's report.

(3) The findings and recommendations of the hearing examiner, the determination by the superintendent, and any determination on appeal to the governing body, shall be made solely on the basis of the evidence presented at the hearing or, in addition, on any evidence presented on appeal.

Sec. 73. Section 79-283, Reissue Revised Statutes of Nebraska, is amended to read:

79-283 (1) Written notice of the findings and recommendations of the hearing examiner and the determination of the superintendent under section 79-282 shall be made by certified or registered mail or by personal delivery to the student or the student's parent or guardian. Upon receipt of such written notice by the student, parent, or guardian, the determination of the superintendent shall take immediate effect unless the student or the student's parent or guardian appeals the written notice of determination of the superintendent pursuant to section 79-285.

(2) Except as provided in subsections (3) and (4) of this section, the expulsion of a student shall be for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year subject to the provisions of subsection (5) of this section. Such action may be modified or terminated by the school district at any time during the expulsion period. For purposes of this subsection, if the misconduct occurred prior to the last ten school days of the first semester and the expulsion takes effect in the second semester because the recommendation for expulsion was appealed to a hearing examiner or the school board or board of education, the length of the expulsion shall not exceed the number of days it would have been in effect had the appeal not been made.

(3) The expulsion of a student for (a) the knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student except as provided in subdivision (3) of section 79-267 or (b) the knowing and intentional possession, use, or transmission of a dangerous weapon, other than a firearm, shall be for a period not to exceed the remainder of the school year in which it took effect if the misconduct occurs during the first semester. If the expulsion takes place during the second semester, the expulsion shall remain in effect for summer school and may remain in effect for the first semester of the following school year. Such action may be modified or terminated by the school district at any time during the expulsion period.

(4) The expulsion of a student for the knowing and intentional possession, use, or transmission of a firearm, which for purposes of this section means a firearm as defined in 18 U.S.C. 921 as of January 1, 1995, shall be for a period as provided by the school district policy adopted pursuant to section 79-263. This subsection shall not apply to (a) the issuance of firearms to or possession of firearms by members of the Reserve Officers Training Corps when training or (b) firearms which may lawfully be possessed by the person receiving instruction under the immediate supervision of an adult instructor who may lawfully possess firearms.

(5) Any expulsion that will remain in effect during the first semester of the following school year shall be automatically scheduled for review before the beginning of the school year. The review shall be conducted by the hearing examiner after the hearing examiner has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing examiner that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the superintendent.

Sec. 74. Section 79-287, Reissue Revised Statutes of Nebraska, is amended to read:

79-287 The final action of the board under section 79-286 shall be taken within three calendar days after the hearing and be evidenced by personally delivering or mailing by certified mail a copy of the board's decision to the student and his or her parent or guardian within three calendar days after the final action.

Sec. 75. Section 79-2,136, Revised Statutes Cumulative Supplement, 2022, 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 the school district pursuant to subsections (1) and (2) 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 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. Nothing in this section shall be construed to exempt any student from the compulsory attendance provisions of sections 79-201 to 79-207.

(2) Each school board shall establish policies and procedures to allow any student who is a resident of the school district pursuant to subsection (1) or (2) 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 participating in extracurricular activities pursuant to such subsection to be enrolled in no more and no less than five credit hours offered by the school district in any semester, (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 sections 79-201 to 79-210.

Sec. 76. Section 79-2,144, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2,144 The state school security director appointed pursuant to section 79-2,143 shall be responsible for providing leadership and support for safety and security for the public schools. Duties of the director include, but are not limited to:

(1) Collecting safety and security plans, required pursuant to rules and regulations of the State Department of Education relating to accreditation of schools, and other school security information from each school system in Nebraska. School districts shall provide the state school security director with the safety and security plans of the school district and any other security information requested by the director, but any plans or information submitted by a school district may be withheld by the department pursuant to subdivision (9) of section 84-712.05;

(2) Recommending minimum standards for school security on or before January 1, 2016, to the State Board of Education;

(3) Conducting an assessment of the security of each public school building, which assessment shall be completed by August 31, 2019;

(4) Identifying deficiencies in school security based on the minimum standards adopted by the State Board of Education and making recommendations to school boards for remedying such deficiencies;

(5) Establishing security awareness and preparedness tools and training programs for public school staff;

(6) Establishing research-based model instructional programs for staff, students, and parents to address the underlying causes for violent attacks on schools;

(7) Overseeing behavioral and mental health training, with a focus on suicide awareness and prevention training in public schools pursuant to section 79-2,146;

(8) Establishing tornado preparedness standards which shall include, but not be limited to, ensuring that every school conducts at least two tornado drills per year;

(9) Responding to inquiries and requests for assistance relating to school security from private, denominational, and parochial schools;

(10) Recommending curricular and extracurricular materials to assist school districts in preventing and responding to cyberbullying and digital citizenship issues; and

(11) Carrying out the department's responsibilities under the School Safety and Security Reporting System Act.

Sec. 77. Section 79-2,146, Reissue Revised Statutes of Nebraska, is amended to read:

79-2,146 (1) Beginning in school year ~~2023-24~~ ~~2015-16~~, all public school ~~employees who interact with students nurses, teachers, counselors, school psychologists, administrators, school social workers,~~ and any other appropriate personnel, as determined by the school superintendent, shall receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. Such training may include, but need not be limited to, topics such as identification of early warning signs and symptoms of behavioral and mental health issues in students, appropriate and effective responses for educators to student behavioral and mental health issues, trauma-informed care, and procedures for making students and parents and guardians aware of services and supports for behavioral and mental health issues. This training shall be provided within the framework of existing inservice training programs offered by the State Department of Education or as part of required professional development activities.

(2) The department, in consultation with organizations including, but not limited to, the Nebraska State Suicide Prevention Coalition, the Nebraska chapter of the American Foundation for Suicide Prevention, the Behavioral Health Education Center of Nebraska, the National Alliance on Mental Illness Nebraska, and other organizations and professionals with expertise in behavioral and mental health and suicide prevention, shall develop a list of approved training materials to fulfill the requirements of subsection (1) of this section. Such materials shall include training on how to identify appropriate mental health services, both within the school and also within the larger community, and when and how to refer youth and their families to those services. Such materials may include programs that can be completed through self-review of suitable behavioral and mental health and suicide prevention materials.

(3) The department may adopt and promulgate rules and regulations to carry out this section.

Sec. 78. Section 79-703, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-703 (1) To ensure both equality of opportunity and quality of programs offered, all public schools in the state shall be required to meet quality and performance-based approval or accreditation standards as prescribed by the State Board of Education. Beginning August 1, 2025, accreditation standards shall require each school district to develop and adopt a policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in accordance with section 59 of this act. The board shall establish a core curriculum standard, which shall include multicultural education and vocational education courses, for all public schools in the state. Accreditation and approval standards shall be designed to assure effective schooling and quality of instructional programs regardless of school size, wealth, or geographic location. Accreditation standards for school districts that are members of a learning community shall include participation in the community achievement plan for the learning community as approved by the board. Accreditation standards for education programs in state institutions under the supervision of the Department of Health and Human Services that house juveniles shall include an annual report to the State Board of Education by the superintendent of institutional schools. The board shall recognize and encourage the maximum use of cooperative programs and may provide for approval or accreditation of programs on a cooperative basis, including the sharing of administrative and instructional staff, between school districts for the purpose of meeting the approval and accreditation requirements established pursuant to this section and section 79-318.

(2) The Commissioner of Education shall appoint an accreditation committee which shall be representative of the educational institutions and agencies of the state and shall include as a member the director of admissions of the University of Nebraska.

(3) The accreditation committee shall be responsible for: (a) Recommending appropriate standards and policies with respect to the accreditation and classification of schools; and (b) making recommendations annually to the commissioner relative to the accreditation and classification of individual schools. No school shall be considered for accreditation status which has not first fulfilled all requirements for an approved school.

(4) All public schools in the state, including, but not limited to, schools operated by school districts and education programs in state institutions under the supervision of the Department of Health and Human Services that house juveniles, shall be accredited.

(5) It is the intent of the Legislature that all public school students shall have access to all educational services required of accredited schools. Such services may be provided through cooperative programs or alternative methods of delivery.

Sec. 79. Section 79-729, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-729 (1) The Legislature recognizes the importance of assuring that all persons who graduate from Nebraska high schools possess certain minimum levels of knowledge, skills, and understanding. Each high school student shall complete a minimum of two hundred high school credit hours prior to graduation. At least eighty percent of the minimum credit hours shall be core curriculum courses prescribed by the State Board of Education.

(2) For students attending a public school: τ

~~(a) Beginning beginning in school year 2023-24, at least five of the minimum credit hours shall be a high school course in personal finance or financial literacy; and~~

~~(b) Beginning beginning in school year 2027-28 2026-27, at least five of the minimum credit hours shall include be a high school course or the equivalent of a one-semester high school course in computer science and technology education as required under section 79-3304.~~

~~(3)(a) Beginning in school year 2024-25, each public high school student shall complete and submit to the United States Department of Education a Free Application for Federal Student Aid prior to graduating from such high school except as otherwise provided in this subsection.~~

~~(b) A public high school student shall not be required to comply with subdivision (3)(a) of this section if:~~

~~(i) A parent or legal guardian of or a person standing in loco parentis to such student signs and submits the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section indicating that such parent, legal guardian, or person standing in loco parentis authorizes such student to decline to complete and submit a Free Application for Federal Student Aid;~~

~~(ii) The school principal or the school principal's designee signs and submits the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section authorizing such student to decline to complete and submit a Free Application for Federal Student Aid for good cause as determined by the school principal or the school principal's designee; or~~

~~(iii) A student who is nineteen years of age or older or is an emancipated minor signs and submits the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section stating that such student declines to complete and submit a Free Application for Federal Student Aid.~~

~~(c) The Commissioner of Education shall prescribe the forms to be used by each public high school for purposes of compliance with subdivision (3)(b) of this section. Such forms shall be made available:~~

~~(i) By each public high school to students, parents and legal guardians of students, and persons standing in loco parentis to students; and~~

~~(ii) In English, Spanish, and any other language spoken by a majority of the students enrolled in any English learner program at such public high school.~~

~~(d) The school principal or the school principal's designee of each public high school shall provide such compliance information to the school district or governing authority for such public high school and to the State Department of Education without disclosing, for any student who has complied with the requirements of this subsection, personally identifiable information distinguishing whether such compliance was pursuant to subdivision (3)(a) or (b) of this section. Such school principal or school principal's designee shall provide separately the aggregate number of students who have not complied with this subsection, who complied pursuant to subdivision (3)(a) of this section, and who complied pursuant to subdivision (3)(b) of this section, unless otherwise prohibited by federal or state law regarding the confidentiality of student educational information.~~

~~(e) On or before December 31, 2025, and on or before December 31 of each year thereafter, the Commissioner of Education shall electronically submit a report with the information received by the State Department of Education pursuant to subdivision (3)(d) of this section to the Clerk of the Legislature.~~

~~(4) The State Board of Education may establish recommended statewide graduation guidelines.~~

~~(5) This section does not apply to high school students whose individualized education programs prescribe a different course of instruction. This section does not prohibit the governing board of any high school from prescribing specific graduation guidelines as long as such guidelines do not conflict with this section.~~

~~(6) For purposes of this section, high school means grades nine through twelve and credit hour shall be defined by appropriate rules and regulations of the State Board of Education but shall not be less than the amount of credit given for successful completion of a course which meets at least one period per week for at least one semester.~~

~~(7) The State Board of Education shall adopt and promulgate rules and regulations as necessary to implement this section. Such rules and regulations shall include, but not be limited to:~~

~~(a) A timeline for the distribution of the Free Application for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section by public high schools and for the submission of the Free Application for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section;~~

~~(b) Standards regarding the information that a public high school must provide to students regarding:~~

~~(i) Instructions for filling out the Free Application for Federal Student Aid;~~

~~(ii) The options available to a student under subdivision (3)(b) of this section if a student wishes to decline to complete and submit a Free Application for Federal Student Aid; and~~

~~(iii) The method by which a student shall provide proof to the public high school that such student has completed and submitted the Free Application for~~

Federal Student Aid or a form prescribed pursuant to subdivision (3)(c) of this section; and

(c) A requirement for each public high school to report the number of students who completed and submitted a Free Application for Federal Student Aid and the number of students who instead submitted a form prescribed pursuant to subdivision (3)(c) of this section.

Sec. 80. Section 79-734, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-734 (1)(a) (1) School boards and boards of education of all classes of school districts shall purchase all textbooks, equipment, and supplies necessary for the schools of such district. The duty to make such purchases may be delegated to employees of the school district.

(b) (2) School boards and boards of education shall purchase and loan textbooks to all children who are enrolled in kindergarten to grade twelve of a public school, and,

(c) School boards and boards of education may adopt rules to carry out this subsection.

(2)(a) Through June 30, 2024, school boards and boards of education shall purchase and loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules and regulations established by the State Board of Education pursuant to subdivision (5)(c) of section 79-318. The Legislature may appropriate funds to carry out the provisions of this subdivision subsection. A school district is not obligated to spend any money for the purchase and loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature to be distributed by the State Department of Education for the purpose of purchasing and loaning textbooks as provided in this subdivision subsection. Textbooks loaned to children enrolled in kindergarten to grade twelve of such private schools shall be textbooks which are designated for use in the public schools of the school district in which the child resides or the school district in which the private school the child attends is located. Such textbooks shall be loaned free to such children subject to such rules and regulations as are or may be prescribed by such school boards or boards of education. The State Department of Education shall adopt and promulgate rules and regulations to carry out this subdivision subsection. The rules and regulations shall include provisions for the distribution of funds appropriated for textbooks. The rules and regulations shall include a deadline for applications from school districts for distribution of funds. If funds are not appropriated to cover the entire cost of applications, a pro rata reduction shall be made. It is the intent of the Legislature that on or before October 1, 2016, the department provide to the Education Committee of the Legislature recommended changes to this subsection that reflect advances in technology and educational content for students.

(b) Beginning on July 1, 2024, the State Department of Education shall purchase and loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules and regulations established by the State Board of Education pursuant to subdivision (5)(c) of section 79-318. The Legislature may appropriate funds to carry out this subdivision. The State Department of Education is not obligated to spend any money for the purchase and loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature. The State Department of Education may utilize up to five percent of the appropriated funds to administer this subdivision. The State Department of Education may contract with a third-party vendor to assist in carrying out this subdivision. The State Board of Education may adopt and promulgate rules and regulations to carry out this subdivision. The rules and regulations shall include a formula or standard for determining a cost-per-child allocation of funding based on the Legislature's appropriation of funding. The rules and regulations shall allow a designated agent, which may include a private school, to assist the parents or guardians of a child in the request and acquisition of textbooks pursuant to this subdivision. It is the intent of the Legislature that on or before October 1, 2028, and every five years thereafter, the State Department of Education shall electronically provide to the Education Committee of the Legislature recommended changes to this subdivision that reflect advances in technology and educational content for students.

(3) For purposes of this section, textbook means any instructional material, including digital, electronic, or online resources, that is designated for use by an individual student in classroom instruction as the principal source of study material.

Sec. 81. Section 79-760.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-760.01 (1) The State Board of Education shall adopt measurable academic content standards for at least the grade levels required for statewide assessment pursuant to section 79-760.03. The standards shall cover the subject areas of reading, writing, mathematics, science, and social studies.

(2)(a) The board shall also adopt measurable academic content standards for the following as part of the social studies standards:

(i) Financial literacy; and

(ii) Education on the Holocaust and other acts of genocide as recognized by the Congress of the United States or the United Nations as of January 1, 2022.

(b) On or before March 1, 2024, the The board shall also adopt measurable

academic content standards for computer science and technology education under the mathematics, science, or career and technical education standards.

(3) Academic content standards adopted or recommended pursuant to this section shall be sufficiently clear and measurable to be used for testing student performance with respect to mastery of the content described in the state standards.

(4) The State Board of Education shall develop a plan to review and update standards for each subject area every seven years. The state board plan shall include a review of commonly accepted standards adopted by school districts.

Sec. 82. Section 79-806, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-806 (1) The Legislature finds ~~that~~ and declares: ~~(a) That there is an educator workforce shortage in this state and that efforts need to be made to recruit, prepare, retain, and support the teaching profession while maintaining high-quality educators in our classrooms around the state. ;~~

~~(b) That the pool of qualified individuals for the teaching profession has been reduced statewide, in part, due to requirements in place as of July 21, 2022, for applicants to prove proficiency in basic skills competency by passing a prescribed examination in reading, writing, and mathematics before being accepted into a teacher education program of a standard institution of higher education approved by the State Board of Education pursuant to subdivision (5) (g) of section 79-318 or issued any certificate under sections 79-806 to 79-815 and the rules and regulations adopted and promulgated by the board pursuant to such sections as of July 21, 2022;~~

~~(c) That candidates for certification should possess academic competency to teach effectively and that multiple measures can proficiently demonstrate such competency. A demonstration of basic skills competency should not be based solely on a single assessment high-stakes examination because such an examination does not accurately portray a teacher candidate's general knowledge in mathematics, reading, and writing when measured within such a testing environment; and~~

~~(d) That candidates for certification, including candidates coming to Nebraska from other states, should be able to use a portfolio of options to demonstrate basic skills competency, such as coursework taken to satisfy college degree requirements and college admissions examinations.~~

(2) ~~The~~ Therefore, it is declared to be the purpose of sections 79-806 to 79-815 ~~is~~ to provide more flexibility in the certification of qualified educators for Nebraska schools and not to decrease any requirements for certificates to teach, provide special services, and administer in Nebraska schools.

Sec. 83. Section 79-807, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-807 For purposes of sections 79-806 to 79-815, unless the context otherwise requires:

~~(1) Basic skills competency means either (a) proficiency in (i) the written use of the English language, (ii) reading, comprehending, and interpreting professional writing and other written materials, and (iii) working with fundamental mathematical computations as demonstrated by successful completion of an examination designated by the board or (b) successful employment experiences;~~

~~(1) (2) Board means the State Board of Education;~~

~~(2) (3) Certificate means an authorization issued by the commissioner to an individual who meets the qualifications to engage in teaching, providing special services, or administering in prekindergarten through grade twelve in the elementary and secondary schools in this state;~~

~~(3) (4) Commissioner means the Commissioner of Education;~~

~~(4) (5) Department means the State Department of Education;~~

~~(5) (6) Human relations training means course work or employment experiences that lead to (a) an awareness and understanding of the values, lifestyles, contributions, and history of a pluralistic society, (b) the ability to recognize and deal with dehumanizing biases, including, but not limited to, sexism, racism, prejudice, and discrimination, and an awareness of the impact such biases have on interpersonal relations, (c) the ability to translate knowledge of human relations into attitudes, skills, and techniques which result in favorable experiences for students, (d) the ability to recognize the ways in which dehumanizing biases may be reflected in instructional materials, (e) respect for human dignity and individual rights, and (f) the ability to relate effectively to other individuals and to groups in a pluralistic society other than the applicant's own;~~

~~(6) (7) Special education training means course work or employment experiences that provide an individual with the knowledge of (a) the exceptional needs of the disabilities defined under the Special Education Act, (b) the major characteristics of each disability in order to recognize its existence in children, (c) the various alternatives for providing the least restrictive environment for children with disabilities, (d) methods of teaching children with disabilities in the regular classroom, and (e) prereferral alternatives, referral systems, multidisciplinary team responsibilities, the individualized education program process, and the placement process;~~

~~(7) (8) Special services means supportive services provided to students that do not primarily involve teaching, including, but not limited to, (a) audiology, psychology, and physical or occupational therapy, (b) the coaching of extracurricular activities, and (c) subject areas for which endorsement programs are not offered by a standard institution of higher education; and~~

(8) ~~(9)~~ Standard institution of higher education means any college or university, the teacher education programs of which are fully approved by the board or approved in another state pursuant to standards which are comparable and equivalent to those set by the board.

Sec. 84. Section 79-808, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-808 (1) The board shall establish, adopt, and promulgate appropriate rules, regulations, and procedures governing the issuance, renewal, conversion, suspension, and revocation of certificates and permits to teach, provide special services, and administer based upon (a) earned college credit in humanities, social and natural sciences, mathematics, or career and technical education, (b) earned college credit, or its equivalent in professional education, for particular teaching, special services, or administrative assignments, (c) criminal history record information if the applicant has not been a continuous Nebraska resident for five years immediately preceding application for the first issuance of a certificate, (d) human relations training, (e) successful teaching, administration, or provision of special services, and (f) moral, mental, and physical fitness for teaching, all in accordance with sound educational practices. Such rules, regulations, and procedures shall also provide for endorsement requirements to indicate areas of specialization on such certificates and permits. Such rules and regulations shall not require any test of basic skills.

(2) The board may issue a temporary certificate, valid for a period not to exceed two years, to any applicant for certification who has not completed the human relations training requirement.

(3) Members of any advisory committee established by the board to assist the board in teacher education and certification matters shall be reimbursed for expenses as provided in sections 81-1174 to 81-1177. Each school district which has an employee who serves as a member of such committee and which is required to hire a person to replace such member during the member's attendance at meetings or activities of the committee or any subcommittee thereof shall be reimbursed from the Certification Fund for the expense it incurs from hiring a replacement. School districts may excuse employees who serve on such advisory committees from certain duties which conflict with any advisory committee duties.

Sec. 85. Section 79-809, Reissue Revised Statutes of Nebraska, is amended to read:

79-809 In addition to the requirements in section 79-808, the maximum which the board may require for the issuance of any entry-level certificate or permit shall be that the applicant (1) has a baccalaureate degree that qualifies for a certificate to teach, (2) has satisfactorily completed, within two years of the date of application, an approved program at a standard institution of higher education, (3) ~~has satisfactorily demonstrated basic skills competency,~~ (4) has special education training, (4) ~~(5)~~ has earned college credit in an approved program, at a standard institution of higher education, for which endorsement is sought, and (5) ~~(6)~~ has paid a nonrefundable fee to the department as provided in section 79-810.

Sec. 86. Section 79-8,143, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,143 Sections 79-8,143 to 79-8,145 and section 87 of this act shall be known and may be cited as the Alternative Certification for Quality Teachers Act.

Sec. 87. (1) In addition to certificates issued pursuant to section 79-806 to 79-815, the Commissioner of Education shall, subject to subsections (2) and (3) of this section, issue an alternative certificate to teach on a full-time basis to any applicant who:

(a) Possess a baccalaureate degree; and

(b) Has successfully completed an alternative teacher certification program operated by an organization that satisfies the following criteria:

(i) The organization operates in at least five states;

(ii) The organization has operated an alternative teacher certification program for at least ten years; and

(iii) The program requires candidates to pass a subject area examination and the pedagogy examination, known as the professional teaching knowledge examination, to receive a certificate under such program.

(2) A certificate issued under this section only authorizes an individual to teach the subject and educational levels for which the individual has successfully completed an alternative teacher certification program.

(3) Issuance of an alternative certificate to teach pursuant to this section shall be subject to a criminal history record information check pursuant to section 79-814.01 and payment of any required fees.

(4) An individual who receives an alternative certificate to teach pursuant to this section shall:

(a) Participate in a school district clinical experience for one semester in such individual's first semester of employment as a teacher pursuant to this section; and

(b) Be subject to the same certification criteria as an individual who completes a traditional teacher preparation program if converting the alternative certificate to teach to a standard certificate to teach.

Sec. 88. Section 79-8,145, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,145 (1) In addition to certificates issued pursuant to sections 79-806 to 79-815:

(a) The Commissioner of Education shall, subject to the provisions of subsection (3) of this section, grant a temporary certificate to teach on a full-time basis to any applicant who:

(i) Has completed a teacher education program at a standard institution of higher education as defined in section 79-807; and

(ii) Currently possesses a certificate to teach in good standing from another state; ~~and~~

(b) The commissioner may, subject to the ~~provisions of~~ subsection (3) of this section, grant a temporary certificate to teach on a full-time basis to any applicant who:

(i) Has earned and been awarded a baccalaureate ~~bachelor's~~ degree, graduate degree, or professional degree from a college or university accredited by an accrediting organization recognized by the United States Department of Education; and

(ii) ~~Has satisfactorily demonstrated basic skills competency and passed any appropriate subject area examination as designated by the State Board of Education; and~~ -

(c) Beginning in fiscal year 2024-25, the commissioner shall, subject to subsection (3) of this section, grant a temporary certificate to teach on a full-time basis to any applicant who:

(i) Has completed two years at a college or university accredited by an accrediting organization recognized by the United States Department of Education with at least forty-eight or more semester credit hours or obtained an associate degree from such a college or university;

(ii) Is employed as a paraprofessional or paraeducator at an elementary school, middle school, or high school in Nebraska; and

(iii) Has passed any appropriate subject area examination as designated by the State Board of Education.

(2) Any temporary certificate to teach issued pursuant to this section shall be valid for a period not to exceed two years, during which the holder of such temporary certificate must obtain a certificate to teach pursuant to sections 79-806 to 79-815 by completing the requirements contained in such sections.

(3) Issuance of a temporary certificate to teach pursuant to this section shall be subject to a criminal history record information check pursuant to section 79-814.01 and payment of any required fees.

Sec. 89. Section 79-1021, Reissue Revised Statutes of Nebraska, as amended by section 22, Legislative Bill 818, One Hundred Eighth Legislature, First Session, 2023, is amended to read:

79-1021 (1) The Education Future Fund is created. The fund shall be administered by the department and shall consist of money transferred to the fund by the Legislature. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) The fund shall be used only for the following purposes, in order of priority:

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

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

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

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

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

(f) To provide funding to increase career and technical educational classroom opportunities for students. Such funding must provide students with the academic and technical skills, knowledge, and training necessary to succeed in future careers; ~~and~~

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

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

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

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

(b) The State Treasurer shall transfer two hundred fifty million dollars from the General Fund to the Education Future Fund in fiscal year 2024-25, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

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

Sec. 90. Section 79-1054, Revised Statutes Cumulative Supplement, 2022, is

amended to read:

79-1054 (1)(a) This subsection applies until July 1, 2024.

(b) The State Board of Education shall establish a competitive innovation grant program with funding from the Nebraska Education Improvement Fund pursuant to section 1 of this act 9-812. Grantees shall be a school district, an educational service unit, or a combination of entities that includes at least one school district or educational service unit. For grantees that consist of a combination of entities, a participating school district or educational service unit shall be designated to act as the fiscal agent and administer the program funded by the grant. The state board shall only award grants pursuant to applications that the state board deems to be sufficiently innovative and to have a high chance of success.

(c) An application for a grant pursuant to this subsection shall describe:

(i) Specific measurable objectives for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce;

(ii) The method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the Legislature on or before July 1, 2019;

(iii) The potential for the project to be both scalable and replicable; and

(iv) Any cost savings that could be achieved by reductions in other programs if the funded program is successful.

(d) Based on evaluations received on or before July 1, 2019, for each grant, the State Board of Education shall recommend the grant project as:

(i) Representing a best practice;

(ii) A model for a state-supported program; or

(iii) A local issue for further study.

(e) On or before December 1, 2017, and on or before December 1 of each year thereafter, the state board shall electronically submit a report to the Clerk of the Legislature on all such grants, including, but not limited to, the results of the evaluations for each grant. The state board may adopt and promulgate rules and regulations to carry out this subsection, including, but not limited to, application procedures, selection procedures, and annual evaluation reporting procedures.

(2)(a) This subsection applies beginning July 1, 2024.

(b) The State Board of Education shall establish innovation grant programs in areas, including, but not limited to, (i) mental health first aid, (ii) early literacy, (iii) quality instructional materials, (iv) personalized learning through digital education, or (v) other innovation areas identified by the board. It is the intent of the Legislature that such grant programs shall be funded using lottery funds under section 1 of this act 9-812. Grantees shall be a school district, an educational service unit, or a combination of entities that includes at least one school district or educational service unit.

(c) An application for participating in an innovation grant pursuant to this subsection shall describe:

(i) Specific measurable objectives for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce;

(ii) Participation in a method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the Legislature on or before July 1 of each year;

(iii) The potential for the grant program to be both scalable and replicable; and

(iv) Any cost savings that could be achieved by reductions in other programs if the grant program is successful.

(d) Based on evaluations received on or before July 1 of each year for each grant program, the State Board of Education shall recommend the grant program as:

(i) Representing a best practice;

(ii) A model for a state-supported program; or

(iii) A local issue for further study.

(e) On or before December 1 of each year, the state board shall electronically submit a report to the Clerk of the Legislature on all such grant programs, including, but not limited to, the results of the evaluations for each grant program. The state board may adopt and promulgate rules and regulations to carry out this subsection, including, but not limited to, application procedures, selection procedures, and annual evaluation reporting procedures.

(3)(a) This subsection applies beginning July 1, 2024.

(b) The State Board of Education shall establish an improvement grant program in areas including, but not limited to, (i) teacher recruitment and retention, (ii) improvement for schools and school districts, (iii) improvement in student performance in the subject areas of reading and mathematics, and (iv) other improvement areas identified by the state board. Such grants shall be funded using lottery funds under section 1 of this act.

(c) On or before December 1 of each calendar year, the state board shall electronically submit a report to the Clerk of the Legislature on all such grant programs, including, but not limited to, the recipients of the programs

and evaluations of the effectiveness of each grant program. The state board may adopt and promulgate rules and regulations to carry out this subsection.

(4)(a) This subsection applies beginning January 1, 2024.

(b) For purposes of this subsection, learning platform means a three-dimensional, game-based learning platform for use by middle school and high school students.

(c)(i) The State Board of Education shall establish an innovation grant program to procure or purchase an annual license for learning platforms for use in schools to engage students in coursework and careers in science, technology, engineering, entrepreneurship, and mathematics. Such grants shall be funded using lottery funds pursuant to section 1 of this act.

(ii) The State Board of Education shall establish standards that a learning platform shall meet in the subject areas of chemistry and physical science, business, and mathematics. The state board shall develop a plan related to how the state board shall prioritize the grant applications.

(iii) A developer may apply to the State Department of Education on forms and in a manner prescribed by the department for a grant under this subsection for a learning platform that:

(A) Is designed to teach information related to chemistry and physical science, business, or mathematics;

(B) Aligns with the standards established by the state board relating to chemistry and physical science, business, or mathematics;

(C) Connects such standards with real-world technologies and applications;

(D) Highlights science, technology, engineering, entrepreneurship, and mathematics career pathways in Nebraska; and

(E) Meets any additional requirements set out by the State Board of Education.

(iv) Any developer that receives a grant under this subsection shall provide access to and use of its learning platform to all Nebraska school districts.

(v) Any grant awarded pursuant to this subsection shall be awarded by July 1 of each year.

(d) On or before December 1 of each calendar year, the state board shall electronically submit a report to the Clerk of the Legislature on the grant program, including, but not limited to, the recipients of the program and evaluations of the effectiveness of the grant program. The State Board of Education may adopt and promulgate rules and regulations to carry out this subsection.

(5)(a) (3) The Department of Education Innovative Grant Fund is created. The fund shall be administered by the State Department of Education and shall consist of transfers pursuant to section 1 of this act 9-812, repayments of grant funds, and interest payments received in the course of administering this section. The fund shall be used to carry out this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(b) Of the ten percent of funds transferred to the fund pursuant to section 1 of this act, eight and three-fourths percent shall be used for innovation grants pursuant to subsection (4) of this section and the remaining one and one-fourth percent shall be used for innovation and improvement grants pursuant to subsections (2) and (3) of this section.

Sec. 91. Section 79-1104.02, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1104.02 (1) The Early Childhood Education Endowment Cash Fund, consisting of the interest, earnings, and proceeds from the Early Childhood Education Endowment Fund and the earnings from the private endowment created by the endowment provider, ~~funds transferred from the Education Innovation Fund pursuant to section 9-812,~~ and any additional private donations made directly thereto, shall be used exclusively to provide funds for the Early Childhood Education Grant Program for at-risk children from birth to age three as set forth in this section.

(2) Grants provided by this section shall be to school districts and cooperatives of school districts for early childhood education programs for at-risk children from birth to age three, as determined by the board of trustees pursuant to criteria set forth by the board of trustees. School districts and cooperatives of school districts may establish agreements with other public and private entities to provide services or operate programs.

(3) Each program selected for a grant pursuant to this section may be provided a grant for up to one-half of the total budget of such program per year. Programs selected for grant awards may receive continuation grants subject to the availability of funding and the submission of a continuation plan which meets the requirements of the board of trustees.

(4) Programs shall be funded across the state and in urban and rural areas to the fullest extent possible.

(5) Each program selected for a grant pursuant to this section shall meet the requirements described in subsection (2) of section 79-1103, except that the periodic evaluations of the program are to be specified by the board of trustees and the programs need not include continuity with programs in kindergarten and elementary grades and need not include instructional hours that are similar to or less than the instructional hours for kindergarten. The programs may continue to serve at-risk children who turn three years of age during the program year until the end of the program year, as specified by the board of trustees.

(6) The board of trustees may issue grants to early childhood education programs entering into agreements pursuant to subsection (2) of this section with child care providers if the child care provider enrolls in the quality rating and improvement system described in the Step Up to Quality Child Care Act prior to the beginning of the initial grant period. Child care providers shall participate in training approved by the Early Childhood Training Center which is needed for participation or advancement in the quality rating and improvement system.

(7) The board of trustees shall require child care providers in programs receiving grants under this section to obtain a step three rating or higher on the quality scale described in section 71-1956 within three years of the starting date of the initial grant period to continue funding the program. The board of trustees shall require the child care provider to maintain a step three rating or higher on such quality scale after three years from the starting date of the initial grant period to continue funding the program.

(8) If a child care provider fails to achieve or maintain a step three rating or higher on the quality scale described in such section after three years from the starting date of the initial grant period, the child care provider shall obtain and maintain the step three rating on such quality scale before any new or continuing grants may be issued for programs in which such child care provider participates.

(9) Any school district entering into agreements pursuant to subsection (2) of this section with child care providers must employ or contract with, either directly or indirectly, a program coordinator holding a certificate as defined in section 79-807.

(10) Up to ten percent of the total amount deposited in the Early Childhood Education Endowment Cash Fund each fiscal year may be reserved by the board of trustees for evaluation and technical assistance for the Early Childhood Education Grant Program with respect to programs for at-risk children from birth to age three.

Sec. 92. Section 79-1142, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1142 (1) Level I services refers to services provided to children with disabilities who require an aggregate of not more than three hours per week of special education services and support services and includes all administrative, diagnostic, consultative, and vocational-adjustment counselor services.

(2) The total allowable reimbursable cost for support services shall not exceed a percentage, established by the State Board of Education, of the school district's or approved cooperative's total allowable reimbursable cost for all special education programs and support services. The percentage established by the board for support services shall not exceed the difference of ten percent minus the percentage of the appropriations for special education approved by the Legislature set aside for reimbursements for support services pursuant to subsection (5) of this section.

(3) Except as provided in subsection (6) of this section, for special education and support services provided in each school fiscal year, the department shall reimburse each school district in the following school fiscal year a pro rata amount determined by the department. The reimbursement percentage shall be the ratio of the difference of the appropriations for special education approved by the Legislature minus the amounts set aside pursuant to subsection (5) of this section divided by the total allowable excess costs for all special education programs and support services.

(4) Cooperatives of school districts or educational service units shall also be eligible for reimbursement for cooperative programs pursuant to this section if such cooperatives or educational service units have complied with the reporting and approval requirements of section 79-1155 for cooperative programs which were offered in the preceding school fiscal year. The payments shall be made by the department to the school district of residence, cooperative of school districts, or educational service unit each school year in a minimum of seven payments between the fifth and twentieth day of each month beginning in December. Additional payments may be made based upon additional valid claims submitted. The State Treasurer shall, between the fifth and twentieth day of each month, notify the Director of Administrative Services of the amount of funds available in the General Fund for payment purposes. The director shall, upon receiving such certification, draw warrants against funds appropriated.

(5) Residential settings described in subdivision (10)(c) of section 79-215 shall be reimbursed for the educational services, including special education services and support services in an amount determined pursuant to the average per pupil cost of the service agency. Reimbursements pursuant to this section shall be made from funds set aside for such purpose within sixty days after receipt of a reimbursement request submitted in the manner required by the department and including any documentation required by the department for educational services that have been provided, except that if there are not any funds available for the remainder of the state fiscal year for such reimbursements, the reimbursement shall occur within thirty days after the beginning of the immediately following state fiscal year. The department may audit any required documentation and subtract any payments made in error from future reimbursements. The department shall set aside separate amounts from the appropriations for special education approved by the Legislature for reimbursements pursuant to this subsection for students receiving special education services and for students receiving support services for each state

fiscal year. The amounts set aside for each purpose shall be based on estimates of the reimbursements to be requested during the state fiscal year and shall not be less than the total amount of reimbursements requested in the prior state fiscal year plus any unpaid requests from the prior state fiscal year.

(6) For each school district that received a payment pursuant to the Extraordinary Increase in Special Education Expenditures Act in the school fiscal year for which special education expenditures were reimbursed pursuant to subsection (3) of this section, an amount equal to such payment shall be subtracted from the reimbursement calculated pursuant to subsection (3) of this section and such amount shall be transferred to the Education Future Fund.

Sec. 93. Section 79-11,160, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-11,160 (1) The State Department of Education shall establish a mental health first aid training program for teachers and other personnel employed by a school district or an educational service unit participating in a grant under subsection (2) of section 79-1054.

(2) The mental health first aid training is to be delivered by trainers who are properly certified by a national organization for behavioral health to provide training meeting the requirements of this section. The program shall also provide an opportunity for teachers and other designated personnel to complete the training necessary to become certified by a national organization for behavioral health to provide mental health first aid training to other teachers and designated personnel.

(3) Mental health first aid training shall include training on:

(a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health care services;

(b) Mental health resources, including the location of local community mental health centers; and

(c) Action plans and protocols for referral to such resources.

(4) A recipient of mental health first aid training shall also receive instruction in preparation to:

(a) Safely de-escalate crisis situations;

(b) Recognize the signs and symptoms of mental illness, including such psychiatric conditions as major clinical depression and anxiety disorders; and

(c) Timely refer a student to mental health services in the early stages of the development of a mental disorder to avoid subsequent behavioral health care and to enhance the effectiveness of mental health services. Except as provided in section 43-2101, any such referral shall be approved by the student's parent or guardian.

(5) It is the intent of the Legislature that the mental health first aid training program under this section shall be funded using lottery funds under section 1 of this act 9-812.

Sec. 94. Section 79-1337, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1337 (1) For fiscal years 2007-08 through ~~2028-29~~ 2023-24, the State Department of Education shall provide distance education incentives to school districts and educational service units for qualified distance education courses coordinated through the Educational Service Unit Coordinating Council as provided in this section. ~~Through fiscal year 2015-16, funding for such distance education incentives shall come from the Education Innovation Fund.~~ For fiscal years 2016-17 through 2023-24, funding for such distance education incentives shall come from the Nebraska Education Improvement Fund. For fiscal years 2024-25 through 2028-29, funding for such distance education incentives shall come from transfers pursuant to section 1 of this act.

(2) School districts and educational service units shall apply for incentives annually through calendar year ~~2028~~ 2023 to the department on or before August 1 on a form specified by the department. The application shall:

(a) For school districts, specify (i) the qualified distance education courses which were received by students in the membership of the district in the then-current school fiscal year and which were not taught by a teacher employed by the school district and (ii) for each such course (A) the number of students in the membership of the district who received the course, (B) the educational entity employing the teacher, and (C) whether the course was a two-way interactive video distance education course; and

(b) For school districts and educational service units, specify (i) the qualified distance education courses which were received by students in the membership of another educational entity in the then-current school fiscal year and which were taught by a teacher employed by the school district or educational service unit, (ii) for each such course for school districts, the number of students in the membership of the district who received the course, and (iii) for each such course (A) the other educational entities in which students received the course and how many students received the course at such educational entities, (B) any school district that is sparse or very sparse as such terms are defined in section 79-1003 that had at least one student in the membership who received the course, and (C) whether the course was a two-way interactive video distance education course.

(3) On or before September 1 of each year through calendar year ~~2028~~ 2023, the department shall certify the incentives for each school district and educational service unit which shall be paid on or before October 1 of such year. The incentives for each district shall be calculated as follows:

(a) Each district shall receive distance education units for each qualified distance education course as follows:

(i) One distance education unit for each qualified distance education

course received as reported pursuant to subdivision (2)(a) of this section if the course was a two-way interactive video distance education course;

(ii) One distance education unit for each qualified distance education course sent as reported pursuant to subdivision (2)(b) of this section if the course was not received by at least one student who was in the membership of another school district which was sparse or very sparse;

(iii) One distance education unit for each qualified distance education course sent as reported pursuant to subdivision (2)(b) of this section if the course was received by at least one student who was in the membership of another school district which was sparse or very sparse, but the course was not a two-way interactive video distance education course; and

(iv) Two distance education units for each qualified distance education course sent as reported pursuant to subdivision (2)(b) of this section if the course was received by at least one student who was in the membership of another school district which was sparse or very sparse and the course was a two-way interactive video distance education course;

(b)(i) For fiscal years through fiscal year 2023-24, the (b) The difference of the amount available for distribution pursuant to subdivision (4)(c)(vi) (4)(f) of section 1 of this act 9-812 in the Nebraska Education Improvement Fund on the August 1 when the applications were due shall be divided by the number of distance education units to determine the incentive per distance education unit, except that the incentive per distance education unit shall not equal an amount greater than one thousand dollars; and

(ii) For fiscal years 2024-25 through 2028-29, the difference of the amount transferred pursuant to subdivision (2)(e) of section 1 of this act on the August 1 when the applications were due shall be divided by the number of distance education units to determine the incentive per distance education unit, except that the incentive per distance education unit shall not equal an amount greater than one thousand dollars; and

(c) The incentives for each school district shall equal the number of distance education units calculated for the school district multiplied by the incentive per distance education unit.

(4) If there are additional funds available for distribution after incentives calculated pursuant to subsections (1) through (3) of this section, school districts and educational service units may qualify for additional incentives for elementary distance education courses. Such incentives shall be calculated for sending and receiving school districts and educational service units as follows:

(a) The per-hour incentives shall equal the funds available for distribution after incentives calculated pursuant to subsections (1) through (3) of this section divided by the sum of the hours of elementary distance education courses sent or received for each school district and educational service unit submitting an application, except that the per-hour incentives shall not be greater than ten dollars; and

(b) The elementary distance education incentives for each school district and educational service unit shall equal the per-hour incentive multiplied by the hours of elementary distance education courses sent or received by the school district or educational service unit.

(5) The department may verify any or all application information using annual curriculum reports and may request such verification from the council.

(6) On or before October 1 of each year through calendar year ~~2028~~ 2023, a school district or educational service unit may appeal the denial of incentives for any course by the department to the State Board of Education. The board shall allow a representative of the school district or educational service unit an opportunity to present information concerning the appeal to the board at the November board meeting. If the board finds that the course meets the requirements of this section, the department shall pay the district from the Nebraska Education Improvement Fund as soon as practical in an amount for which the district or educational service unit should have qualified based on the incentive per distance education unit used in the original certification of incentives pursuant to this section.

(7) The State Board of Education shall adopt and promulgate rules and regulations to carry out this section.

Sec. 95. Section 79-2110, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2110 (1)(a) Each diversity plan shall provide for open enrollment in all school buildings in the learning community for school years prior to school year 2017-18, subject to specific limitations necessary to bring about diverse enrollments in each school building in the learning community. Such limitations, for school buildings other than focus schools and programs other than focus programs, shall include giving preference at each school building first to siblings of students who will be enrolled as continuing students in such school building or program for the first school year for which enrollment is sought in such school building and then to students that contribute to the socioeconomic diversity of enrollment at each building and may include establishing zone limitations in which students may access several schools other than their home attendance area school. Notwithstanding the limitations necessary to bring about diversity, open enrollment shall include providing access to students who do not contribute to the socioeconomic diversity of a school building, if, subsequent to the open enrollment selection process that is subject to limitations necessary to bring about diverse enrollments, capacity remains in a school building. In such a case, students who have applied to attend such school building shall be selected to attend such school

building on a random basis up to the remaining capacity of such building. A student who has otherwise been disqualified from the school building pursuant to the school district's code of conduct or related school discipline rules shall not be eligible for open enrollment pursuant to this section. Any student who attended a particular school building in the prior school year and who is seeking education in the grades offered in such school building shall be allowed to continue attending such school building as a continuing open enrollment student through school year 2016-17.

(b) To facilitate the open enrollment provisions of this subsection, each school year each member school district in a learning community shall establish a maximum capacity for each school building under such district's control pursuant to procedures and criteria established by the State Department of Education learning community coordinating council. Each member school district shall also establish attendance areas for each school building under the district's control, except that the school board shall not establish attendance areas for focus schools or focus programs. The attendance areas shall be established such that all of the territory of the school district is within an attendance area for each grade. Students residing in a school district shall be allowed to attend a school building in such school district.

(c) For purposes of this section and sections 79-238 and 79-611, student who contributes to the socioeconomic diversity of enrollment means (i) a student who does not qualify for free or reduced-price lunches when, based upon the certification pursuant to section 79-2120, the school building the student will attend either has more students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community or provides free meals to all students pursuant to the community eligibility provision or (ii) a student who qualifies for free or reduced-price lunches based on information collected from parents and guardians when, based upon the certification pursuant to section 79-2120, the school building the student will attend has fewer students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community and does not provide free meals to all students pursuant to the community eligibility provision.

(2)(a) On or before March 15 of each year prior to 2017, a parent or guardian of a student residing in a member school district in a learning community may submit an application to any school district in the learning community on behalf of a student who is applying to attend a school building for the following school year that is not in an attendance area where the applicant resides or a focus school, focus program, or magnet school as such terms are defined in section 79-769. On or before April 1 of each year beginning with the year immediately following the year in which the initial coordinating council for the learning community takes office, the school district shall accept or reject such applications based on the capacity of the school building, the eligibility of the applicant for the school building or program, the number of such applicants that will be accepted for a given school building, and whether or not the applicant contributes to the socioeconomic diversity of the school or program to which he or she has applied and for which he or she is eligible. The school district shall notify such parent or guardian in writing of the acceptance or rejection.

(b) A student may not apply to attend a school building in the learning community for any grades that are offered by another school building for which the student had previously applied and been accepted pursuant to this section, absent a hardship exception as established by the individual school district. On or before September 1 of each year prior to 2017, each school district shall provide to the learning community coordinating council a complete and accurate report of all applications received, including the number of students who applied at each grade level at each building, the number of students accepted at each grade level at each building, the number of such students that contributed to the socioeconomic diversity that applied and were accepted, the number of applicants denied and the rationales for denial, and other such information as requested by the learning community coordinating council.

(3) Each diversity plan may include establishment of one or more focus schools or focus programs and the involvement of every member school district in one or more pathways across member school districts. Enrollment in each focus school or focus program shall be designed to reflect the socioeconomic diversity of the learning community as a whole. School district selection of students for focus schools or focus programs shall be on a random basis from two pools of applicants, those who qualify for free and reduced-price lunches and those who do not qualify for free and reduced-price lunches. The percentage of students selected for focus schools from the pool of applicants who qualify for free and reduced-price lunches shall be as nearly equal as possible to the percentage of the student body of the learning community who qualify for free and reduced-price lunches. The percentage of students selected for focus schools from the pool of applicants who do not qualify for free and reduced-price lunches shall be as nearly equal as possible to the percentage of the student body of the learning community who do not qualify for free and reduced-price lunches. If more capacity exists in a focus school or program than the number of applicants for such focus school or program that contribute to the socioeconomic diversity of the focus school or program, the school district shall randomly select applicants up to the number of applicants that will be accepted for such building. A student who will complete the grades offered at a focus program, focus school, or magnet school that is part of a pathway shall be allowed to attend the focus program, focus school, or magnet school offering

the next grade level as part of the pathway as a continuing student. A student who completes the grades offered at a focus program, focus school, or magnet school shall be allowed to attend a school offering the next grade level in the school district responsible for the focus program, focus school, or magnet school as a continuing student. A student who attended a program or school in the school year immediately preceding the first school year for which the program or school will operate as a focus program or focus school approved by the learning community and meeting the requirements of section 79-769 and who has not completed the grades offered at the focus program or focus school shall be a continuing student in the program or school. For school year 2016-17, students attending a focus program or focus school outside of the school district shall be considered open enrollment students and, for school year 2017-18 and each school year thereafter, students attending a focus program or focus school shall be considered option enrollment students.

(4) On or before February 15 of each year, a parent or guardian of a student who is currently attending a school building or program, except a magnet school, focus school, or focus program, outside of the school district where the student resides and who will complete the grades offered at such school building prior to the following school year shall provide notice, on a form provided by the school district, to the school board of the school district containing such school building (a) for years prior to 2017, if such student will attend another school building within such district as a continuing student and which school building such student would prefer to attend or (b) for 2017 and each year thereafter, if such student will apply to enroll as an option student in another school building within such district and which school building such student would prefer to attend. On or before March 1, such school board shall provide a notice to such parent or guardian stating which school building or buildings the student shall be allowed to attend in such school district as a continuing student or an option student for the following school year. If the student resides within the school district, the notice shall include the school building offering the grade the student will be entering for the following school year in the attendance area where the student resides. This subsection shall not apply to focus schools or programs.

(5) Prior to the beginning of school year 2017-18, a parent or guardian of a student who moves to a new residence in the learning community after April 1 may apply directly to a school board within the learning community within ninety days after moving for the student to attend a school building outside of the attendance area where the student resides. Such school board shall accept or reject such application within fifteen days after receiving the application, based on the number of applications and qualifications pursuant to subsection (2) or (3) of this section for all other students.

(6) A parent or guardian of a student who wishes to change school buildings for emergency or hardship reasons may apply directly to a school board within the learning community at any time for the student to attend a school building outside of the attendance area where the student resides. Such application shall state the emergency or hardship and shall be kept confidential by the school board. Such school board shall accept or reject such application within fifteen days after receiving the application. Applications shall only be accepted if an emergency or hardship was presented which justifies an exemption from the procedures in subsection (4) of this section based on the judgment of such school board, and such acceptance shall not exceed the number of applications that will be accepted for the school year pursuant to subsection (2) or (3) of this section for such building.

(7) Each student attending a school building in the resident school district as an open enrollment student for any part of school year 2016-17 shall be allowed to continue attending such school building without submitting an additional application unless the student has completed the grades offered in such school building or has been expelled and is disqualified pursuant to section 79-266.01.

Sec. 96. Section 79-2304, Reissue Revised Statutes of Nebraska, is amended to read:

79-2304 (1) It is the intent of the Legislature to appropriate seven hundred fifty thousand dollars from the General Fund for fiscal years 2013-14 and 2014-15, and any amount determined by the Legislature for any fiscal year thereafter, to the State Department of Education. Such funds shall be used by the department to provide assistance to institutions that offer high school equivalency programs and for expanding services and programs to support the completion of the general educational development program. Each such institution shall offer to eligible individuals adult dropout recovery services, including recruitment and learning plan development, and provide proactive coaching and mentoring to such individuals, culminating in qualification for a high school diploma. For purposes of this section, eligible individuals include adults and out-of-school youths sixteen years of age or older who are not enrolled or required to be enrolled in secondary school under state law and who have not previously earned a high school diploma or diploma of high school equivalency. Assistance shall be provided based on participation in an institution's high school equivalency program as follows:

(a) Each such institution shall receive one assistance payment for each participant who enrolled in its high school equivalency program in the most recently completed fiscal year;

(b) Each such institution shall receive one assistance payment for each enrolled participant who took an initial examination for a diploma of high school equivalency in the most recently completed fiscal year; and

(c) Each such institution shall receive one assistance payment for each participant not enrolled in the institution's high school equivalency program who took the examination for a diploma of high school equivalency in the most recently completed fiscal year.

(2) An institution shall receive ~~no~~ additional assistance for any enrolled participant who failed his or her initial examination for a diploma of high school equivalency and requires additional training and testing.

Sec. 97. Section 79-2308, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2308 (1) The State Department of Education shall provide for grants to any entity offering a high school equivalency program, ~~which entity is not an institution.~~ Grants pursuant to this section shall be awarded to applicants which meet the requirements of section 79-2304.

(2) The High School Equivalency Grant Fund is created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

~~(3) It is the intent of the Legislature to transfer four hundred thousand dollars from the Job Training Cash Fund to the High School Equivalency Grant Fund to carry out the purposes of subsection (1) of this section.~~

Sec. 98. Section 79-2506, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2506 (1) The department shall establish an application process and timeline pursuant to which partner organizations may submit proposals for a grant under the Expanded Learning Opportunity Grant Program. Each proposal shall include:

(a) A grant planning period;

(b) An agreement to participate in periodic evaluations of the expanded learning opportunity program, to be specified by the department;

(c) Evidence that the proposed expanded learning opportunity program will be coordinated or contracted with existing programs;

(d) A plan to coordinate and use a combination of local, state, philanthropic, and federal funding sources, including, but not limited to, funding available through the federal No Child Left Behind Act of 2001, 20 U.S.C. 6301 et seq., as such act and sections existed on January 1, 2015, funds allocated pursuant to section 1 of this act 9-812, and funds from any other source designated or appropriated for purposes of the program. Funding provided by the Expanded Learning Opportunity Grant Program shall be matched on a one-to-one basis by community or partner contributions;

(e) A plan to use sliding-fee scales and the funding sources included in subdivision (d) of this subsection;

(f) An advisory body which includes families and community members;

(g) Appropriately qualified staff;

(h) An appropriate child-to-staff ratio;

(i) Compliance with minimum health and safety standards;

(j) A strong family development and support component, recognizing the central role of parents in their children's development; and

(k) Developmentally and culturally appropriate practices and assessments.

(2) The proposal shall demonstrate how the expanded learning opportunity program will provide participating students with academic enrichment and expanded learning opportunities that are high quality, based on proven methods, if appropriate, and designed to complement students' regular academic programs. Such activities shall include two or more of the following:

(a) Core education subjects of reading, writing, mathematics, and science;

(b) Academic enrichment learning programs, including provision of additional assistance to students to allow the students to improve their academic achievement;

(c) Science, technology, engineering, and mathematics (STEM) education;

(d) Sign language, foreign language, and social studies instruction;

(e) Remedial education activities;

(f) Tutoring services, including, but not limited to, tutoring services provided by senior citizen volunteers;

(g) Arts and music education;

(h) Entrepreneurial education programs;

(i) Telecommunications and technology education programs;

(j) Programs for English language learners that emphasize language skills and academic achievement;

(k) Mentoring programs;

(l) Recreational activities;

(m) Expanded library service hours;

(n) Programs that provide assistance to students who have been truant, suspended, or expelled to allow such students to improve their academic achievement;

(o) Drug abuse prevention and violence prevention programs;

(p) Character education programs;

(q) Health and nutritional services;

(r) Behavioral health counseling services; and

(s) Programs that promote parental involvement and family literacy.

(3) A proposal shall: (a) Demonstrate specifically how its activities are expected to improve student academic achievement; (b) demonstrate that its activities will be provided by organizations in partnership with the school that have experience or the promise of success in providing educational and related activities that will complement and enhance the academic performance,

achievement, and positive development of the students; and (c) demonstrate that the expanded learning opportunity program aligns with the school district learning objectives and behavioral codes. Nothing in this subsection shall be construed to require an expanded learning opportunity program to provide academic services in specific subject areas.

(4) The department shall make an effort to fund expanded learning opportunity programs in both rural and urban areas of the state. The department shall award grants to proposals that offer a broad array of services, programs, and activities.

Sec. 99. Section 79-2510, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2510 (1) The Expanded Learning Opportunity Grant Fund is created. The fund shall be administered by the department and shall consist of transfers pursuant to section 1 of this act 9-812, repayments of grant funds, and interest payments received in the course of administering the Expanded Learning Opportunity Grant Program Act. The fund shall be used to carry out the Expanded Learning Opportunity Grant Program Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) The State Board of Education, in consultation with the department, may adopt and promulgate rules and regulations to carry out the Expanded Learning Opportunity Grant Program Act.

Sec. 100. Section 79-3106, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-3106 (1) It is the intent of the Legislature that federal funds shall be used to implement the School Safety and Security Reporting System Act for fiscal years 2021-22, 2022-23, and 2023-24. The Commissioner of Education shall electronically report data, a cost-benefit analysis, and a funding recommendation regarding the continued viability of the Safe2HelpNE report line to the Appropriations Committee of the Legislature and the Education Committee of the Legislature on or before January 5, 2024.

(2) It is the intent of the Legislature to appropriate eight hundred seventy thousand dollars from the General Fund for fiscal year 2024-25 and each fiscal year thereafter to the State Department of Education to carry out the School Safety and Security Reporting System Act.

Sec. 101. Section 79-3304, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-3304 Beginning with school year 2025-26 2024-25, each school district, in consultation with the State Department of Education, shall include computer science and technology education aligned to the academic content standards adopted pursuant to section 79-760.02 in the instructional program of its elementary, and middle, and high schools. Beginning, as appropriate, and beginning in school year 2027-28 2026-27, each school district shall require each student attending a public school to complete at least five high one five-credit high school credit hours course or the equivalent of a one semester high school course in computer science and technology education prior to graduation. Such requirement may be completed through a single course or combination of high school courses that cover the computer science and technology academic content standards, and such courses~~ Such computer science and technology education course offered by a school district may be made available in a traditional classroom setting, a blended-learning environment, or an online-based or other technology-based format that is tailored to meet the need of each participating student.

Sec. 102. Section 79-3305, Revised Statutes Cumulative Supplement, 2022, is amended to read:

~~79-3305 On or before December 1, 2026 2025, and on or before December 1 of each year thereafter, in order to promote and support computer science and technology education, each school district shall provide an annual computer science and technology education status report to its school board and the State Department of Education, including, but not limited to, student progress on the in computer science and technology courses and other district-determined measures of computer science and technology education progress from the previous school year.~~

Sec. 103. Section 81-145, Reissue Revised Statutes of Nebraska, is amended to read:

81-145 As used in sections 81-145 to 81-162, unless the context otherwise requires:

(1) Materiel division means shall mean the head of the division of the state government charged with the administration of sections 81-145 to 81-162 and 81-1118 to 81-1118.06, which division shall be a part of and subject to the supervision of the office of the Director of Administrative Services;

(2) Personal property includes shall include all materials, supplies, furniture, equipment, printing, stationery, automotive and road equipment, and other chattels, goods, wares, and merchandise whatsoever;

(3) Using agencies means and includes shall mean and include all officers of the state, departments, bureaus, boards, commissions, councils, and institutions receiving legislative appropriations, except that using agencies does not include the University of Nebraska and the Nebraska state colleges; and

(4) Lease or contract means shall mean an agreement entered into by the state or using agency with another party whereby, for a stated consideration, the state or using agency is to receive the personal property or use thereof furnished by the other party.

Sec. 104. Section 81-161.04, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-161.04 (1) Whenever any using agency has any personal property for which it no longer has any need or use, it shall notify the materiel division in writing setting forth a description of the property and the approximate length of time that the property has been in the possession of the using agency. The materiel division shall appraise the property and notify all other using agencies of the state that the materiel division has the property for sale and that the property can be bought at the appraised price. No property will be sold until first offered to using agencies as provided by this section unless the property is unusable. If the materiel division fails to receive an offer from any using agency, it may sell or dispose of the property by any method which is most advantageous to the State of Nebraska, including auction, sealed bid, private or public sale, or trade-in for other property, with priorities given to the other political subdivisions. All sales shall be made in the name of the State of Nebraska. The materiel division shall charge an administrative fee for the disposition of surplus property. Such administrative fee shall be a percentage of the amount of the sale of the surplus property. In the event surplus property is determined to have no market value, the materiel administrator may waive the administrative fee.

(2) Except as otherwise provided in this subsection, the proceeds of ~~the~~ sales shall be deposited with the State Treasurer and credited to the General Fund unless the using agency certifies to the materiel division that the property was purchased in part or in total from either cash accounts or federal funds or from a percentage of such accounts or funds, in which case the proceeds of the sale to that extent shall be credited to the cash or federal account in the percentage used in originally purchasing the property. The cost of selling surplus property shall be deducted from the proceeds of the surplus property sold. The proceeds received from the sale of passenger-carrying motor vehicles originally purchased with money from the General Fund, other than passenger-carrying motor vehicles used by the Nebraska State Patrol, less selling costs, shall be deposited in the state treasury and credited by the State Treasurer to the Transportation Services Bureau Revolving Fund. The proceeds received from the sale of passenger-carrying motor vehicles used by the Nebraska State Patrol, less selling costs, shall be deposited in the state treasury and credited by the State Treasurer to the Nebraska State Patrol Vehicle Replacement Cash Fund. The proceeds received from the sale of micrographic equipment, ~~other than that of the University of Nebraska and state colleges,~~ less selling costs, shall be deposited in the state treasury and credited by the State Treasurer to the Records Management Micrographics Services Revolving Fund. The proceeds received from the sale of aircraft, less selling costs, shall be deposited in the state treasury and credited by the State Treasurer to the Aeronautics Cash Fund.

Sec. 105. Section 81-1118, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-1118 The materiel division of the Department of Administrative Services is hereby established and shall be managed by the materiel administrator.

There are hereby established the following seven branches of the materiel division of the Department of Administrative Services which shall have the following duties, powers, and responsibilities:

(1) The office supplies bureau shall be responsible for providing office supplies, paper, and forms to using agencies;

(2) Central mail shall be responsible for all mailing operations, transportation of material, tracking shipments, and making freight claims;

(3) The print shop shall be responsible for specifications and for receiving bids and placing orders to the lowest and best commercial bidder for all printing and reproduction operations for the state. The print shop shall also be responsible for coordinating all existing printing and reproduction operations of the state;

(4) Copy services shall be responsible for the purchasing and placement of all copier requirements;

(5) The state purchasing bureau shall be responsible for all purchases by all state agencies other than the University of Nebraska and the Nebraska state colleges. The materiel division shall administer the public notice and bidding procedures and any other areas designated by the Director of Administrative Services to carry out the lease or purchase of personal property. All purchases of and contracts for materials, supplies, or equipment and all leases of personal property shall be made in the following manner except in emergencies approved by the Governor:

(a) By a competitive formal sealed bidding process through the materiel division in all cases in which the purchases are of estimated value exceeding fifty thousand dollars;

(b) By a competitive informal bidding process through the materiel division in all cases in which the purchases are of estimated value equal to or exceeding twenty-five thousand dollars but equal to or less than fifty thousand dollars;

(c) By unrestricted open market purchases through the materiel division in all cases in which purchases are of estimated value of less than twenty-five thousand dollars;

(d) All requisitions for whatever purpose coming to the state purchasing bureau shall be in conformance with the approved budget of the requisitioning department or agency;

(e) All contracts for purchases and leases shall be bid as a single whole

item. In no case shall contracts be divided or fractionated in order to produce several contracts which are of an estimated value below that required for competitive bidding; and

(f) No contract for purchase or lease shall be amended to extend the duration of the contract for a period of more than fifty percent of the initial contract term. Following the adoption of any amendment to extend the contract for a period of fifty percent or less of the initial contract term, no further extensions of the original contract shall be permitted. This subdivision (f) does not prohibit the exercise of any renewal option expressly provided in the original contract;

(6) The state recycling office shall be responsible for the administration and operation of the State Government Recycling Management Act; and

(7) State surplus property shall be responsible for the disposition of the state's surplus property and the maintenance of all inventory records.

Nothing in this section shall be construed to require that works of art must be procured through the materiel division.

Sec. 106. Section 81-1118.02, Reissue Revised Statutes of Nebraska, is amended to read:

81-1118.02 (1) Except as otherwise provided in subsection (4) of this section, each ~~Each~~ executive, department, commission, or other state agency, ~~and including the Supreme Court, the Board of Regents of the University of Nebraska, and the Board of Trustees of the Nebraska State Colleges,~~ shall annually make or cause to be made an inventory of all property, including furniture and equipment, belonging to the State of Nebraska and in the possession, custody, or control of any executive, department, commission, or other state agency. The inventory shall include property in the possession, custody, or control of each executive, department, commission, or other state agency as of June 30 and shall be completed and filed with the materiel administrator by August 31 of each year.

(2) If any of the property of the state, referred to in subsection (1) of this section, is lost, destroyed, or unaccounted for by the negligence or carelessness of the executive, department, commission, or other state agency, the administrator shall, with the advice of the Attorney General, take the proper steps to recover such state property or the reasonable value thereof from the executive, department, commission, or other state agency charged with the same and from the person bonding such executive, department, commission, or other state agency, if any.

(3) Each such executive, department, commission, or other state agency shall indelibly tag, mark, or stamp all such property belonging to the State of Nebraska, with the following: Property of the State of Nebraska. In the inventory required by subsection (1) of this section, each such executive, department, commission, or other state agency shall state positively that each item of such property has been so tagged, marked, or stamped.

(4) This section does not apply to the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges.

Sec. 107. Section 84-304, Revised Statutes Cumulative Supplement, 2022, is amended to read:

84-304 It shall be the duty of the Auditor of Public Accounts:

(1) To give information electronically to the Legislature, whenever required, upon any subject relating to the fiscal affairs of the state or with regard to any duty of his or her office;

(2) To furnish offices for himself or herself and all fuel, lights, books, blanks, forms, paper, and stationery required for the proper discharge of the duties of his or her office;

(3)(a) To examine or cause to be examined, at such time as he or she shall determine, books, accounts, vouchers, records, and expenditures of all state officers, state bureaus, state boards, state commissioners, the state library, societies and associations supported by the state, state institutions, state colleges, and the University of Nebraska, except when required to be performed by other officers or persons. Such examinations shall be done in accordance with generally accepted government auditing standards for financial audits and attestation engagements set forth in Government Auditing Standards (2011 Revision for audit periods ending before June 30, 2020, or 2018 Revision for audit periods ending on or after June 30, 2020), published by the Comptroller General of the United States, Government Accountability Office, and except as provided in subdivision (11) of this section, subdivision (16) of section 50-1205, and section 84-322, shall not include performance audits, whether conducted pursuant to attestation engagements or performance audit standards as set forth in Government Auditing Standards (2018 Revision), published by the Comptroller General of the United States, Government Accountability Office.

(b) Any entity, excluding the state colleges and the University of Nebraska, that is audited or examined pursuant to subdivision (3)(a) of this section and that is the subject of a comment and recommendation in a management letter or report issued by the Auditor of Public Accounts shall, on or before six months after the issuance of such letter or report, provide to the Auditor of Public Accounts a detailed written description of any corrective action taken or to be taken in response to the comment and recommendation. The Auditor of Public Accounts may investigate and evaluate the corrective action. The Auditor of Public Accounts shall then electronically submit a report of any findings of such investigation and evaluation to the Governor, the appropriate standing committee of the Legislature, and the Appropriations Committee of the Legislature. The Auditor of Public Accounts shall also ensure that the report is delivered to the Appropriations Committee for entry into the record during

the committee's budget hearing process;

(4)(a) To examine or cause to be examined, at the expense of the political subdivision, when the Auditor of Public Accounts determines such examination necessary or when requested by the political subdivision, the books, accounts, vouchers, records, and expenditures of any agricultural association formed under Chapter 2, article 20, any county agricultural society, any joint airport authority formed under the Joint Airport Authorities Act, any city or county airport authority, any bridge commission created pursuant to section 39-868, any cemetery district, any community redevelopment authority or limited community redevelopment authority established under the Community Development Law, any development district, any drainage district, any health district, any local public health department as defined in section 71-1626, any historical society, any hospital authority or district, any county hospital, any housing agency as defined in section 71-1575, any irrigation district, any county or municipal library, any community mental health center, any railroad transportation safety district, any rural water district, any township, Wyuka Cemetery, the Educational Service Unit Coordinating Council, any entity created pursuant to the Interlocal Cooperation Act, any educational service unit, any village, any service contractor or subrecipient of state or federal funds, any political subdivision with the authority to levy a property tax or a toll, or any entity created pursuant to the Joint Public Agency Act.

For purposes of this subdivision, service contractor or subrecipient means any nonprofit entity that expends state or federal funds to carry out a state or federal program or function, but it does not include an individual who is a direct beneficiary of such a program or function or a licensed health care provider or facility receiving direct payment for medical services provided for a specific individual.

(b) The Auditor of Public Accounts may waive the audit requirement of subdivision (4)(a) of this section upon the submission by the political subdivision of a written request in a form prescribed by the auditor. The auditor shall notify the political subdivision in writing of the approval or denial of the request for a waiver.

(c) Through December 31, 2017, the Auditor of Public Accounts may conduct audits under this subdivision for purposes of sections 2-3228, 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, 16-1017, 16-1037, 19-3501, 23-1118, 23-3526, 71-1631.02, and 79-987.

(d) Beginning on May 24, 2017, the Auditor of Public Accounts may conduct audits under this subdivision for purposes of sections 13-2402, 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814, 71-1631.02, and 79-987 and shall prescribe the form for the annual reports required in each of such sections. Such annual reports shall be published annually on the website of the Auditor of Public Accounts;

(5) To report promptly to the Governor and the appropriate standing committee of the Legislature the fiscal condition shown by such examinations conducted by the auditor, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts. The report submitted to the committee shall be submitted electronically. In addition, if, in the normal course of conducting an audit in accordance with subdivision (3) of this section, the auditor discovers any potential problems related to the effectiveness, efficiency, or performance of state programs, he or she shall immediately report them electronically to the Legislative Performance Audit Committee which may investigate the issue further, report it electronically to the appropriate standing committee of the Legislature, or both;

(6)(a) To examine or cause to be examined the books, accounts, vouchers, records, and expenditures of a fire protection district. The expense of the examination shall be paid by the political subdivision.

(b) Whenever the expenditures of a fire protection district are one hundred fifty thousand dollars or less per fiscal year, the fire protection district shall be audited no more than once every five years except as directed by the board of directors of the fire protection district or unless the auditor receives a verifiable report from a third party indicating any irregularities or misconduct of officers or employees of the fire protection district, any misappropriation or misuse of public funds or property, or any improper system or method of bookkeeping or condition of accounts of the fire protection district. In the absence of such a report, the auditor may waive the five-year audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver of the five-year audit requirement. Upon approval of the request for waiver of the five-year audit requirement, a new five-year audit period shall begin.

(c) Whenever the expenditures of a fire protection district exceed one hundred fifty thousand dollars in a fiscal year, the auditor may waive the audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver. Upon approval of the request for waiver, a new five-year audit period shall begin for the fire protection district if its expenditures are one hundred fifty thousand dollars or less per fiscal year in subsequent years;

(7) To appoint two or more assistant deputies (a) whose entire time shall

be devoted to the service of the state as directed by the auditor, (b) who shall be certified public accountants with at least five years' experience, (c) who shall be selected without regard to party affiliation or to place of residence at the time of appointment, (d) who shall promptly report to the auditor the fiscal condition shown by each examination, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts, and it shall be the duty of the auditor to file promptly with the Governor a duplicate of such report, and (e) who shall qualify by taking an oath which shall be filed in the office of the Secretary of State;

(8) To conduct audits and related activities for state agencies, political subdivisions of this state, or grantees of federal funds disbursed by a receiving agency on a contractual or other basis for reimbursement to assure proper accounting by all such agencies, political subdivisions, and grantees for funds appropriated by the Legislature and federal funds disbursed by any receiving agency. The auditor may contract with any political subdivision to perform the audit of such political subdivision required by or provided for in section 23-1608 or 79-1229 or this section and charge the political subdivision for conducting the audit. The fees charged by the auditor for conducting audits on a contractual basis shall be in an amount sufficient to pay the cost of the audit. The fees remitted to the auditor for such audits and services shall be deposited in the Auditor of Public Accounts Cash Fund;

(9)(a) To examine or cause to be examined the books, accounts, vouchers, and records related to any money transferred pursuant to subsection (2) or (4) of section 1 of this act 9-812, any fund receiving any such transfer, or any subsequent transfer or expenditure of such money when the Auditor of Public Accounts determines such examination necessary or when requested by (i) any department or agency receiving any such transfer or acting as the administrator for a fund receiving any such transfer, (ii) any recipient or subsequent recipient of money disbursed from any such fund, or (iii) any service contractor responsible for managing, on behalf of any entity, any portion of any such fund or any money disbursed from any such fund.

(b) Any examination pursuant to subdivision (9)(a) of this section shall be made at the expense of the department or agency, recipient or subsequent recipient, or service contractor whose books, accounts, vouchers, or records are being examined.

(c) For purposes of this subdivision, recipient, subsequent recipient, or service contractor means a nonprofit entity that expends funds transferred pursuant to subsection (2) or (4) of section 1 of this act 9-812 to carry out a state program or function, but does not include an individual who is a direct beneficiary of such a program or function.

(d) The Auditor of Public Accounts shall prescribe the form for the annual reports required in subsection (6) ~~(5)~~ of section 1 of this act 9-812. Such annual reports shall be published on the website of the Auditor of Public Accounts;

(10) To develop and maintain an annual budget and actual financial information reporting system for political subdivisions that is accessible online by the public;

(11) When authorized, to conduct joint audits with the Legislative Performance Audit Committee as described in section 50-1205;

(12) Unless otherwise specifically provided, to assess the interest rate on delinquent payments of any fees for audits and services owing to the Auditor of Public Accounts at a rate of fourteen percent per annum from the date of billing unless paid within thirty days after the date of billing. For an entity created pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act, any participating public agencies shall be jointly and severally liable for the fees and interest owed if such entity is defunct or unable to pay; and

(13) In consultation with statewide associations representing (a) counties and (b) cities and villages, to approve annual continuing education programs for county treasurers, city treasurers, and village treasurers as required by sections 14-553, 15-317, 16-318, 17-606, and 23-1601. The cost of attending such programs shall be at the expense of the county, city, or village. The auditor shall maintain records of program attendance and notify each county board, city council, or village board of trustees if its treasurer has not completed such program attendance. The auditor shall inform the Attorney General and the county attorney of the county in which a treasurer is located if such treasurer has not completed a required annual continuing education program.

Sec. 108. Section 84-612, Revised Statutes Cumulative Supplement, 2022, is amended to read:

84-612 (1) There is hereby created within the state treasury a fund known as the Cash Reserve Fund which shall be under the direction of the State Treasurer. The fund shall only be used pursuant to this section.

(2) The State Treasurer shall transfer funds from the Cash Reserve Fund to the General Fund upon certification by the Director of Administrative Services that the current cash balance in the General Fund is inadequate to meet current obligations. Such certification shall include the dollar amount to be transferred. Any transfers made pursuant to this subsection shall be reversed upon notification by the Director of Administrative Services that sufficient funds are available.

(3) In addition to receiving transfers from other funds, the Cash Reserve Fund shall receive federal funds received by the State of Nebraska for

undesignated general government purposes, federal revenue sharing, or general fiscal relief of the state.

(4) The State Treasurer shall transfer fifty-four million seven hundred thousand dollars on or after July 1, 2019, but before June 15, 2021, from the Cash Reserve Fund to the Nebraska Capital Construction Fund on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(5) The State Treasurer shall transfer two hundred fifteen million five hundred eighty thousand dollars from the Cash Reserve Fund to the Nebraska Capital Construction Fund on or after July 1, 2022, but before June 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(6) The State Treasurer shall transfer fifty-three million five hundred thousand dollars from the Cash Reserve Fund to the Perkins County Canal Project Fund on or before June 30, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(7) No funds shall be transferred from the Cash Reserve Fund to fulfill the obligations created under the Nebraska Property Tax Incentive Act unless the balance in the Cash Reserve Fund after such transfer will be at least equal to five hundred million dollars.

(8) The State Treasurer shall transfer thirty million dollars from the Cash Reserve Fund to the Military Base Development and Support Fund on or before June 30, 2023, but not before July 1, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(9) The State Treasurer shall transfer eight million three hundred thousand dollars from the Cash Reserve Fund to the Trail Development and Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(10) The State Treasurer shall transfer fifty million dollars from the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(11) The State Treasurer shall transfer thirty million dollars from the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(12) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July 1, 2022, but before June 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(13) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Middle Income Workforce Housing Investment Fund on July 15, 2022, or as soon thereafter as administratively possible, and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(14) The State Treasurer shall transfer eighty million dollars from the Cash Reserve Fund to the Jobs and Economic Development Initiative Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(15) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Site and Building Development Fund on July 15, 2022, or as soon thereafter as administratively possible, and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(16) The State Treasurer shall transfer fifty million dollars from the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund on or after July 15, 2022, but before January 1, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(17) The State Treasurer shall transfer fifteen million dollars from the Cash Reserve Fund to the Site and Building Development Fund on or before June 30, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(18) The State Treasurer shall transfer fifty-five million dollars from the Cash Reserve Fund to the Economic Recovery Contingency Fund on or before June 30, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(19) The State Treasurer shall transfer ten million dollars from the Cash Reserve Fund to the School Safety and Security Fund as soon as administratively possible after the operative date of this section, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 109. Section 85-102, Reissue Revised Statutes of Nebraska, is amended to read:

85-102 The object of the University of Nebraska ~~such institution~~ shall be to afford to the inhabitants of this state the means of acquiring a thorough knowledge of the various branches of literature, science and arts.

Sec. 110. Section 85-328, Reissue Revised Statutes of Nebraska, is amended to read:

85-328 The State College Capitol Improvement Facility Fee Fund is created. Revenue credited to the fund shall include amounts generated through assessment of a capital improvement facilities fee under the authority of the Board of Trustees of the Nebraska State Colleges. Amounts accumulated in the fund are authorized to be expended for the purpose of paying the cost of capital improvement projects approved by the board of trustees for any facilities on campuses or lands owned or controlled by the board, except that no such amounts shall be expended for capital improvement projects relating to facilities from which revenue is derived and pledged for the retirement of revenue bonds issued under ~~the provisions of~~ sections 85-403 to 85-411. All money accruing to the fund is appropriated to the board of trustees and shall be used for capital improvement projects authorized by the board. No expenditure may be made from the fund without prior approval by a resolution of the board of trustees. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. All revenue, fund balances, and expenditures shall be recorded in the Nebraska State Accounting System.

Sec. 111. Section 85-502.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-502.01 (1) A person who enrolls in a public college or university in this state and who is (a) a veteran as defined in Title 38 of the United States Code and was discharged or released from a period of not fewer than ninety days of service in the active military, naval, ~~or~~ air, or space service, (b) a spouse or dependent of such a veteran, or (c) an eligible recipient entitled to (i) educational assistance as provided in 38 U.S.C. 3319 while the transferor is on active duty in the uniformed services, (ii) educational assistance ~~or as provided in 38 U.S.C. 3311(b)(8), (iii) 3311(b)(9), as such sections existed on January 1, 2019, or (d) entitled to rehabilitation as provided in pursuant to 38 U.S.C. 3102(a), or (iv) educational assistance as provided in 38 U.S.C. 3510, as such sections section existed on January 1, 2023~~ 2019, shall be considered a resident student notwithstanding ~~the provisions of~~ section 85-502 if the person is registered to vote in Nebraska and demonstrates objective evidence of intent to be a resident of Nebraska, except that a person who is under eighteen years of age is not required to register to vote in Nebraska.

(2) For purposes of this section, objective evidence of intent to be a resident of Nebraska includes a Nebraska driver's license, a Nebraska state identification card, a Nebraska motor vehicle registration, or documentation that the individual is registered to vote in Nebraska.

Sec. 112. Section 85-601, Reissue Revised Statutes of Nebraska, is amended to read:

85-601 It shall be grounds for the dismissal of any member of the faculty or administrative staff employed by, or the expulsion of any student attending, the University of Nebraska or any community college ~~any public institution of higher education~~ in this state to use or assist others in any way in the use of force or to counsel, recommend, or urge the use of force or the threat of force or the seizure of property under the control of such institution, or by any act or action not sanctioned by law to prevent the faculty, administrative officers, employees, or students in such institution from engaging in their normal duties in connection with the operation of the institution or pursuing their studies at such institution.

Sec. 113. Section 85-602, Reissue Revised Statutes of Nebraska, is amended to read:

85-602 No person shall be dismissed or expelled under ~~the provisions of~~ section 85-601 until such person ~~he~~ has been accorded a public hearing under rules and regulations for the administration of sections 85-601 to 85-605 established by the governing body ~~of the institution~~. Notice of such hearing and a formal written statement of the charges against such person ~~him~~ shall be served by either registered or certified mail, sent to such person's ~~his~~ current address as shown on the records of the University of Nebraska or community college institution, at least twenty days before the date set for hearing. Such person ~~He~~ shall be entitled to file a written response to such charges, to be present in person and by counsel at the hearing, and to testify and produce other witnesses on his or her behalf.

Sec. 114. Section 85-603, Reissue Revised Statutes of Nebraska, is amended to read:

85-603 Dismissal or expulsion of any person under ~~the provisions of~~ section 85-601 shall be by written order, which shall contain findings of fact upon which dismissal or expulsion is based, and shall be signed by an authorized agent of the governing body. The order shall be entered within thirty days after the hearing, shall state its effective date, and shall be served by either registered or certified mail, return receipt requested, sent to such person's ~~his~~ current address as shown on the records of the University of Nebraska or community college institution.

Sec. 115. Section 85-604, Reissue Revised Statutes of Nebraska, is amended to read:

85-604 Each ~~The~~ governing body of ~~each public institution of higher education in this state~~ shall adopt rules and regulations for the administration of ~~the provisions of~~ sections 85-601 to 85-605.

Sec. 116. Section 85-605, Reissue Revised Statutes of Nebraska, is amended to read:

85-605 For purposes of sections 85-601 to 85-605, (1) dismissal ~~does shall~~ not include the failure to renew a probationary appointment of any faculty member or administrative staff member and (2) governing body means the Board of Regents of the University of Nebraska or the Community College Board of Governors, as applicable ~~public institution of higher education shall include the University of Nebraska, the state colleges, and the community colleges.~~

Sec. 117. Section 85-1412, Revised Statutes Cumulative Supplement, 2022, 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) ~~(d)~~ the Nebraska Opportunity Grant Act and the Nebraska Opportunity Grant Fund, (f) ~~(e)~~ the Postsecondary Institution Act, (g) ~~and (f)~~ 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) 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;

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

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

Sec. 118. Section 85-1906, Reissue Revised Statutes of Nebraska, is amended to read:

85-1906 (1) Eligible postsecondary educational institution means a public or private postsecondary educational institution:

- (a) ~~(1)~~ Located in Nebraska;
- (b) ~~(2)~~ Primarily engaged in the instruction of students;
- (c) ~~(3)~~ Satisfying the provisions of Nebraska law 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) (4) Offering courses of instruction in regularly scheduled classes to regularly enrolled undergraduate students who reside in Nebraska and have received high school diplomas or their equivalent; and

(e) (5) Which has adopted, and has available for inspection, award refund and repayment policies.

(2) For a postsecondary educational institution not eligible prior to the operative date of this section, for purposes of this section, located in Nebraska means such eligible postsecondary educational institution:

(a) Has established a physical location in this state where students may receive instruction; and

(b) Maintains an administrative office in this state for the purposes of enrolling students, providing information to students about the institution, and providing student support services.

Sec. 119. Section 85-1907, Reissue Revised Statutes of Nebraska, is amended to read:

85-1907 Eligible student means an undergraduate student who:

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

(2)(a) For award years through award year 2023-24, has (2) Has applied for federal financial aid through the Free Application for Federal Student Aid for the applicable award year and has an expected family contribution which is equal to or less than one hundred ten percent of the maximum expected family contribution to qualify for a Federal Pell Grant in that award year; and

(b) For award year 2024-25 and each award year thereafter, has applied for federal financial aid through the Free Application for Federal Student Aid for the applicable award year and has a student aid index which is equal to or less than one hundred ten percent of the maximum student aid index to qualify for a Federal Pell Grant in that award year;

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

(4) Complies with all other provisions of the Nebraska Opportunity Grant Act and its rules and regulations.

Sec. 120. Section 85-1920, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-1920 The Nebraska Opportunity Grant Fund is created. Money in the fund shall include amounts transferred pursuant to section 1 of this act from the State Lottery Operation Trust Fund pursuant to section 9-812 until June 30, 2016, or, until June 30, 2024, the Nebraska Education Improvement Fund pursuant to section 9-812 until June 30, 2024. All amounts accruing to the Nebraska Opportunity Grant Fund shall be used to carry out the Nebraska Opportunity Grant Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 121. Section 85-2009, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-2009 (1) The Community College Gap Assistance Program Fund is created. The fund shall be under the direction of the committee and shall be administered by the Coordinating Commission for Postsecondary Education. The fund shall consist of money received pursuant to section 1 of this act 9-812, any other money received by the state in the form of grants or gifts from nonfederal sources, such other amounts as may be transferred or otherwise accrue to the fund, and any investment income earned on the fund. The fund shall be used to carry out the community college gap assistance program pursuant to the Community College Gap Assistance Program Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) In addition to community college gap assistance awarded to students, money in the fund may also be used by the committee:

(a) To establish application and funding procedures; and

(b) To assist other eligible institutions as specified in contracts entered into pursuant to subsection (4) of section 85-2010 in defraying the costs of direct staff support services, including, but not limited to, marketing, outreach, applications, interviews, and assessments related to the community college gap assistance program.

(3) Each community college may use up to ten percent of any money received from the fund to defray the costs of direct staff support services, including, but not limited to, marketing, outreach, applications, interviews, and assessments.

Sec. 122. (1) On or before October 1, 2023, the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, and the State Court Administrator shall enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court. The purpose for the sharing of data is to provide systems-wide coordination to improve educational opportunities and outcomes and to facilitate service coordination for such students. The memorandum shall include the intent for the State Department of Education to contract with an outside consultant with expertise in the education of court-involved students to assist in the development of such policies and procedures.

(2) The consultant shall provide recommendations addressing issues that include, but need not be limited to, the following:

(a) Identifying and defining the population of students whose data should

be collected and shared;

(b) Defining the specific types of data to be collected and shared;

(c) Identifying shared data systems;

(d) Identifying the entities and persons for which the data should be accessible;

(e) Identifying both federal and state legal responsibilities and confidentiality parameters; and

(f) Developing a uniform approach for the transfer of educational credits.

(3) The development of such policies and procedures for the sharing of data shall be collaborative and shall include input from the appropriate entities including, but not limited to, the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, the State Court Administrator, the juvenile court system, the superintendent of schools for the youth and rehabilitation centers, public school districts, educators, and court-involved students and their parents. The consultant shall provide a draft report containing the recommendations described in subsection (2) of this section to the appropriate agency representatives and to the Commissioner of Education, the chief executive officer of the Department of Health and Human Services, and the Chief Justice of the Supreme Court on or before September 1, 2024.

(4) The State Department of Education shall complete a final report detailing the recommendations of the consultant and any policies and procedures that are being considered for adoption by the State Department of Education, the Department of Health and Human Services, the Office of Probation Administration, and the State Court Administrator. The report shall be delivered electronically to the Chief Justice of the Supreme Court, the Governor, and the Clerk of the Legislature on or before December 1, 2024.

Sec. 123. (1) Except as provided in subsection (2) of this section, no publicly funded college or university in this state shall, as part of the student application and admission process for disciplines not requiring licensure or clinical or field placements, inquire about or consider any applicant's criminal history or juvenile court record information.

(2)(a) Subsection (1) of this section does not prohibit an inquiry regarding an applicant's criminal history or juvenile court record information or consideration of such matters to the extent required by state or federal law or when such matters are voluntarily submitted by an applicant.

(b) Any inquiry regarding an applicant's criminal history or juvenile court record information and any consideration of such matters shall be strictly limited to the extent permitted by this subsection.

(3) This section does not apply to inquiries or consideration of criminal history or juvenile court record information (a) occurring subsequent to the student application and admission process as part of a professional licensure process or an academically required clinical or field placement, (b) in any application or other process relating to student housing, or (c) in any application or other process relating to any athletic program.

(4) For purposes of this section, criminal history or juvenile court record information means all records relating to an applicant's criminal history record or juvenile court record, including, but not limited to, any information or other data concerning any proceedings relating to a case, any arrest, being taken into custody, a petition, a complaint, an indictment, an information, a trial, a hearing, an adjudication, any correctional supervision, a dismissal, or any other disposition or sentence.

Sec. 124. (1) The Commissioner of Education shall create and administer a competitive grant program to provide funding to school districts and to educational service units on behalf of approved or accredited nonpublic schools for security-related infrastructure projects. Such qualifying projects may include, but are not limited to, surveillance equipment, door-locking systems, and double-entry doors for school buildings. Subject to available appropriations, the State Department of Education shall provide a grant to any school district or educational service unit that applies for such grant for use in funding qualifying projects.

(2)(a) A school district may apply to the State Department of Education for a grant on forms and in a manner prescribed by the Commissioner of Education. A school district receiving a grant under this section shall divide the use of grant funds as evenly as possible among all eligible school buildings within such district.

(b) An educational service unit may apply to the State Department of Education for a grant on forms and in a manner prescribed by the Commissioner of Education for use in funding qualifying projects at approved or accredited nonpublic schools which contract with such educational service unit on such qualifying projects. An approved or accredited nonpublic school may apply to and contract with the appropriate educational service unit in the school's area in a manner prescribed by the educational service unit for purposes of funding qualifying projects pursuant to this section.

(3)(a) On or before December 1 of each year that grants were issued pursuant to this section, the State Department of Education shall provide a report electronically to the Clerk of the Legislature relating to such grants, which shall include, but need not be limited to:

(i) The number of schools that received grant funding, including whether a school was public or nonpublic, the grades of students served by such school, the number of students that attend such school, and the geographic location of such school;

(ii) How the grant funds were used;

(iii) The average amount of grant funds received by schools broken down by school student population size;

(iv) The number of schools that were denied grant funding and why; and

(v) Any other information the State Department of Education deems necessary.

(b) The report provided pursuant to subdivision (a) of this subsection shall not identify any particular school.

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

(5) It is the intent of the Legislature to appropriate ten million dollars from the School Safety and Security Fund to the State Department of Education to administer the grant program pursuant to this section.

Sec. 125. The School Safety and Security Fund is created. The fund shall be administered by the State Department of Education and shall consist of any money transferred by the Legislature and any gifts, grants, or bequests. The department shall use money in the fund for grants for security-related infrastructure projects pursuant to section 124 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 126. (1) For purposes of this section:

(a) School has the same meaning as in section 79-101;

(b) School district has the same meaning as in section 79-101; and

(c) Youth organization means a corporation chartered by Congress and listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023.

(2)(a) Each school district shall, upon request, allow a representative of any youth organization to provide (i) oral or written information to the students of such school district regarding the youth organization and how such youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship and (ii) services and activities to any student of such school district who is a member of such youth organization.

(b) Each requesting youth organization shall be permitted to provide such information, services, and activities in a school building or on the school grounds of a school in each school district at least once during each school year.

(3) Each school district shall make a good faith effort to select a date, time, and location for each requesting youth organization to provide such information, services, or activities that is mutually agreeable to the school district and to the youth organization. Oral information provided under subdivision (2)(a)(i) of this section may only be provided during noninstructional time.

(4) Prior to allowing a representative of a youth organization to provide information, services, or activities at a school pursuant to this section, such representative shall be subject to a background check. Except as otherwise provided by this section or by the rules and regulations of the Nebraska State Patrol, the parameters of the background check shall be determined by the relevant school district. A school district may prohibit any representative of a youth organization that has been convicted of a felony from providing information, services, or activities pursuant to this section at any school in such school district. Each representative of a youth organization is responsible for all costs associated with obtaining such background check.

(5) Nothing in this section shall be construed to supersede a parent's ability to exercise any rights such parent has under a school district policy established pursuant to section 79-531.

Sec. 127. The Revisor of Statutes shall assign sections 13 to 38 of this act within Chapter 85.

Sec. 128. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 52, 53, 58, 59, 78, 90, 91, 94, 98, 99, 100, 107, 111, 117, 120, 121, 130, and 134 of this act become operative on July 1, 2023. Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 93, 131, and 135 of this act become operative on July 1, 2024. Sections 54, 55, 56, 57, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 95, 101, 102, 103, 104, 105, 106, 108, 109, 110, 112, 113, 114, 115, 116, 118, 119, 123, 124, 125, 126, 132, and 136 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. 129. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.

Sec. 130. Original sections 9-812, 9-836.01, and 9-254, Reissue Revised Statutes of Nebraska, and sections 79-703, 79-1054, 79-1104.02, 79-1337, 79-2506, 79-2510, 79-3106, 84-304, 85-502.01, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2022, are repealed.

Sec. 131. Original sections 79-8,132, 79-8,135, 79-8,138, 79-8,139, and 79-8,140, Reissue Revised Statutes of Nebraska, and sections 79-8,133, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, and 79-11,160, Revised Statutes Cumulative Supplement, 2022, are repealed.

Sec. 132. Original sections 79-239, 79-244, 79-256, 79-263, 79-265, 79-266, 79-267, 79-268, 79-269, 79-272, 79-276, 79-278, 79-282, 79-283, 79-287, 79-2,146, 79-809, 81-145, 81-1118.02, 85-102, 85-328, 85-601, 85-602, 85-603,

85-604, 85-605, 85-1906, and 85-1907, Reissue Revised Statutes of Nebraska, and sections 79-101, 79-238, 79-2,136, 79-2,144, 79-729, 79-734, 79-760.01, 79-806, 79-807, 79-808, 79-8,143, 79-8,145, 79-2110, 79-3304, 79-3305, 81-161.04, 81-1118, and 84-612, Revised Statutes Cumulative Supplement, 2022, are repealed.

Sec. 133. Original section 79-2304, Reissue Revised Statutes of Nebraska, sections 79-1142 and 79-2308, Revised Statutes Cumulative Supplement, 2022, and section 79-1021, Reissue Revised Statutes of Nebraska, as amended by section 22, Legislative Bill 818, One Hundred Eighth Legislature, First Session, 2023, are repealed.

Sec. 134. The following sections are outright repealed: Sections 50-425, 50-426, 50-427, and 50-428, Reissue Revised Statutes of Nebraska.

Sec. 135. The following sections are outright repealed: Sections 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129, 79-8,130, and 79-8,131, Reissue Revised Statutes of Nebraska.

Sec. 136. The following section is outright repealed: Section 79-2,103, Reissue Revised Statutes of Nebraska.

Sec. 137. Since an emergency exists, this act takes effect when passed and approved according to law.



Do Not Return this Form to NDE

AUTHORIZATION FORM FOR DECLINING TO COMPLETE AND SUBMIT THE FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) PRIOR TO GRADUATION FROM A PUBLIC HIGH SCHOOL

The Free Application for Federal Student Aid (FAFSA) informs postsecondary institutions about student eligibility for grants, work-study opportunities, and student loans. In addition, some scholarship providers require information from student FAFSA's to determine eligibility and award amounts. Financial aid awards based on submitting a completed FAFSA help students pay for educational expenses after high school, reducing barriers to postsecondary education.

Neb. Rev. Stat. § 79-729, provides that, beginning in school year 2024-2025, each public high school student must complete and submit to the United States Department of Education a FAFSA prior to graduating from high school except as otherwise provided on this form.

A public high school student is **not** required to complete and submit a FAFSA if this form is completed for the student, signed, and submitted to the high school principal and one of the following options applies:

OPTION 1: A parent or legal guardian of or a person standing in loco parentis to the student authorizes the student to decline to complete and submit a FAFSA;

OPTION 2: The student who is 19 years of age or older or an emancipated minor declines to complete and submit a FAFSA; or

OPTION 3: The high school principal or the high school principal's designee authorizes the student to decline to complete and submit a FAFSA for good cause as determined by the principal or principal's designee.

Signing and submitting this form does not prohibit a student from completing and submitting a FAFSA at any time, now or in the future.

Opt-Out Authorization

_____, born on __/__/____, shall not be required to complete and submit a Free Application for Federal Student Aid (FAFSA) prior to graduating from high school.

I am:

___ The student's parent or legal guardian or a person standing in loco parentis to the student, and I authorize the student to decline to complete and submit a FAFSA.

___ A student who is 19 years of age or older or an emancipated minor and I am declining to complete and submit a FAFSA.

___ The high school principal or the high school principal's designee who has determined that there is good cause to authorize the student to decline to complete and submit a FAFSA.

Signature

Date

STUDENT PROMOTION, RETENTION, OR ACCELERATION

The general policy of the **district is to encourage and assist each pupil to move along in a continuous growth pattern of academic achievement in harmony with his normal, social and emotional development.** In arriving at a decision for either the acceleration or retention of a pupil, the **combined views of the teacher, principal, nurse, and counselor are taken into consideration along with those of the parents.** The results obtained from standardized achievement tests and class work assignments will be important factors in the decision.

The guiding philosophy for determining acceleration, promotion, or retention will be what is in the best interest of the child.

Legal Reference: Nebraska Statute 79-526

Approved: 12-11-2006

Reviewed: 03-08-2021

Revised: 00-00-0000

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1300

Introduced by Bostar, 29; at the request of the Governor.

Read first time January 16, 2024

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to government; to adopt the Pacific Conflict
- 2 Stress Test Act and the Foreign Adversary Contracting Prohibition
- 3 Act; to provide severability; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 9 of this act shall be known and may be
2 cited as the Pacific Conflict Stress Test Act.

3 Sec. 2. The purpose of the Pacific Conflict Stress Test Act is to
4 prepare and secure the State of Nebraska in order to minimize the
5 disruptive impact of a potential conflict precipitated by foreign
6 adversaries against allies, democratic countries, and the United States
7 Armed Forces in the Pacific theater.

8 Sec. 3. For purposes of the Pacific Conflict Stress Test Act:

9 (1) Critical infrastructure means systems and assets, whether
10 physical or virtual, so vital to this state or the United States of
11 America that the incapacity or destruction of such systems and assets
12 would have a debilitating impact on state or national security, state or
13 national economic security, state or national public health, or any
14 combination of such matters. Critical infrastructure may be publicly or
15 privately owned and includes, but is not limited to:

16 (a) Gas and oil production, storage, or delivery systems;

17 (b) Water supply, refinement, storage, or delivery systems;

18 (c) Telecommunications networks;

19 (d) Electrical power delivery systems;

20 (e) Emergency services;

21 (f) Transportation systems and services; and

22 (g) Personal data or otherwise classified information storage
23 systems, including cybersecurity;

24 (2) Critical procurement means those acquisitions made by the state,
25 any agency of the state, a political subdivision, or a private
26 nongovernmental organization that are critical to the proper functioning
27 of critical infrastructure or to the health, safety, or security of the
28 State of Nebraska or the United States;

29 (3) Divestment means the sale, forfeiture, or otherwise contractual
30 end of any current or planned ownership or control of assets;

31 (4) Investment means any transfer of funds into any active or

1 passive, direct or indirect, structure which seeks to generate revenue or
2 accomplish any other gain, including nonmonetary gains;

3 (5)(a) Pacific conflict means a declared war or armed conflict
4 between the United States or any of her allies and another nation that
5 occurs in the land, sea, or air area of the Pacific Ocean and threatens
6 or could reasonably escalate to threaten the supply chains, critical
7 infrastructure, safety, or security of the State of Nebraska or the
8 United States.

9 (b) Pacific conflict includes a serious deterioration of diplomatic
10 ties or economic engagement between the United States or her allies and
11 another nation that threatens the status quo of Pacific trade, travel,
12 and military operations or exercises;

13 (6)(a) State-managed fund means any short-term or long-term
14 investment structure that is state-managed, state-run, state-controlled,
15 or otherwise overseen by the State of Nebraska, a state agency, a
16 political subdivision within this state, or any agency controlled by such
17 a political subdivision. This subdivision shall apply to any fund which
18 (i) is subject to the purview or direction of the state or applicable
19 political subdivision, (ii) is populated, wholly or in part, with state
20 funds, and (iii) is managed by a third-party entity, such as a fiduciary.

21 (b) State-managed fund includes, but is not limited to:

22 (i) Public pension funds, public retirement funds, or other state-
23 sponsored funds, that are sponsored, maintained, or contributed to or
24 required to be contributed to by this state or any subsidiary of the
25 state;

26 (ii) City, county, or other local or municipal entity investment
27 funds, rainy day funds, or other political subdivision-controlled
28 investment structures; and

29 (iii) University or college endowments, trusts, or other structures
30 which constitute, wholly or in part, a public institution of higher
31 education's investable assets;

1 (7) State-owned enterprise means any company owned or controlled, in
2 whole or in part, by a government or by individuals acting in official
3 government capacities in any form;

4 (8) State risk assessment means a study conducted under the Governor
5 in consultation with the Legislature which leverages the expertise of
6 executive agencies and which minimally includes:

7 (a) An identification of threats and hazards that could negatively
8 impact citizens and assets of this state;

9 (b) A preparation of risk scenarios, describing cause and
10 consequence of threats and hazards that might actualize to impact
11 citizens and assets of this state; and

12 (c) An analysis of the probability and severity of the consequences
13 associated with each risk scenario;

14 (9) State supply chain means the end-to-end process for shipping
15 goods, purchased by the state, to the State of Nebraska, beginning at the
16 point of origin through a point or points of distribution to the
17 destination; and

18 (10) State vendor supply chain means the end-to-end process for
19 shipping goods, purchased by the state from state vendors, to the
20 vendors, beginning at the point of origin through a point or points of
21 distribution to the destination.

22 Sec. 4. It shall be the policy of the State of Nebraska to:

23 (1) Support the civilian and military command of the United States
24 of America and its efforts to promote and maintain prosperity, peace, and
25 security for America and her allies;

26 (2) Enhance the defensive posture of this state so as to protect
27 state citizens and assets and to contribute to the broader defensive
28 posture of the United States of America by reducing security
29 vulnerabilities within this state; and

30 (3) Exercise foresight and make reasonable preparations for a
31 potential regional or global conflict centered on the Pacific theater

1 which could involve attacks upon the United States and her allies in the
2 Pacific theater, which could involve asymmetrical attacks on the American
3 homeland, and which could cause the disruption or complete severing of
4 supply chains between this state and its vendors and the People's
5 Republic of China, the Republic of China, or other countries in the
6 Pacific theater.

7 Sec. 5. (1) The Governor shall annually produce and publish a state
8 risk assessment no later than the day prior to the annual address made to
9 the Legislature by the Governor.

10 (2) The annual state risk assessment shall include all substantial
11 risks to state or national security, state or national economic security,
12 state or national public health, or any combination of such matters,
13 occurring within and threatening the State of Nebraska.

14 Sec. 6. (1) The Department of Administrative Services shall conduct
15 an audit of all critical procurements purchased or supplied through a
16 state supply chain or state vendor supply chain and produce and publish a
17 report, which shall be electronically submitted to the Legislature and
18 the Governor and made easily accessible to the public within one hundred
19 eighty days after the effective date of this act.

20 (2) The audit report shall identify:

21 (a) All critical procurements produced in or by a foreign adversary,
22 a state-owned enterprise of a foreign adversary, a company domiciled
23 within a foreign adversary, or a company owned by a company domiciled
24 within a foreign adversary;

25 (b) All critical procurements manufactured in countries or by
26 companies at risk of disruption in the event of a Pacific conflict; and

27 (c) All critical procurements sourced from any country or company
28 which utilizes Pacific supply chain processes at risk of disruption in
29 the event of a Pacific conflict.

30 (3) The audit report shall:

31 (a) Recommend alternative sourcing, if available;

1 (b) Highlight the difficulty in identifying potential alternative
2 sourcing, if relevant; and

3 (c) Specify the level of risk to the State of Nebraska associated
4 with such a disruption in sourcing for each procurement that is
5 threatened in the event of a Pacific conflict.

6 Sec. 7. (1) The State Treasurer shall conduct an audit of all
7 state-managed funds and produce and publish a report, which shall be
8 electronically submitted to the Legislature and the Governor and made
9 easily accessible to the public within one hundred eighty days after the
10 effective date of this act.

11 (2) The audit report shall identify:

12 (a) All investments at risk of substantially losing value or being
13 frozen, seized, or appropriated by foreign adversaries in the event of a
14 Pacific conflict;

15 (b) All investments in any arms industry of a foreign adversary;

16 (c) All investments in state-owned enterprises of a foreign
17 adversary; and

18 (d) All investments in companies domiciled within a foreign
19 adversary or owned by a company domiciled within a foreign adversary.

20 (3) The audit report shall recommend strategies for the immediate
21 and complete divestment of the assets identified in subsection (2) of
22 this section.

23 Sec. 8. (1) The Committee on Pacific Conflict is hereby created.
24 The committee shall consist of the following five voting members:

25 (a) One member who shall serve as the chairperson of the committee,
26 to be appointed by the Governor. The chairperson shall have applicable
27 knowledge of the threats posed to this state in the event of a Pacific
28 conflict and the research and leadership experience to competently and
29 comprehensively produce the report required by this section;

30 (b) The Director of Administrative Services or his or her designee;

31 (c) The State Treasurer or his or her designee;

1 (d) The Adjutant General or his or her designee; and

2 (e) One additional member, to be appointed by the Governor. Such
3 member shall have applicable knowledge of the threats posed to this state
4 in the event of a Pacific conflict.

5 (2) The committee shall also include four members of the
6 Legislature, to be appointed by the Executive Board of the Legislative
7 Council. The legislative members shall be nonvoting members of the
8 committee.

9 (3) Appointments to the committee shall be made within sixty days
10 after the effective date of this act.

11 (4) The committee shall be authorized for an initial period of three
12 years.

13 (5) The first meeting of the committee shall be held within ninety
14 days after the effective date of this act.

15 (6) The committee shall meet no less than once every three months.
16 Additional meetings may be called at the will of the majority of the
17 voting members of the committee, and emergency meetings may be called at
18 the will of the chairperson of the committee or the Governor. Meetings of
19 the committee shall be subject to the Open Meetings Act.

20 (7) At the discretion of the committee, an advisory board may be
21 retained to provide expertise and collaborative research support.

22 (8)(a) The committee shall annually produce a report concerning the
23 threats posed to the State of Nebraska in the event of a Pacific
24 conflict. The report shall be electronically submitted to the Legislature
25 and the Governor and shall be made easily accessible to the public no
26 later than thirty days prior to the annual address made to the
27 Legislature by the Governor.

28 (b) The report shall provide a comprehensive risk assessment,
29 including all identified vulnerabilities and recommended mitigation and
30 emergency response strategies, for each of the following identified areas
31 and any other areas deemed appropriate or applicable by the committee:

- 1 (i) Critical infrastructure;
- 2 (ii) Telecommunications infrastructure;
- 3 (iii) Military installations located within the state;
- 4 (iv) State supply chain for critical procurements;
- 5 (v) State vendor supply chain for critical procurements;
- 6 (vi) State cybersecurity;
- 7 (vii) Public safety and security; and
- 8 (viii) Public health.

9 (c) The first report submitted under this section shall also
10 incorporate the findings of the two audits conducted pursuant to sections
11 6 and 7 of this act and the report completed pursuant to section 9 of
12 this act.

13 Sec. 9. (1) The Governor, in consultation with the Committee on
14 Pacific Conflict, shall appoint a lead state agency to conduct a study on
15 adversarial threats to state assets and critical infrastructure and
16 coordinate the research and development of the report required in this
17 section.

18 (2) Within one hundred eighty days after the effective date of this
19 act, the lead state agency shall identify all critical infrastructure and
20 other assets within this state that could reasonably be targeted in
21 malicious actions by adversarial nations in the event of a Pacific
22 conflict. In identifying such critical infrastructure and other assets,
23 the lead state agency shall apply consistent, objective criteria.

24 (3) Within one year after the effective date of this act, the lead
25 state agency shall electronically submit a report to the Legislature and
26 the Governor which shall include:

27 (a) The critical infrastructure and other assets identified under
28 subsection (2) of this section, including the specific risks posed to
29 each infrastructure system or asset in the event of a Pacific conflict;

30 (b) Mitigation strategies and suggestions to limit or eliminate the
31 risk posed to the critical infrastructure or other assets in the event of

1 a Pacific conflict;

2 (c) Critical procurements identified in the audit conducted pursuant
3 to section 6 of this act, including the specific risks posed to each
4 critical procurement in the event of a Pacific conflict; and

5 (d) Mitigation strategies and suggestions, including alternative
6 sourcing, that limit or eliminate the risk posed to the safety and
7 security of the state or nation in the event of a Pacific conflict.

8 (4) The report shall also include a risk-based list of the critical
9 infrastructure and other assets identified under subsection (2) of this
10 section, the order of which shall be determined by:

11 (a) The degree to which each critical infrastructure system is in
12 need of protective action; and

13 (b) The degree to which the debilitation of each critical
14 infrastructure system would affect the safety and security of the state
15 and the nation.

16 (5) The lead state agency shall coordinate with the Committee on
17 Pacific Conflict and other appropriate state agencies and shall be
18 provided with the resources necessary to produce the report. State
19 agencies shall provide the lead state agency with information necessary
20 to carry out the responsibilities under this section. The lead state
21 agency shall develop a process for relevant stakeholders to submit
22 information to assist in identifying critical infrastructure and other
23 assets described in subsection (2) of this section.

24 (6) The lead state agency may also, at its discretion, coordinate
25 with state universities of higher education, private firms specializing
26 in infrastructure risk management, and federal agencies including, but
27 not limited to, the United States Department of Defense, the
28 Cybersecurity and Infrastructure Security Agency, the Director of
29 National Intelligence, the National Security Agency, the United States
30 Department of Homeland Security, and any other agency deemed appropriate
31 by the lead state agency.

1 (7) The lead state agency, in coordination with other appropriate
2 state agencies, shall confidentially notify owners and operators of
3 critical infrastructure identified under subsection (2) of this section
4 that they have been so identified, and shall ensure that the owners and
5 operators are provided the basis for the determination. The lead state
6 agency shall also establish a process through which owners and operators
7 of critical infrastructure may submit relevant information and request
8 reconsideration of assessments made under subsection (2) of this section.

9 Sec. 10. Sections 10 to 16 of this act shall be known and may be
10 cited as the Foreign Adversary Contracting Prohibition Act.

11 Sec. 11. The Legislature finds that:

12 (1) Dealings with commercial entities that are organized under the
13 laws of a foreign adversary or that have their principal place of
14 business within a foreign adversary tend to be less commercially sound
15 because such entities are unusually likely to be acting on noncommercial
16 motivations and carry increased political risk, including from United
17 States federal sanction authorities;

18 (2) When such a commercial entity is a state-owned entity, it
19 presents heightened concerns and threatens this state's security,
20 including by making accessible to the foreign adversary information about
21 the structure, operations, resources, and infrastructure of the
22 government of this state; and

23 (3) Dealings with such commercial entities, and especially state-
24 owned entities, threaten the privacy and security of residents of this
25 state, to the extent that they involve the personal information of such
26 residents.

27 Sec. 12. For purposes of the Foreign Adversary Contracting
28 Prohibition Act:

29 (1) Company means any sole proprietorship, organization,
30 association, corporation, partnership, joint venture, limited
31 partnership, limited liability partnership, limited liability company, or

1 other entity or business association that exists for the purpose of
2 making a profit, including all wholly owned subsidiaries, majority owned
3 subsidiaries, parent companies, or affiliates of any such entity or
4 business association;

5 (2) Foreign adversary means a foreign adversary as determined
6 pursuant to 15 C.F.R. 7.4;

7 (3) Owned in whole or in part means:

8 (a) For a publicly traded company, any share of ownership that
9 entails the ability to direct or influence the operations of the company,
10 the ability to appoint or discharge any board members, officers, or
11 directors, or any other rights beyond those available to a retail
12 investor holding an equivalent share of ownership; and

13 (b) For a privately held company, any share of ownership;

14 (4) Public entity means the state or any department, agency,
15 commission, or other body of state government, including publicly funded
16 institutions of higher education, any political subdivision of the state,
17 and any other public or private agency, person, partnership, corporation,
18 or business entity acting on behalf of any such public entity; and

19 (5) Scrutinized company means:

20 (a) Any company organized under the laws of a foreign adversary or
21 having its principal place of business within a foreign adversary, and
22 any subsidiary of any such company; or

23 (b) Any company owned in whole or in part or operated by the
24 government of a foreign adversary, an entity controlled by the government
25 of a foreign adversary, or any subsidiary or parent of any such company.

26 Sec. 13. A scrutinized company shall not bid on, submit a proposal
27 for, or enter into, directly or indirectly through a third party, any
28 contract or contract renewal with any public entity for any information,
29 surveillance, light detection and ranging, or communications
30 technologies, components, networks, systems, or related services.

31 Sec. 14. A public entity shall require a company that submits a bid

1 or proposal or enters into any contract or contract renewal with any
2 public entity for any information, surveillance, light detection and
3 ranging, or communications technologies, components, networks, systems,
4 or related services, to certify:

5 (1) That the company is not a scrutinized company;

6 (2) That the company will not subcontract with any scrutinized
7 company for any aspect of performance of the contemplated contract; and

8 (3) That any products or services to be provided do not originate
9 with a scrutinized company.

10 Sec. 15. (1) No public entity shall enter into any contract or
11 contract renewal that would result in any state or local government funds
12 being transferred:

13 (a) To a scrutinized company in connection with any information,
14 surveillance, light detection and ranging, or communications
15 technologies, components, networks, systems, or related services; or

16 (b) To any company in connection with any information, surveillance,
17 light detection and ranging, or communications technologies, components,
18 networks, systems, or related services that originate with a scrutinized
19 company.

20 (2) Notwithstanding subsection (1) of this section, a public entity
21 may enter into a contract for goods manufactured by a scrutinized company
22 if:

23 (a) There is no other reasonable option for procuring such good;

24 (b) The contract is preapproved by the Department of Administrative
25 Services; and

26 (c) Not procuring such good would pose a greater threat to the state
27 than the threat associated with the good itself.

28 Sec. 16. (1) Any contract entered into in violation of the Foreign
29 Adversary Contracting Prohibition Act shall be null and void.

30 (2) Any person who violates section 13 of this act or violates the
31 certification provided pursuant to section 14 of this act:

1 (a) Shall be liable for a civil penalty in an amount equal to the
2 highest of the following three amounts:

3 (i) Two hundred fifty thousand dollars;

4 (ii) Twice the amount of the contract for which a bid or proposal
5 was submitted; or

6 (iii) The amount of any losses suffered by the public entity as a
7 result of such violation; and

8 (b) Shall be ineligible to enter into any contract with any public
9 entity for a period of five years.

10 (3) The Attorney General may bring an action in any court of
11 competent jurisdiction against any person that violates the Foreign
12 Adversary Contracting Prohibition Act.

13 (4) If a public entity believes that a company has violated the
14 certification provided pursuant to section 14 of this act, the public
15 entity shall give such company notice of the alleged violation. The
16 company shall then have sixty days to respond to the notice. The public
17 entity shall make a final determination on whether a violation of such
18 certification has occurred within sixty days after receipt of the
19 response from the company. If the public entity determines that a
20 violation has occurred, the public entity may refer the matter to the
21 Attorney General.

22 (5) Any individual may act as a whistleblower and report suspected
23 violations of section 13 of this act or suspected violations of the
24 certification provided pursuant to section 14 of this act to the Attorney
25 General. If the reported violation results in a civil penalty under this
26 section, the whistleblower shall be entitled to a reward equal to thirty
27 percent of the civil penalty assessed.

28 Sec. 17. If any section in this act or any part of any section is
29 declared invalid or unconstitutional, the declaration shall not affect
30 the validity or constitutionality of the remaining portions.

31 Sec. 18. Since an emergency exists, this act takes effect when

1 passed and approved according to law.

Building, Grounds, and Transportation Committee Meeting Minutes

Tuesday, May 28, 2024

Call to Order at 4:00pm

Central Office

Committee Members Present: Steve Callaghan (Chair), Ginger Fredericksen and Tim Welch
Present: Dr. Randall Gilson and Jeffrey Steinbeck,

1. Old Business

A. Floor Auto Scrubber

A new floor Auto Scrubber for the high school would be \$16,453.54 for a 26” Chariot Scrub 3 Rider. This unit would be used in the high school main gym, auxiliary gym, and in the cafeteria. Currently they are using a walk behind scrubber that will not hold a charge long enough to do the whole gym. The unit has a bigger scrubbing area of 26” and is a rider. Mr. Steinbeck would like to take the high school’s auto scrubber to Arbor Park since it is working and use it in the smaller cafeteria and the gym. With the addition of this unit, we would have a working auto scrubber at the high school, Otte Middle School, Deerfield, and Arbor Park.

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve the purchase from HD Supply for a new 26” Chariot Scrub 3 Rider scrubber for the amount of \$16,453.54.**

B. Arbor Park Elementary Front Entry

Mr. Steinbeck received quotes to replace the Arbor Park Elementary front entry doors, all of the metal and to install new doors. The quote to replace the existing metal frames is \$22,350.80. The quote for two new doors and for installation is for \$4,537.00. The total to do this project would be \$26,887.80. The new frames would need painted and will be an additional cost. Mr. Steinbeck spoke with Bil-Den and this will redo all three sides of the entrance. They will also be able to remove the anchors from installation and reuse those metal frames and doors if we decide to create a new entrance at Arbor Park and relocate the office. This should make the entrance much more secure and alleviate the problems with the doors not latching during the day.

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve the quote from Bil-Den for the replacement and installation of new front entry doors at Arbor Park Elementary in the amount of \$26,887.90.**

C. Capital Forecast Discussion

Dr. Gilson will be scheduling building level meetings with Eileen Korth and interested staff to develop site-based plans.

1. 2-year Projects
 - a. Arbor Park Elementary – Office Relocation and Lunch Room Expansion
 - b. Blair High School – Culinary Kitchen, Greenhouse, Health & Ag. Labs (Donation & Grant Funding)
2. 5-10 Year Projects
 - a. Deerfield Elementary Classroom Expansion
 - b. Otte Middle School Office Relocation
 - c. Blair High School Locker Rooms, Wrestling, etc.

2. New Business

D. Director of Operations Monthly Report – April 2024

Mr. Steinbeck shared a Director of Operations report. The report is attached to the agenda for viewing.

E. Storm Damage Update

Mr. Steinbeck informed our recent storm damage has been looked at. There was a skylight blown off at South Early Childhood Center and it has been covered by McKinnis. There was some roof damage at the high school from flashing coming off and then flying across the roof and cutting holes in the roof and McKinnis has fixed those. There was some tree damage at South Early Childhood Center, Central Office, and the high school. Our grounds crew is cleaning up what they can and CJ's tree service will take care of the rest.

F. Blair High School Water Bottle Filler

The PE teachers at the high school have asked to have a water bottle filler installed in the main gym by the locker room/weight room entrance. Mr. Steinbeck informed could replace the existing porcelain fountain and spit sink with a water fountain and a water bottle filler that are stainless steel. He would recommend doing one of these on each side of the gym so there is one by the boys locker room and the girls locker room. These would be in the main gym and would be accessible for PE and gym/weight room activities. The cost to do each one is \$5,500. This project would cost \$11,000 to install the two fountains to replace the outdated ones.

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve the purchase and installation of two (2) water bottle fillers in the main gym at Blair High School in the amount of \$11,000.00.**

G. Deerfield Elementary Entrance Cement

The Deerfield Elementary entrance cement is in need of some repairs. Mr. Steinbeck has noted about six (6) areas on the north side and four (4) areas on the south side that could be repaired. He has contacted Bart Moore and Will Yost about getting bids for the work.

H. Arbor Park Elementary and Deerfield Elementary Cameras

Arbor Park and Deerfield administrators have asked for some additional cameras in their buildings that would be added to the existing system for improved security. Mr. Johnson, Arbor Park Principal, has asked for cameras that would view the cluster areas where the restrooms and lockers are located. These would give a better view of a high traffic area in the building. He also asked for an additional camera on the playground that would give another angle of viewing. The bid for Arbor Park to add the five cameras was \$7,973.

Dr. Bills, Deerfield Principal, has asked for one additional camera on the playground for an additional coverage area on the playground. She also would like a camera in the gym and two cameras in the cafeteria to cover areas that have never had cameras. The interior entrances also have no camera coverage so we would look at putting a camera looking at the north and south interior entrance by the main office. These additional cameras would be a cost of \$15,475. All of the work on the cameras would be done by Sei who is our current provider.

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve the purchase and installation of additional cameras from SEI for both Arbor Park Elementary and Deerfield Elementary as presented in the amount of \$23,448.00.**

I. Next Scheduled BG&T Committee Meeting

Tuesday, June 25, 2024 at 4:00pm.

3. Adjournment

J. The meeting adjourned at 5:15pm.

Finance Committee Meeting Minutes

Tuesday, June 4, 2024
Call to Order at 12:00pm
Central Office

Committee Members Present: Brandi Petersen (Chair), Kari Loseke, and Courtney Tabor

Also Present: Dr. Randall Gilson, Tom Shearer, Dr. Violet Glasshoff, Brett Schwartz, and Angie Conety

1. Old Business

A. Budget Update 2024-25

Mr. Shearer shared the Certified Budget Authority for 2024-25 is \$31,831,226, an increase of \$1,370,722 from a year ago.

B. Unified Sports

Last month, Mr. Shearer advised the committee will need to establish Unified coach pay for Unified Track, Unified Bowling, and Unified Basketball. Any rate approved would need to be an addendum to the Negotiated Agreement and also approved by the BEA (Blair Education Association) for the 2024-25 & 2025-26 contract years. This item was tabled for further discussion at the next scheduled meeting.

C. Lexia – Dr. Violet Glasshoff

Dr. Glasshoff presented two quotes from Lexia to the Finance Committee last month. Lexia is a science-based reading system designed to supplement regular classroom instruction. The Finance Committee chose to table the item and to have Dr. Glasshoff present it back to the Policy/Curriculum Committee meeting.

During Friday morning elementary PLC's, it was noted that teachers wished they had Lexia for all elementary students. Right now, only those who qualify for intervention and help with the reading team get access. The district currently purchases 500 licenses, which are mostly used at the K-5 level and a handful of middle school students. We move students in and out of the license based on the work they do with the reading team. The quotes presented were for; (1) all students and (2) for 500 licenses.

Dr. Glasshoff informed, currently we do not have data that supports that Lexia is helping students with their fundamental literacy skills. It is her recommendation we keep it to 500 licenses for the 2024-25 school year and track Lexia data and revisit it for the 2025-26 school year if needed.

D. Amplify – Dr. Violet Glasshoff

Dr. Glasshoff informed there is a K-5 Reading Parental/Community Meeting scheduled for Wednesday, June 5th at 5:00pm at Central Office in the Board Room to share an update on curriculum.

E. Capital Forecast

Dr. Gilson will be scheduling building level meetings with Eileen Korth and interested staff to develop site-based plans.

1. 2-year Projects

- a. Arbor Park Elementary – Office Relocation and Lunch Room Expansion
- b. Blair High School – Culinary Kitchen, Greenhouse, Health & Ag. Labs (Donation & Grant Funding)

2. 5-10 Year Projects

- a. Deerfield Elementary Classroom Expansion

- b. Otte Middle School Office Relocation
- c. Blair High School Locker Rooms, Wrestling, etc.

F. Classified Increases 2024-25

Mr. Shearer presented options for classified staff increases for the 2024-25 fiscal year. The committee supported a plan that would distinguish all paraprofessional positions to be classified as either Level 1, Level 2, or Level 3 to be determined by the Director of Student Services. The Level 1 and Level 3 wage scales are currently in place; the plan supported by the committee adds the Level 2 para wage scale. In addition, bus paras will be placed on their own wage scale with starting pay being Nebraska minimum wage effective January 1, 2025. In addition to the para changes, the committee supported an additional \$0.50 base increase to the hourly wage scales.

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve \$165,000.00 for the increase of classified staff total compensation inclusive of wages and benefits, for the 2024-25 school year to be allocated by the Superintendent.**

2. New Business

G. Monthly Financials – May 2024

Mr. Shearer provided a financial recap of the monthly financials.

- General Fund, Tax Collections Analysis, Cash Flow Forecasts, and Activity Fund.

H. Student Fee Schedule for 2024-25

The administrators are working on the student fees for the 2024-25 school year. A Public Hearing for the 2024-25 Student Fee Schedule will be held on July 8, 2024 at the beginning of the Board of Education Regular meeting for the purpose of public comments on any proposed student fee changes.

I. Sick Bank Totals Recap for 2023-24

Mr. Shearer shared the results of the Sick Bank Applications the Sick Bank Review Committee reviewed for the 2023-24 school year. There were 129 days carried over from 2022-23 school year, 54 days donated by staff, 30 days contributed by the Board of Education, 37.5 days awarded for Sick Bank reimbursements to be paid, which leaves 175.5 Sick Bank Days to be carried over to the 2024-25 school year.

J. Food Advisory Recap – Thursday, April 11, 2024

Minutes from the Thursday, April 11th Food Service Advisory Meeting were shared.

K. Substitute Pay for 2024-25

Mr. Shearer informed substitute pay rates for district substitutes are established and approved by the Board of Education annually. After committee discussion, the increased proposed substitute pay rate for the 2024-25 school year is as follows:

2023-24 Rates	2024-25 Rates
\$160.00 (1-9 Days)	\$165.00 (1-9 Days)
\$175.00 (10+ days)	\$190.00 (10+ Days)

A motion may be brought at the June 10, 2024 Board of Education meeting **to approve the District Substitute pay rates for the 2024-25 school year as presented.**

L. Transportation - Bus Driver Shortage Issues

The Transportation Department is expected to lose a couple of drivers next year for various reasons. Dr. Gilson is concerned the district will not be able to provide transportation for all of its bus routes due to the driver shortage. The district may need to look into alternatives such as contracting bus services, paying parent mileage, or omitting transportation for students within the 4-mile cutoff radius.

The committee discussed the recommended changes Mr. Siecke, Transportation Director, shared with parents via email on May 23rd for the 2024-25 school year:

- **Changes into Housing Developments**

Due to safety concerns and snow removal, buses will not be entering housing developments. If the neighborhood does not have a bus loop rider in those areas, students will be assigned to a pick-up point. Students will only be transported to their residence.

- **Also, changes are being made to alternative drop off points**

We will not be able to transport students to a relative's house or an at home daycare.

Additionally, please be aware that only registered students may ride the bus, friends or additional passengers cannot be transported to or from school.

- **Changes are also being made to Highway Stops**

Unfortunately, this school year we have had hundreds of stop sign runs during the highway bus stops. This is a significant safety concern for our children, and with the increase of truck traffic on the highways, this concern has grown. Due to this, we will no longer be making highway stops. Students who were formerly picked up on the highway will be assigned to a pick-up point.

- **Reduction of a Route**

Driver shortages have resulted in the need to cut a route next school year. This may also require some students to be assigned pick up points.

The committee recommended Dr. Gilson visit what options the district would have for contracting services and the cost associated with it.

M. Teacher Tech Assistants – Request for Additional Summer Hours

Mr. Shearer informed two (2) of our Building Level Technology Facilitators are working additional summer hours to assist with Chromebook cleanup, setup and distribution. These hours would be outside of the 13% overload pay and would cost the district around \$1,150.00. The committee supported this as a one-time thing but it should not be a common practice. The committee would like to see this built into part of the Technology Facilitators duties.

N. Superintendent Contract & Salary

Dr. Gilson is at the end of year one (1) of a two (2) year contract that expires on June 30, 2025. Consideration of approval for Dr. Gilson's contract will take place at the June 10th Board of Education Meeting.

O. Next Scheduled Finance Committee Meeting

Tuesday, July 6, 2024 at 12:00pm.

3. Adjournment

The meeting was adjourned at 2:05pm.

2024/25 BUDGET AUTHORITY AND ALLOWABLE RESERVE PERCENTAGE CERTIFICATION

COUNTY: WASHINGTON
COUNTY-DISTRICT NUMBER: 89-0001-000
DISTRICT NAME: BLAIR COMMUNITY SCHOOLS

Certified Budget Authority	\$31,831,226	Budget Based
Allowable Reserve Percentage	35 %	
Access to Prior Year's Unused Budget Authority	\$367,477	

Certified Budget Authority:

Certified Budget Authority is calculated three ways. The greater of the Budget Based Calculation, the Student Growth Adjustment Calculation, or the Formula Needs Calculation becomes a district's Certified Budget Authority.

Budget Based Calculation: $((GFBE - SGF - SPED - GFLE) \times 1.025)$

Student Growth Adjustment Calculation: $((GFBE - SGF - SPED - GFLE) + (SGA +/- SGACORR))$

Formula Needs Calculation: $((FN \times 1.10) - (SPED \times 1.025))$

		Data Source
GFBE	2023/24 General Fund Budget	2023/24 LC-2 Line B-100
SGF	2023/24 Special Grant Funds	2023/24 LC-2 Line B-110
SPED	2023/24 Special Education Budget	2023/24 LC-2 Line B-120
GFLE	2023/24 General Fund Lid Exclusions (Schedule A)	2023/24 LC-2 Line B-130
SGA	2024/25 Student Growth Adjustment	2024/25 State Aid
SGACORR	2024/25 Student Growth Correction	2024/25 State Aid
FN	2024/25 Formula Needs	2024/25 State Aid

2024/25 Basic Allowable Growth Rate (BAGR) is 2.5%.

Access to Prior Year's Unused Budget Authority:

This amount is equal to the lesser of 2% of 2023/24 adjusted expenditures (2% of LC-2 Line B-140) or 2023/24 Total Unused Budget Authority (LC-2 Line B-175) *if the district has Unused Budget Authority available.*

Please Note: *To access this additional budget growth, the amount must be manually entered on Line A-355 of the 2024/25 LC-2.*

Any questions about this information or how it is to be used in meeting the budgeting requirements of state law can also be directed to School Finance at the Nebraska Department of Education, Box 94987, Lincoln, NE 68509-4987, or by calling (402)450-0867 or (402)540-0649.



K-5 Reading
Parent/Community Update

June 5, 2024

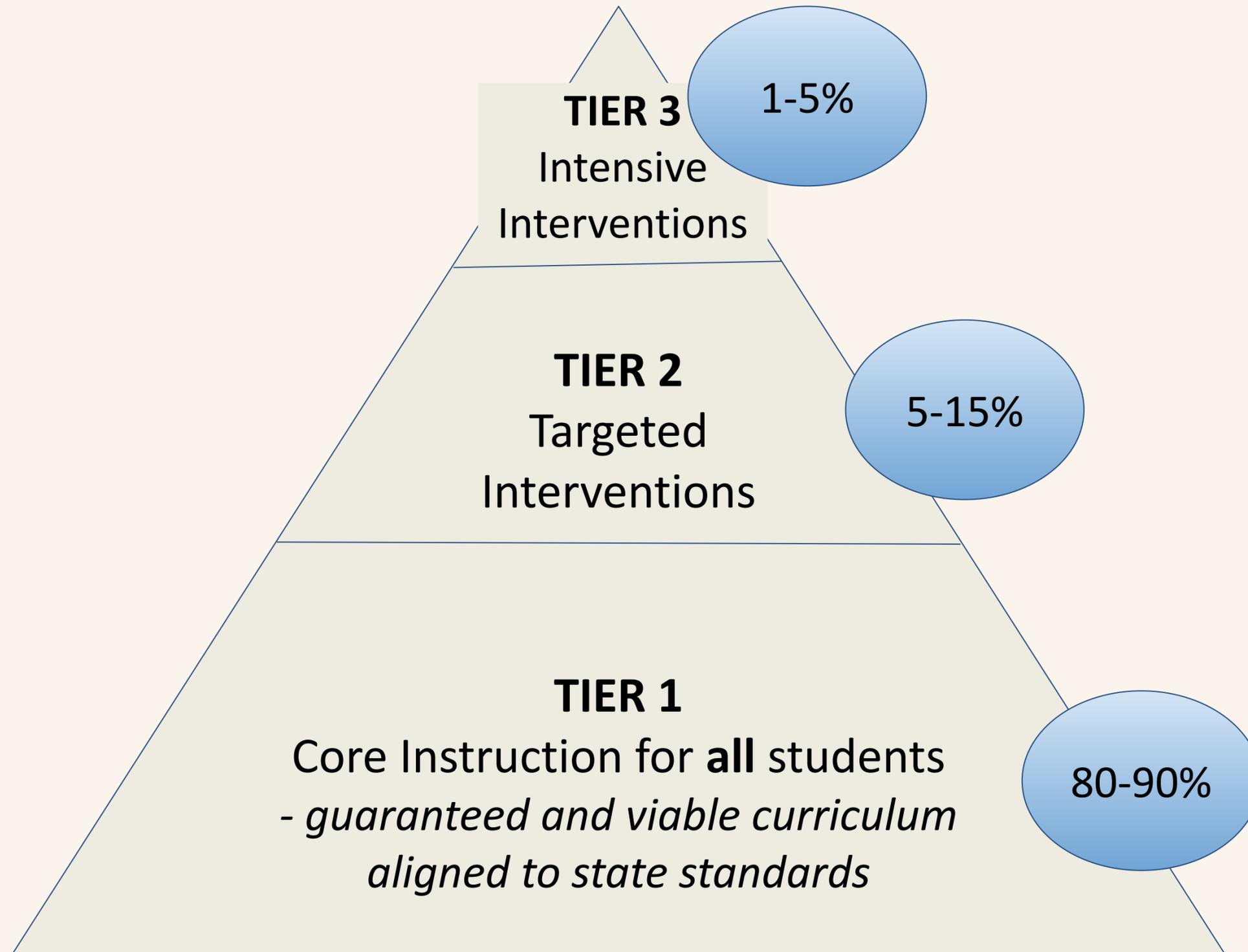
Our Schools

- K-5 Configuration
- Principals in both elementary buildings
- Teachers have worked diligently to align with state standards

The Concern

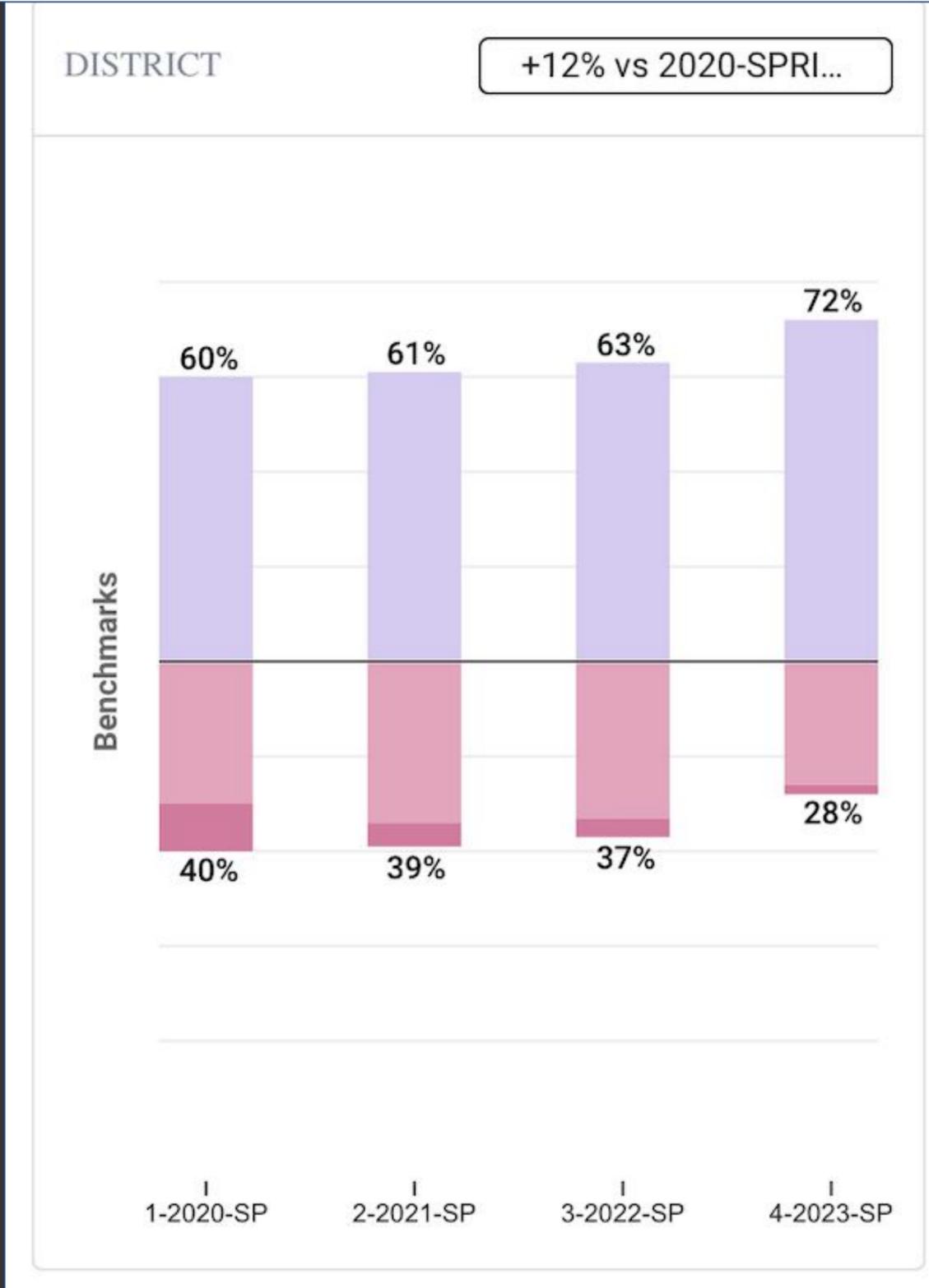
- Teachers needing to supplement.
- Almost a quarter of our elementary students were receiving reading interventions.
- The number of students who reach reading benchmarks as the year progresses has become stagnant.
- Need for depth, breadth, and rigor in phonics, phonemic awareness, fluency, and writing.

The Research

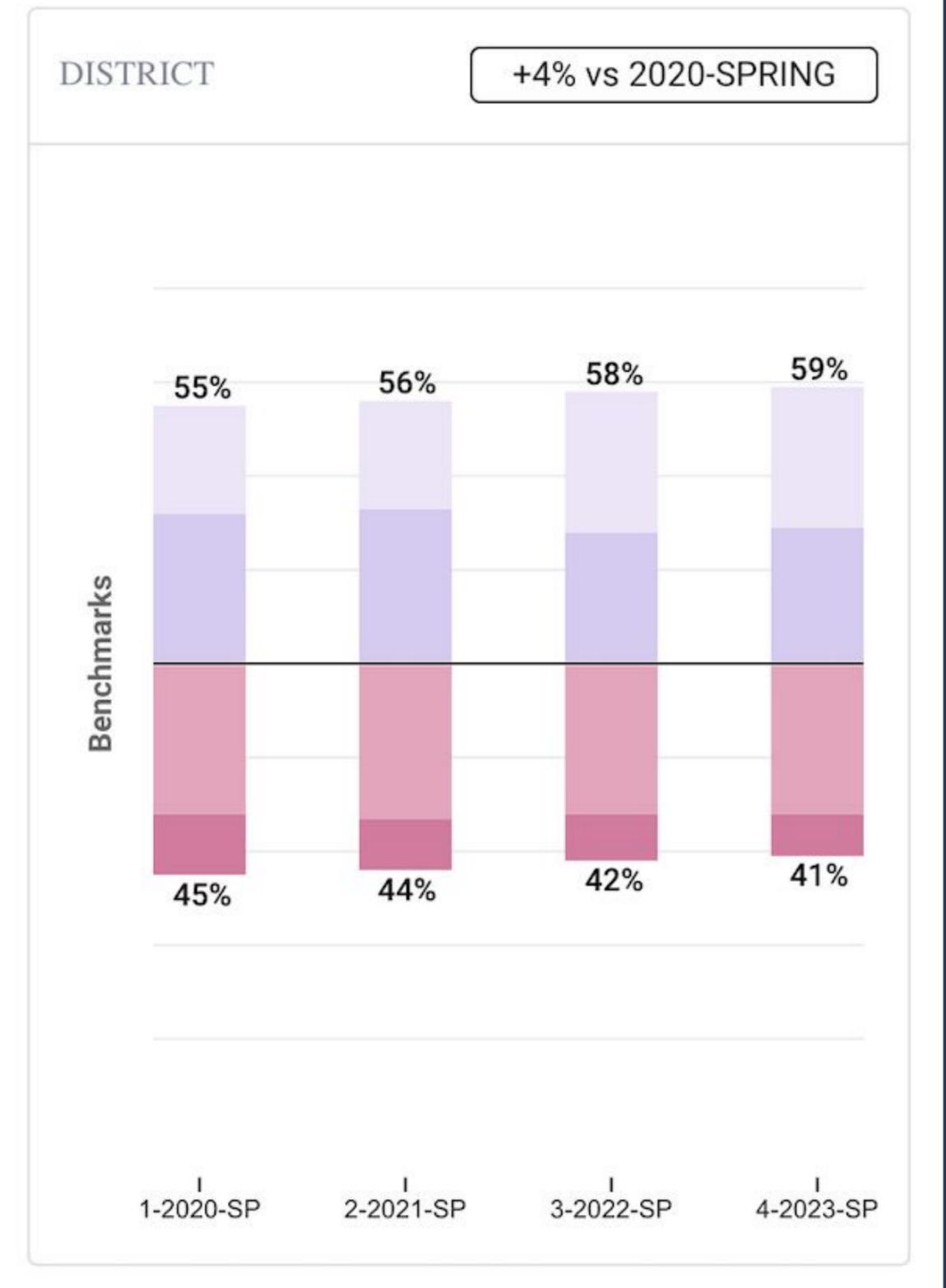


Assessment Trends

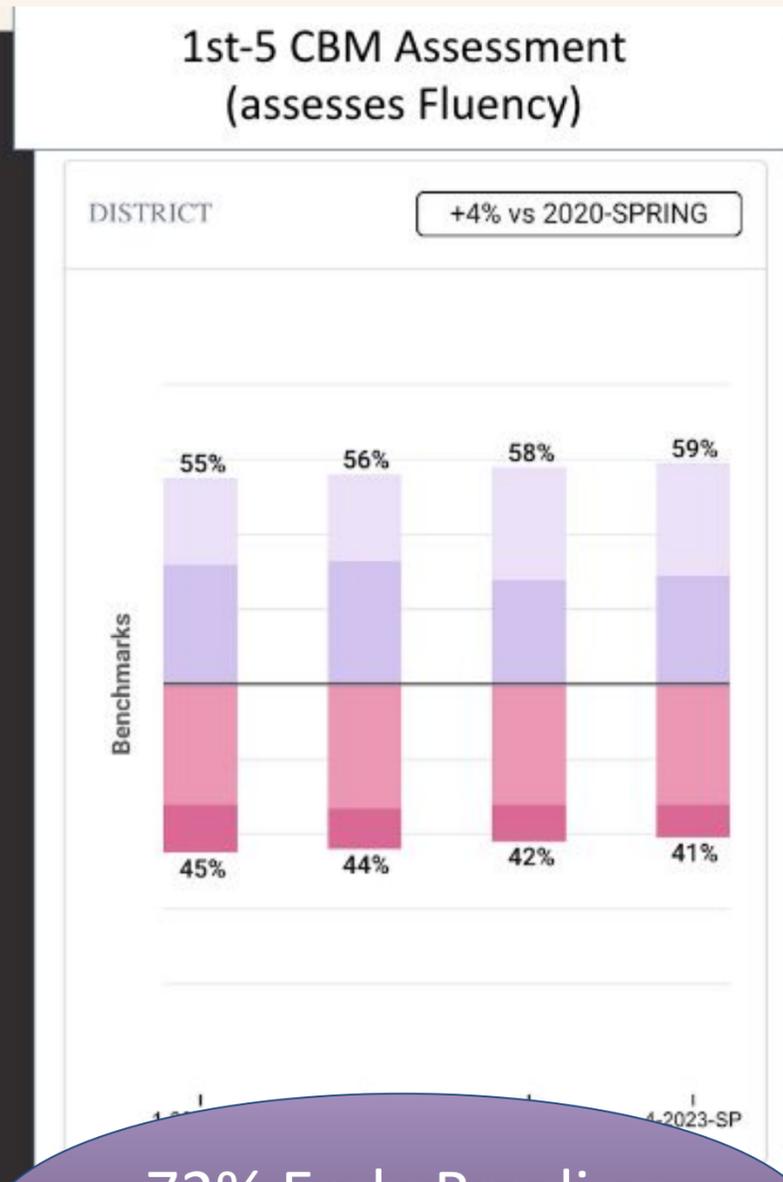
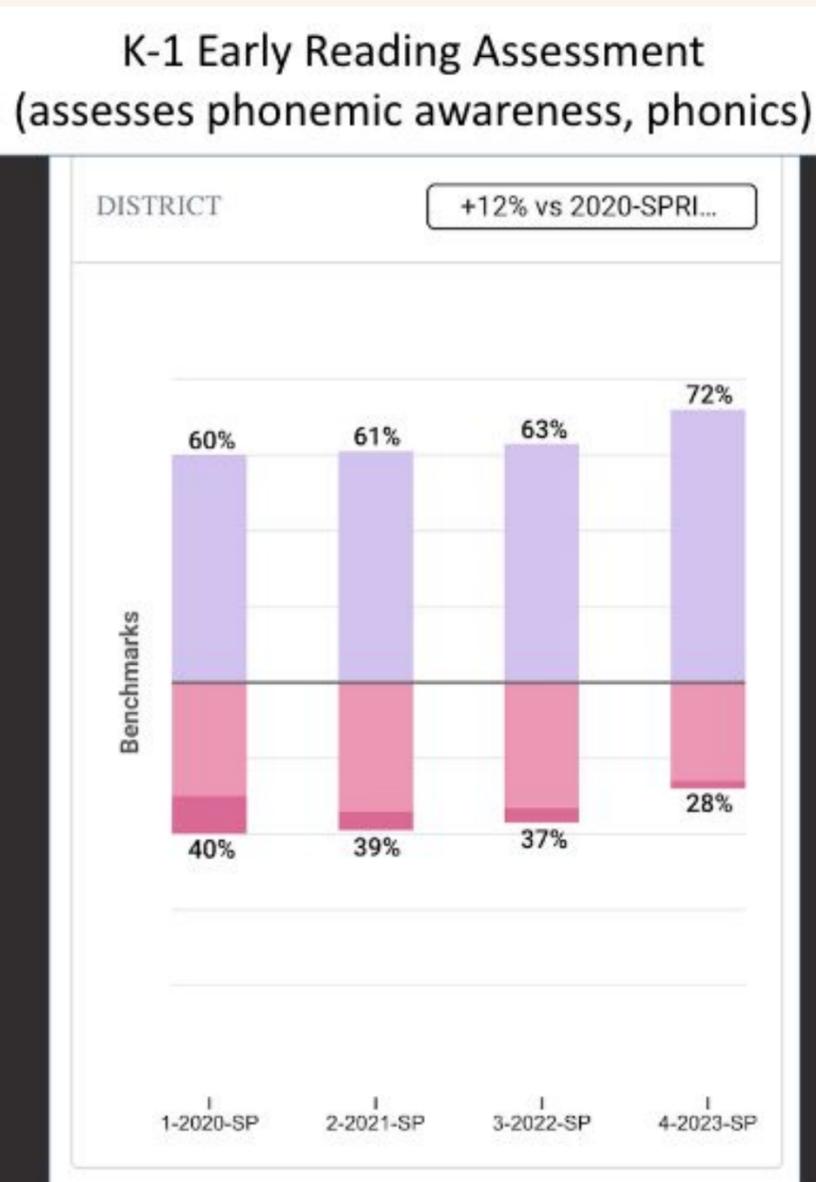
K-1 Early Reading Assessment (assesses phonemic awareness, phonics)



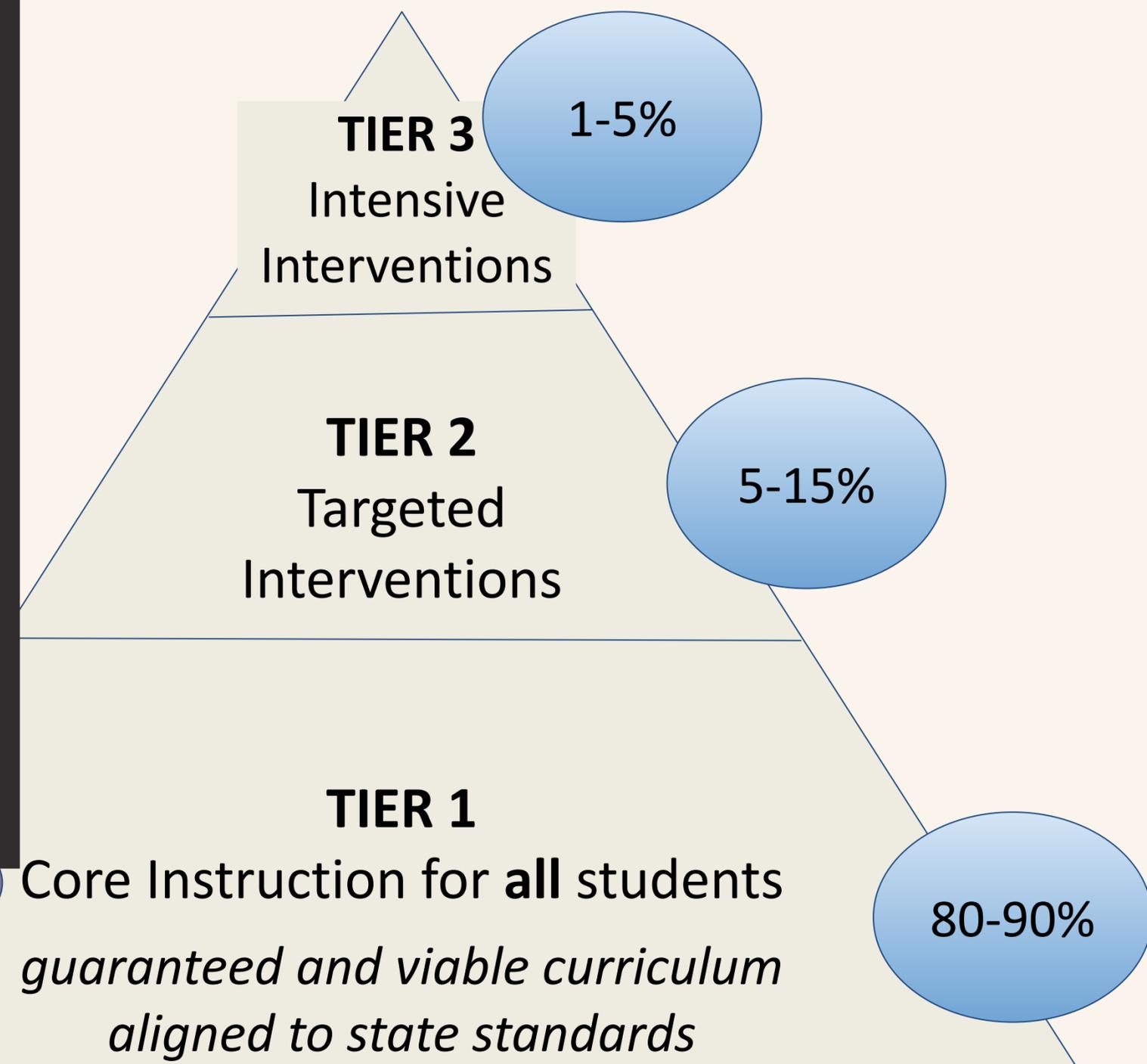
1st-5 CBM Assessment (assesses Fluency)



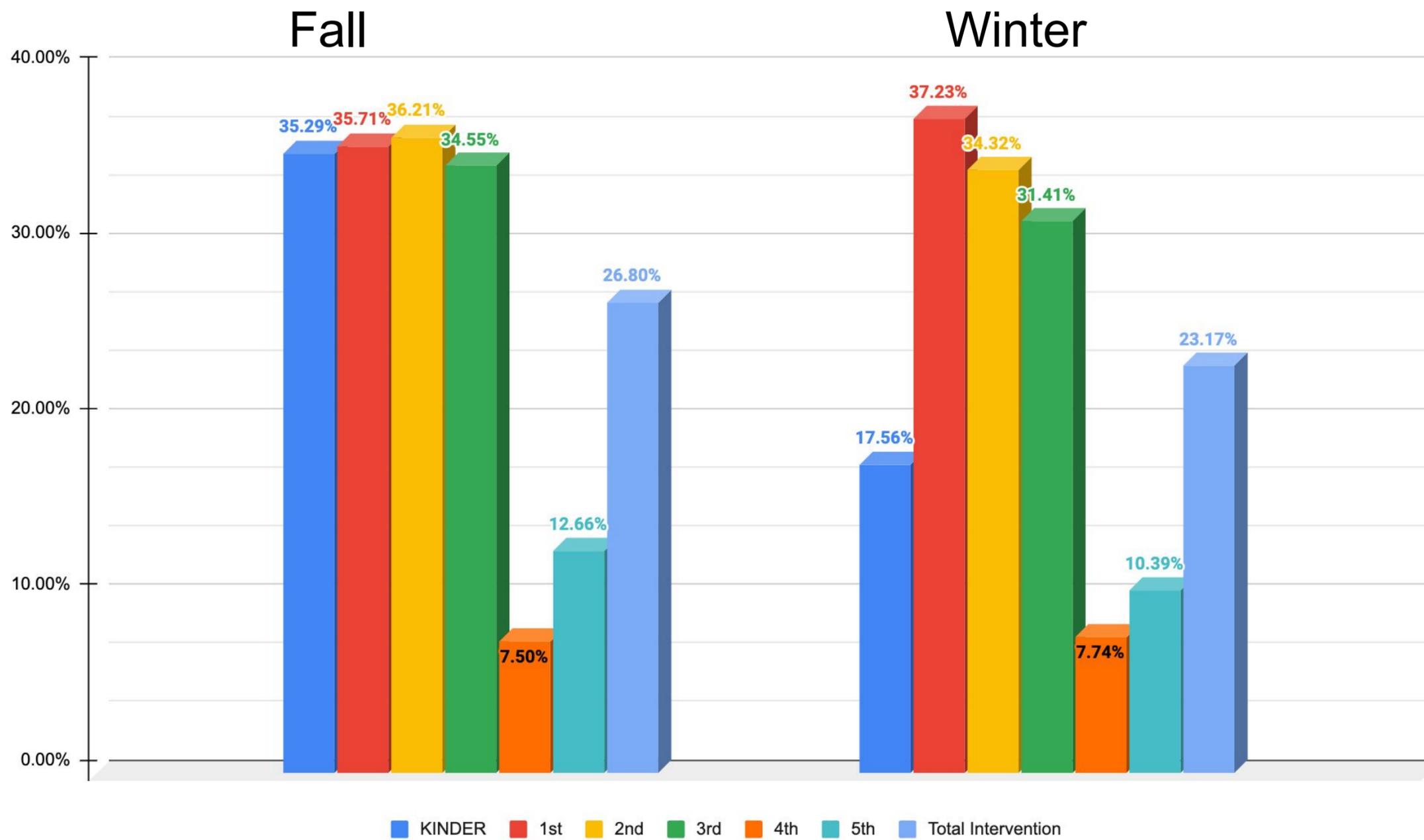
Current Reality



72% Early Reading
59% CBM



Intervention Trends



Reading Task Force

- A task force, made up of 15 teachers, was developed in December 2023 to investigate the concerns.
- Reviewed current reality, read articles about best practices, and analyzed data.
- Created a K-5 reading philosophy.
- Vetted curricula with 3rd party research.

Article topics –
5 key concepts of effective reading instruction:
vocabulary,
fluency,
phonics,
phonemic awareness,
comprehension.



Reading Philosophy

Blair Community Schools believe all students can learn. Therefore, we follow a structured literacy approach that includes the five components of reading: phonological awareness, phonics, fluency, vocabulary, and comprehension in kindergarten through grade five using explicit, systematic, and cumulative instruction to give students the opportunity to be actively engaged in a variety of texts where they can apply their skills in authentic, real-world experiences.

Task Force Recommendation, Positives, and Questions

Recommendation: Amplify CKLA pilot

Positives: word recognition, phonemic awareness, phonics, vocabulary, writing, background knowledge

Questions (not clear during vetting): unsure of fluency, assessments, spelling

Next Steps

- **2nd Reading Task Force**
- **Original Reading Task Force**
 - **revisit data/analyze trend data**
 - **investigate supplement for K-2**
 - **investigate 3-5 writing alignment with state standards**

We'll begin this summer and continue throughout the 2024-2025 school year.

Blair Community Schools Food Service Survey Winter 2024

Thursday, March 07, 2024

1055

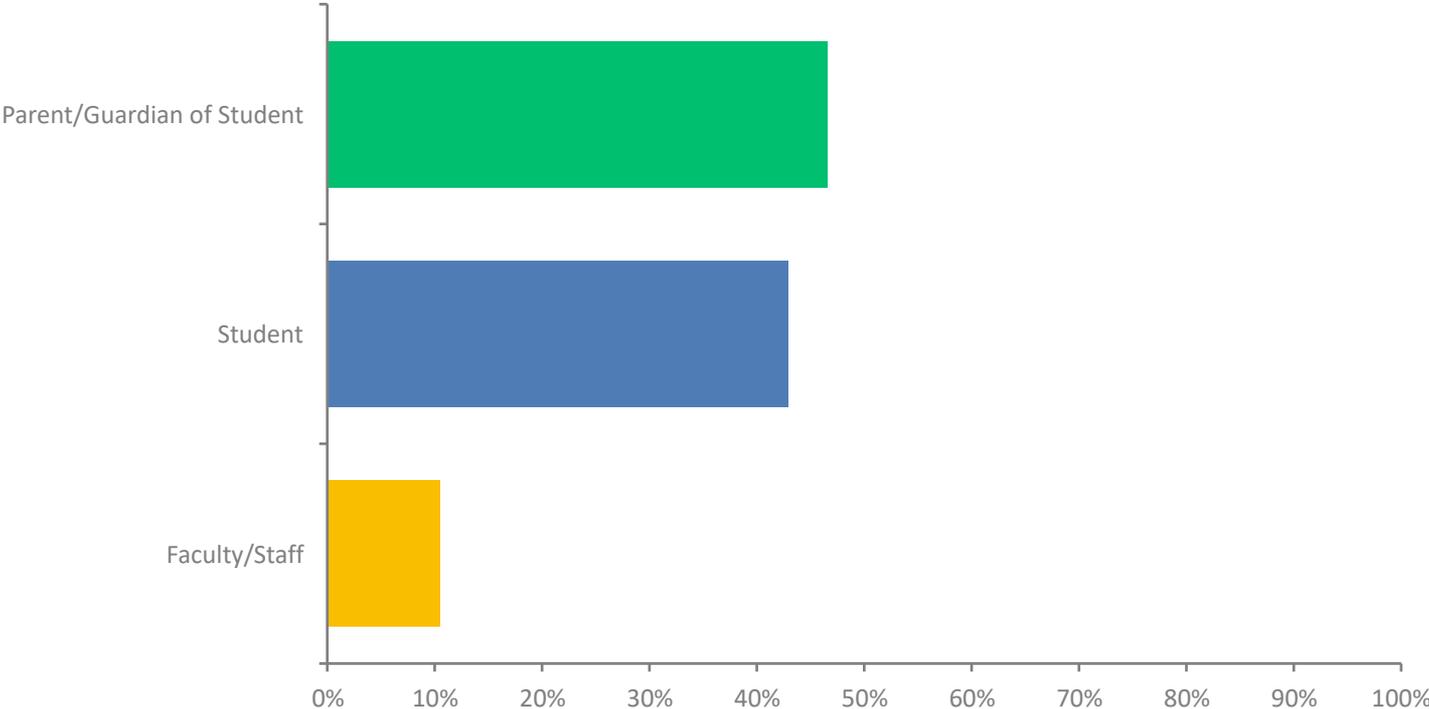
Total Responses

Date Created: Sunday, January 21, 2024

Complete Responses: 1055

Q1: Please mark the option that represents your relationship to Blair Community Schools.

Answered: 1055 ; 0



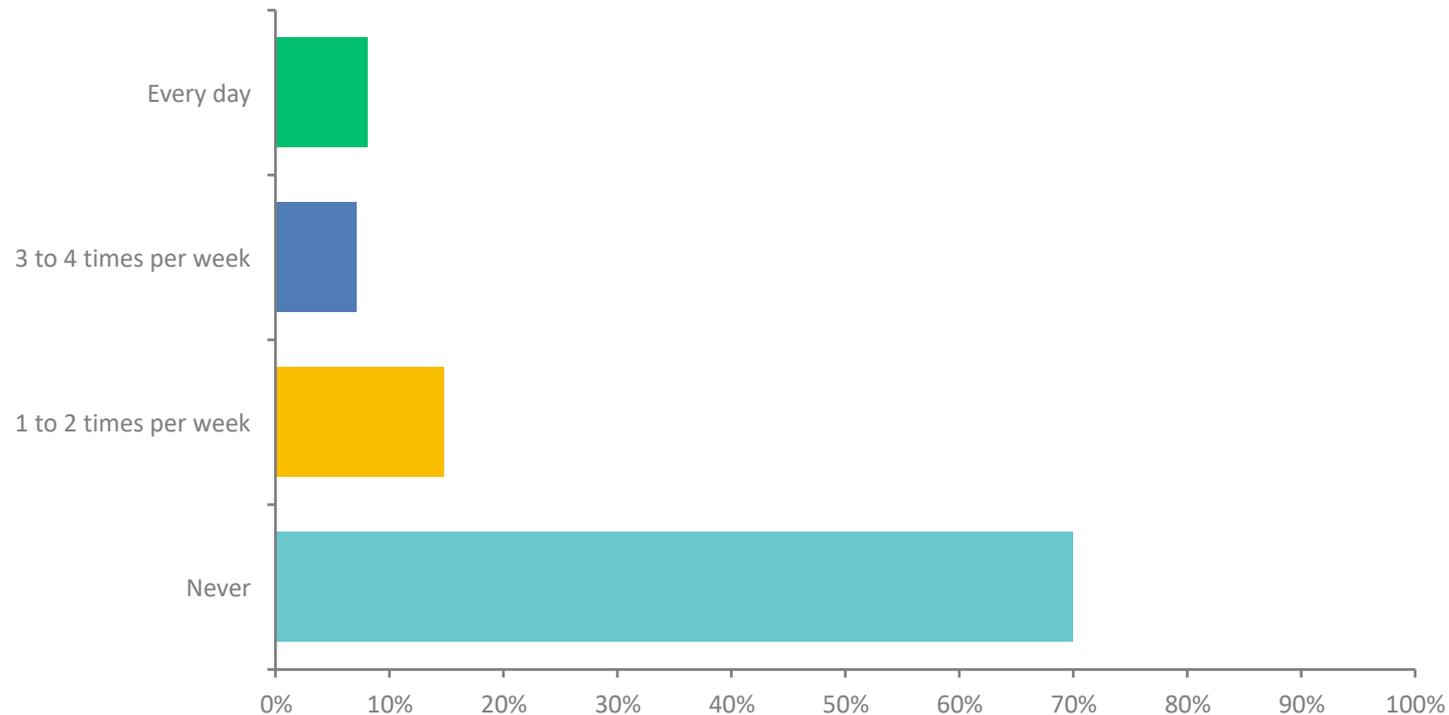
Q1: Please mark the option that represents your relationship to Blair Community Schools.

Answered: 1055 ; 0

ANSWER CHOICES	RESPONSES	
Parent/Guardian of Student	46.54%	491
Student	42.94%	453
Faculty/Staff	10.52%	111
TOTAL		1055

Q2: On average, how often does your child eat the breakfast served at school?

Answered: 480 Skipped: 575



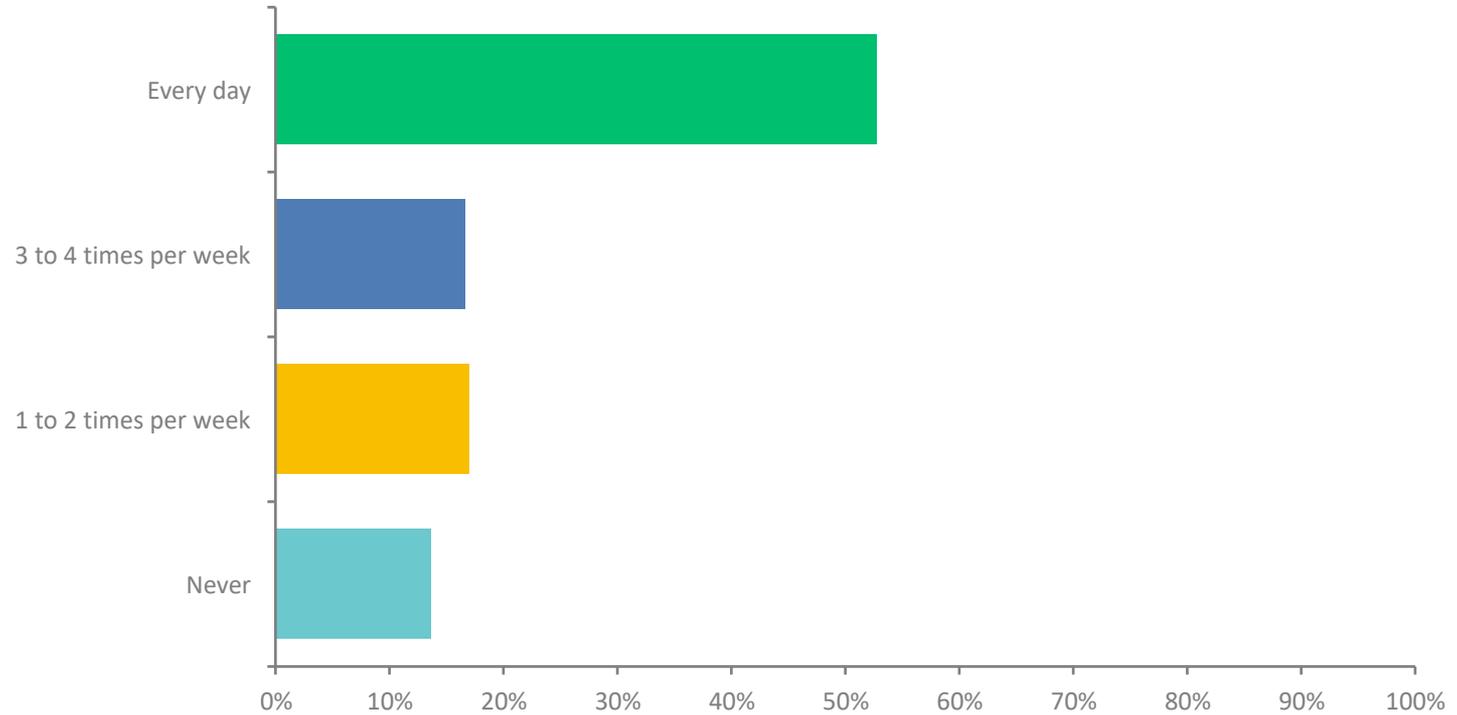
Q2: On average, how often does your child eat the breakfast served at school?

Answered: 480 Skipped: 575

ANSWER CHOICES	RESPONSES	
Every day	8.12%	39
3 to 4 times per week	7.08%	34
1 to 2 times per week	14.79%	71
Never	70.0%	336
TOTAL		480

Q3: On average, how often does your child eat the lunch served at school?

Answered: 476 Skipped: 579



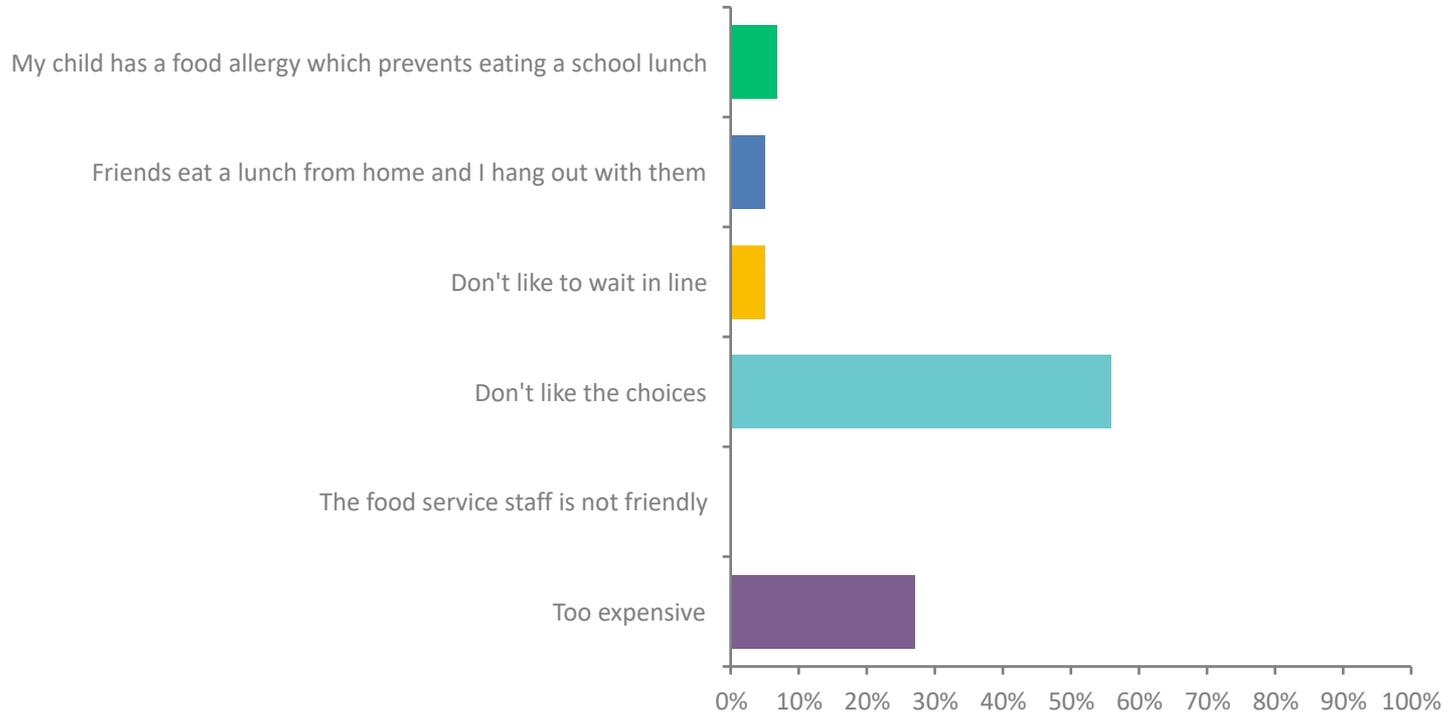
Q3: On average, how often does your child eat the lunch served at school?

Answered: 476 Skipped: 579

ANSWER CHOICES	RESPONSES	
Every day	52.73%	251
3 to 4 times per week	16.60%	79
1 to 2 times per week	17.02%	81
Never	13.66%	65
TOTAL		476

Q4: You indicated your child does not eat school lunch. Of the following items, which describes the reason most?

Answered: 59 Skipped: 996



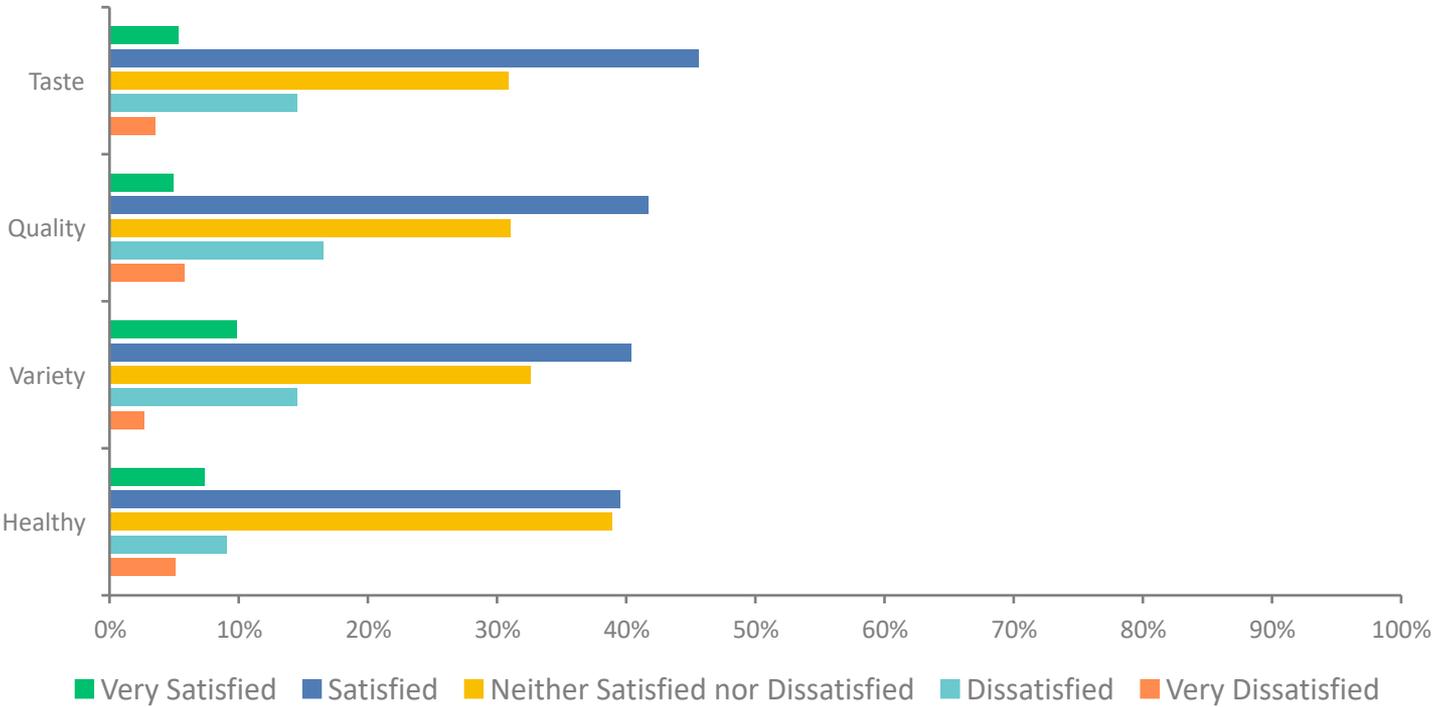
Q4: You indicated your child does not eat school lunch. Of the following items, which describes the reason most?

Answered: 59 Skipped: 996

ANSWER CHOICES	RESPONSES	
My child has a food allergy which prevents eating a school lunch	6.78%	4
Friends eat a lunch from home and I hang out with them	5.08%	3
Don't like to wait in line	5.08%	3
Don't like the choices	55.93%	33
The food service staff is not friendly	0%	0
Too expensive	27.12%	16
TOTAL		59

Q5: Please rate our school meals on the following:

Answered: 450 Skipped: 605



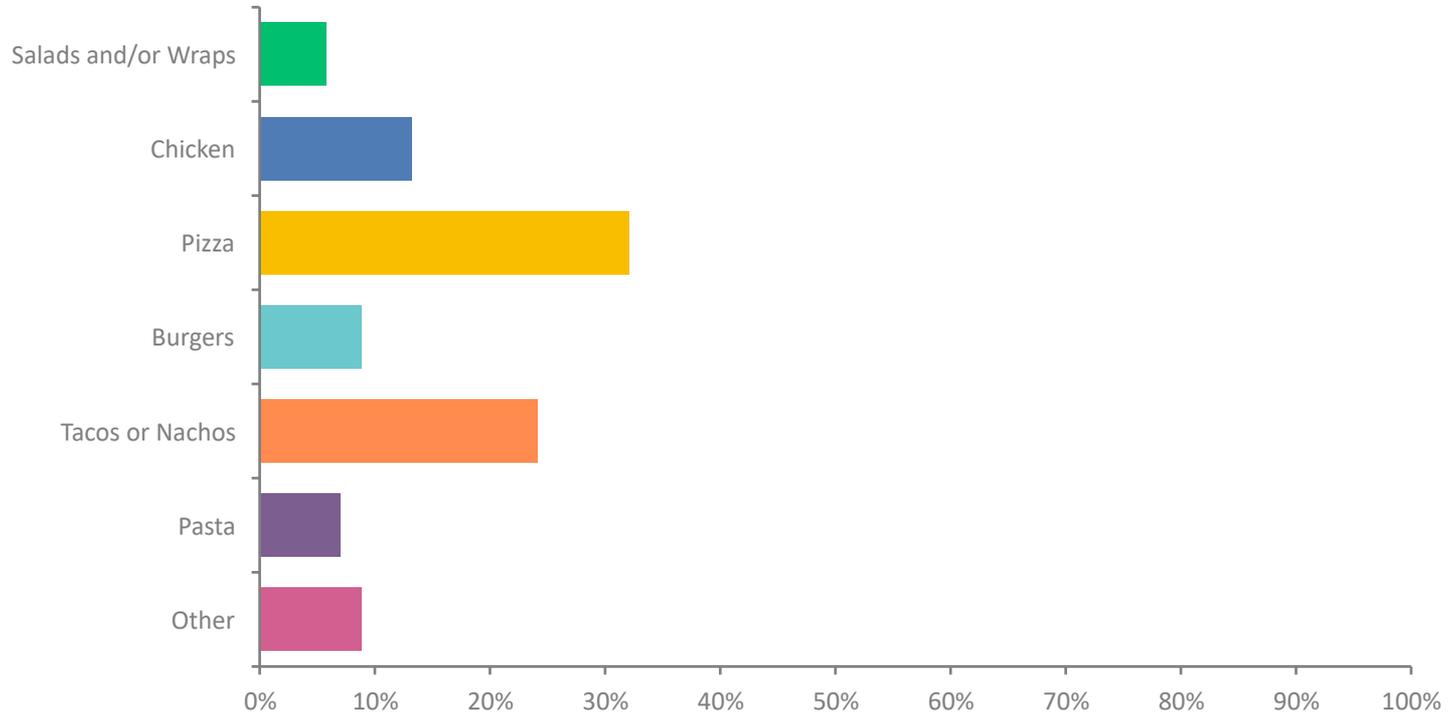
Q5: Please rate our school meals on the following:

Answered: 450 Skipped: 605

	VERY SATISFIE D	SATISFIE D	NEITHER SATISFIE D NOR DISSATIS FIED	DISSATIS FIED	VERY DISSATIS FIED	TOTAL	WEIGHTE D AVERAGE
Taste	5.37% 24	45.64% 204	30.87% 138	14.54% 65	3.58% 16	447	2.65
Quality	4.91% 22	41.74% 187	31.03% 139	16.52% 74	5.80% 26	448	2.77
Variety	9.82% 44	40.40% 181	32.59% 146	14.51% 65	2.68% 12	448	2.60
Healthy	7.33% 33	39.56% 178	38.89% 175	9.11% 41	5.11% 23	450	2.65

Q6: What are your child's favorite menu items?

Answered: 430 Skipped: 625



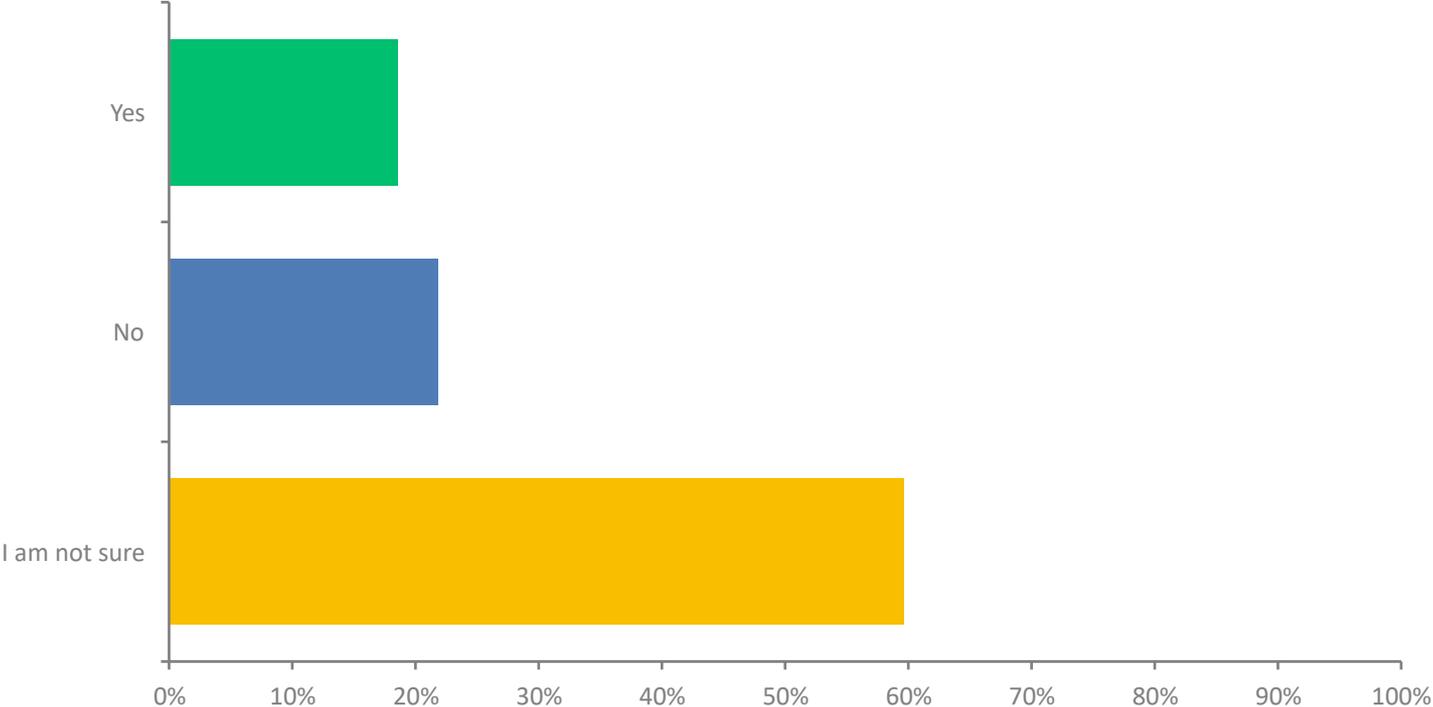
Q6: What are your child's favorite menu items?

Answered: 430 Skipped: 625

ANSWER CHOICES	RESPONSES	
Salads and/or Wraps	5.81%	25
Chicken	13.26%	57
Pizza	32.09%	138
Burgers	8.84%	38
Tacos or Nachos	24.19%	104
Pasta	6.98%	30
Other	8.84%	38
TOTAL		430

Q8: Has your child tried our monthly Limited Time Officers (LTOs)?

Answered: 426 Skipped: 629



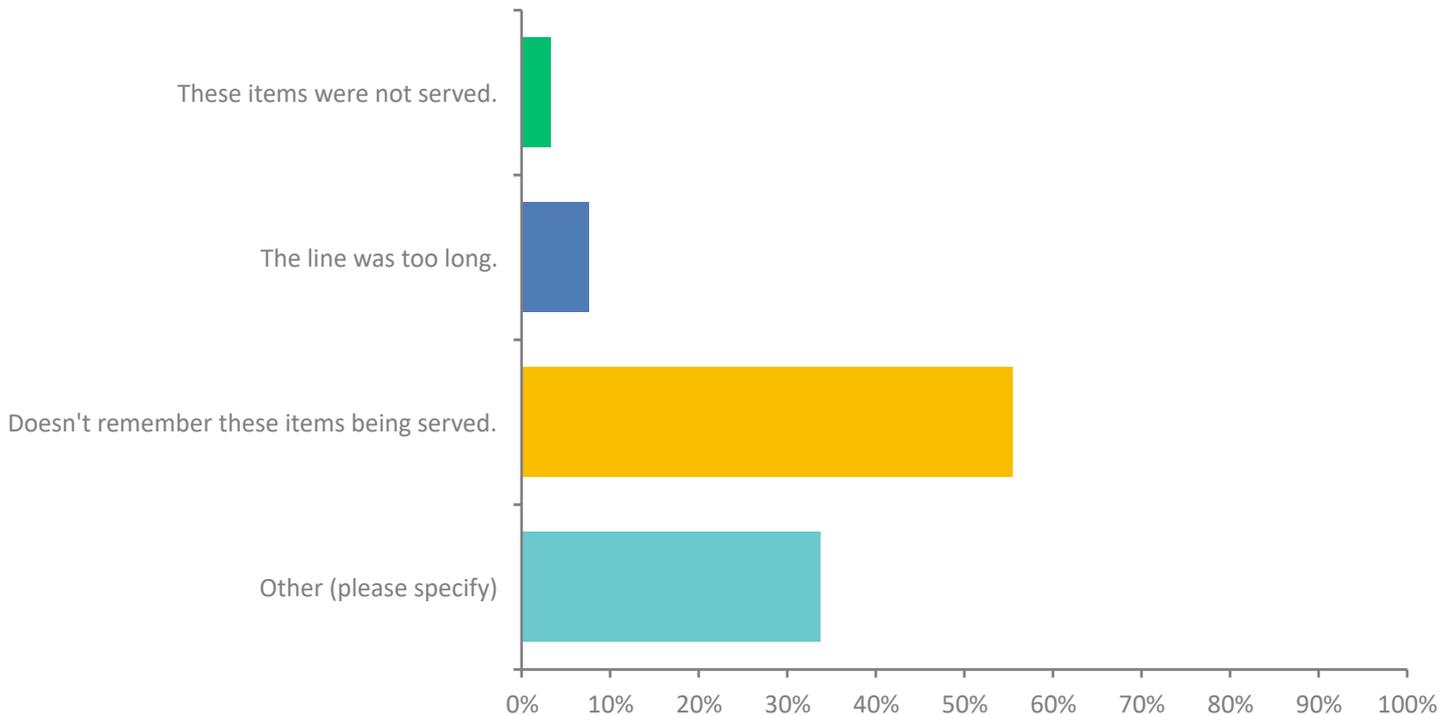
Q8: Has your child tried our monthly Limited Time Officers (LTOs)?

Answered: 426 Skipped: 629

ANSWER CHOICES	RESPONSES	
Yes	18.54%	79
No	21.83%	93
I am not sure	59.62%	254
TOTAL		426

Q9: You indicated your child has not tried our monthly LTOs. Of the following items, which describes the reason most?

Answered: 92 Skipped: 963



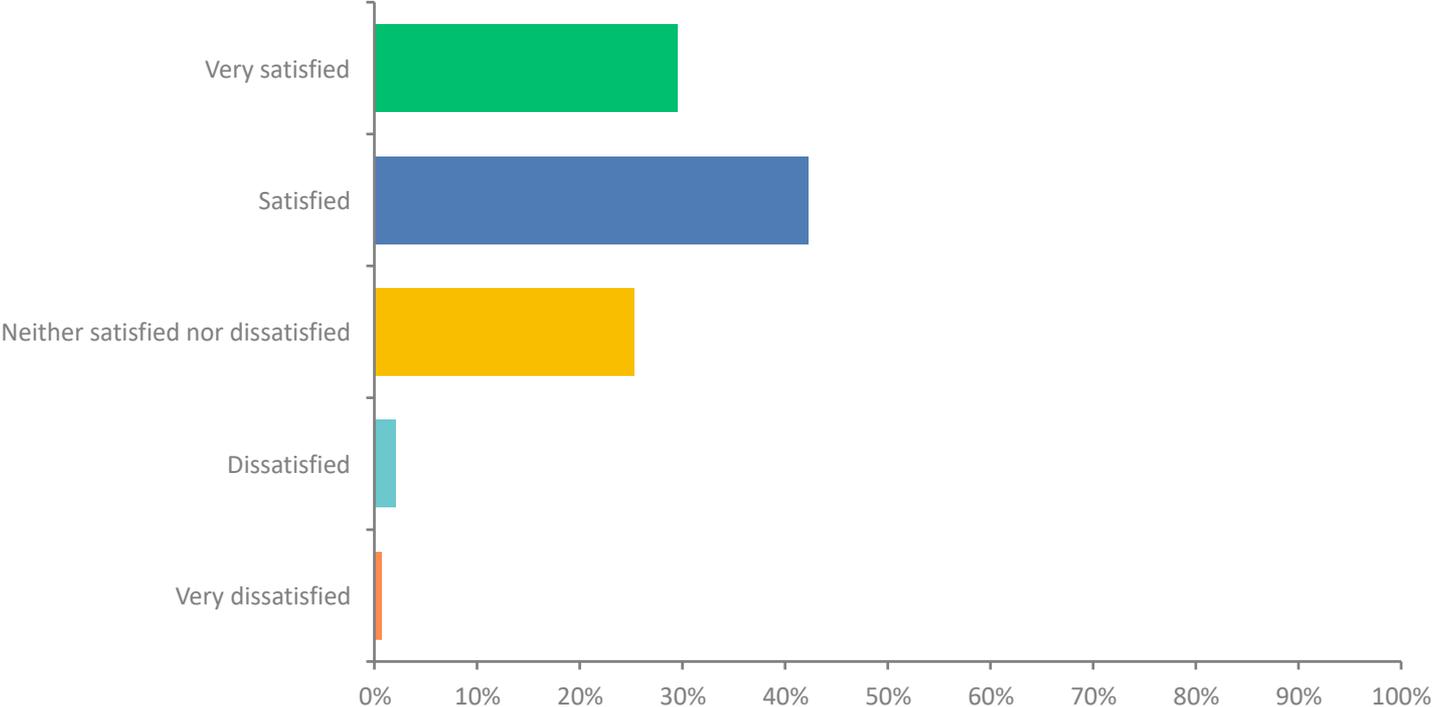
Q9: You indicated your child has not tried our monthly LTOs. Of the following items, which describes the reason most?

Answered: 92 Skipped: 963

ANSWER CHOICES	RESPONSES	
These items were not served.	3.26%	3
The line was too long.	7.61%	7
Doesn't remember these items being served.	55.43%	51
Other (please specify)	33.70%	31
TOTAL		92

Q10: The servers and cashiers are friendly and courteous to my child.

Answered: 419 Skipped: 636



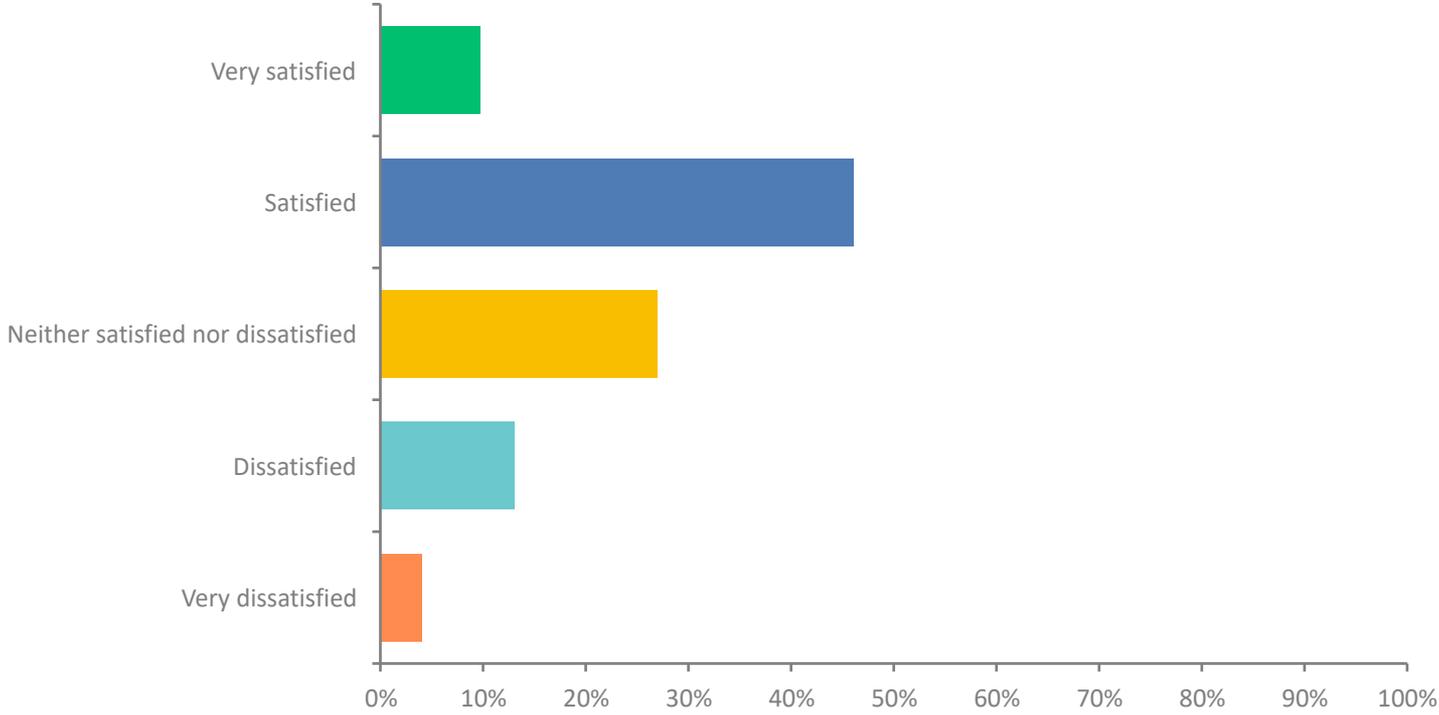
Q10: The servers and cashiers are friendly and courteous to my child.

Answered: 419 Skipped: 636

ANSWER CHOICES	RESPONSES	
Very satisfied	29.59%	124
Satisfied	42.24%	177
Neither satisfied nor dissatisfied	25.30%	106
Dissatisfied	2.15%	9
Very dissatisfied	0.72%	3
TOTAL		419

Q11: Overall, what is your level of satisfaction with the school food service program?

Answered: 419 Skipped: 636



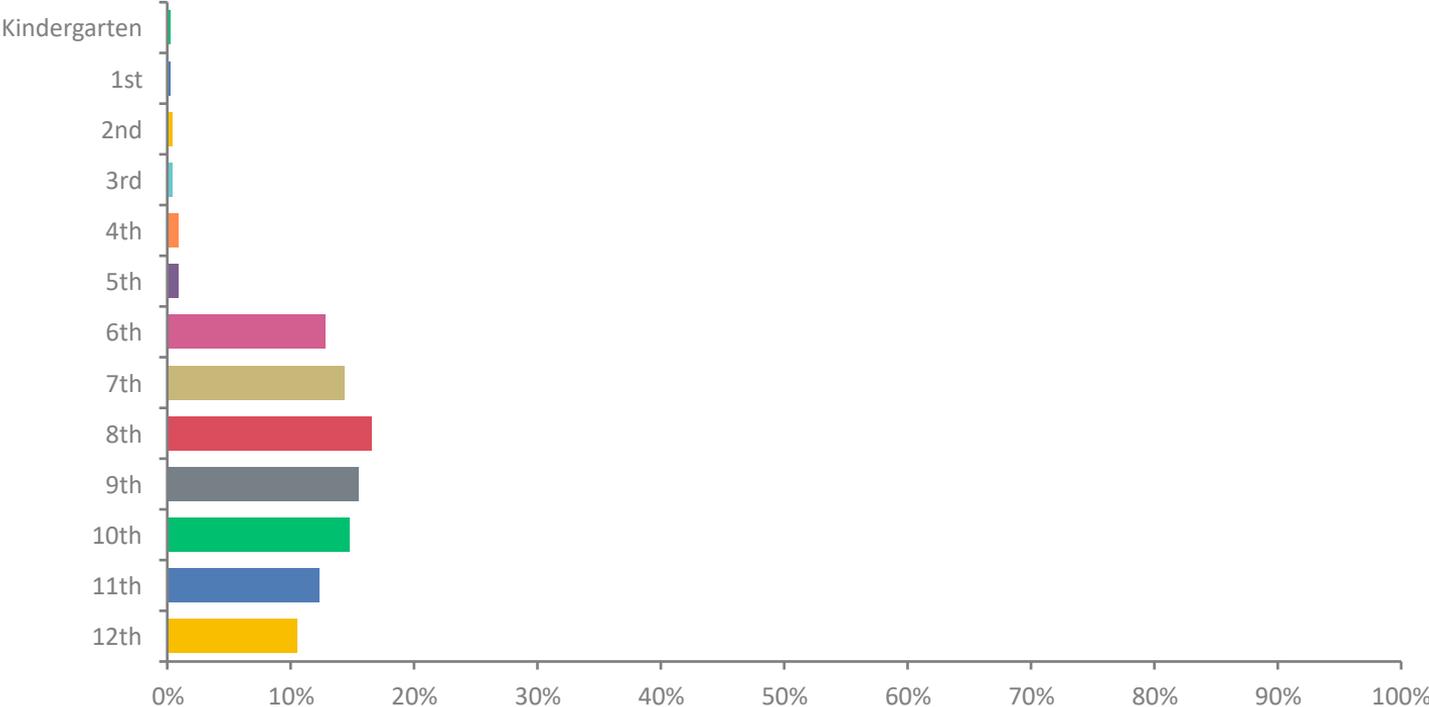
Q11: Overall, what is your level of satisfaction with the school food service program?

Answered: 419 Skipped: 636

ANSWER CHOICES	RESPONSES	
Very satisfied	9.79%	41
Satisfied	46.06%	193
Neither satisfied nor dissatisfied	26.97%	113
Dissatisfied	13.13%	55
Very dissatisfied	4.06%	17
TOTAL		419

Q12: What grade level are you in?

Answered: 446 Skipped: 609



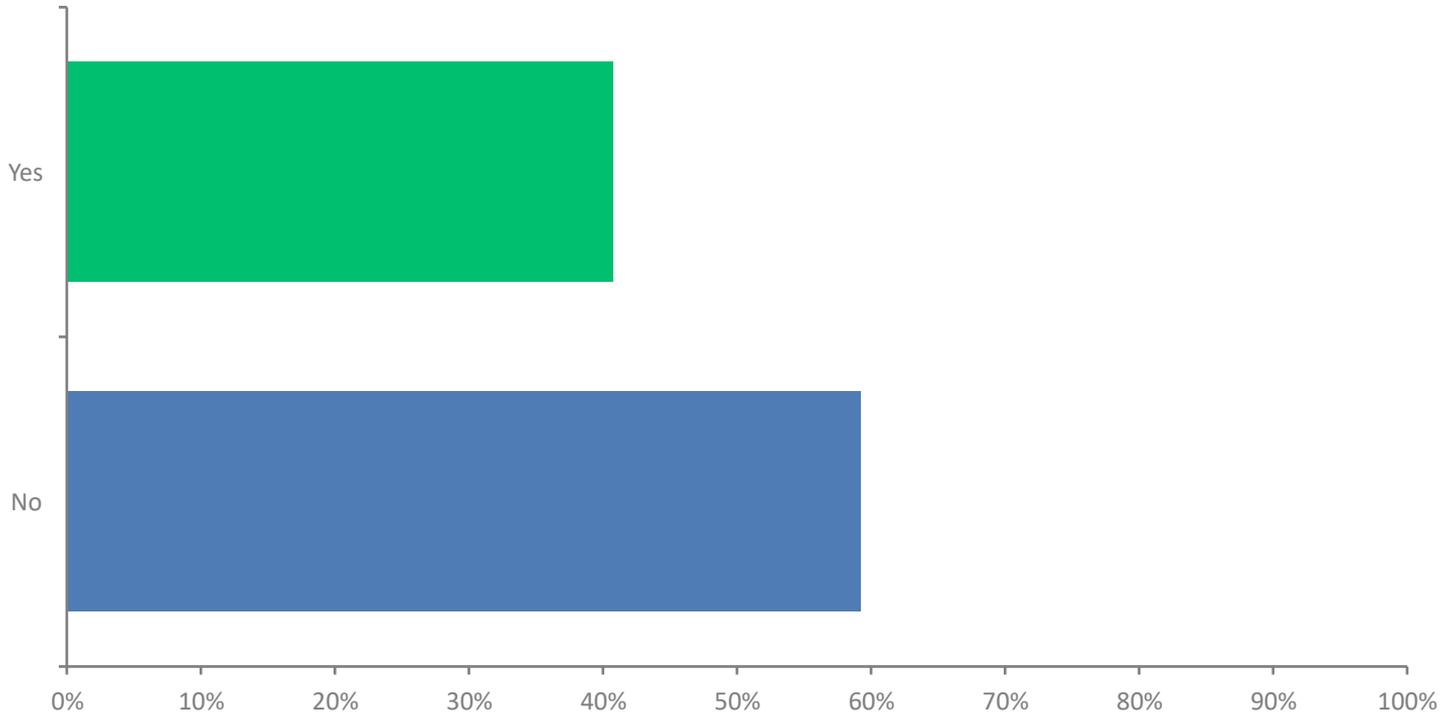
Q12: What grade level are you in?

Answered: 446 Skipped: 609

ANSWER CHOICES	RESPONSES	
Kindergarten	0.22%	1
1st	0.22%	1
2nd	0.45%	2
3rd	0.45%	2
4th	0.90%	4
5th	0.90%	4
6th	12.78%	57
7th	14.35%	64
8th	16.59%	74
9th	15.47%	69

Q13: Have you tried our monthly Limited Time Offers (LTOs) like the Turkey Piegga or the Philly Cheesesteak?

Answered: 233 Skipped: 822



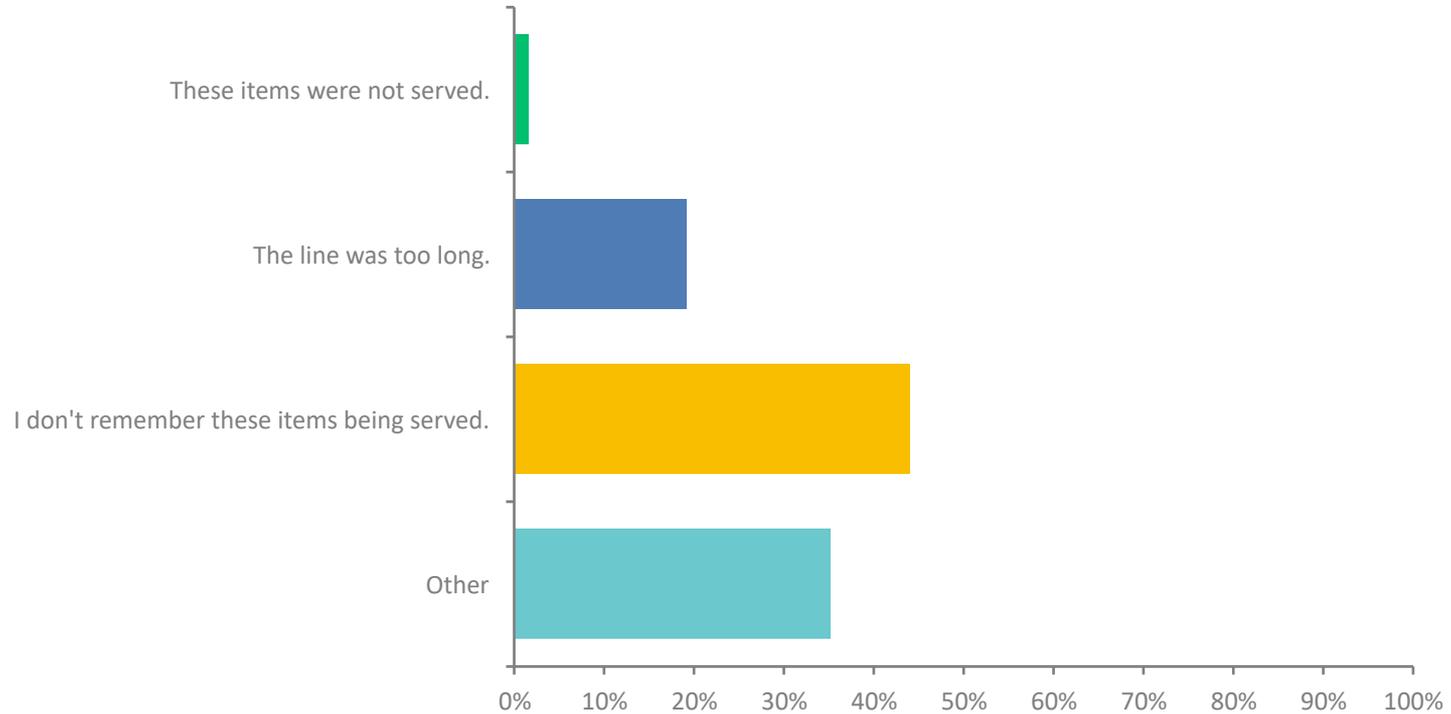
Q13: Have you tried our monthly Limited Time Offers (LTOs) like the Turkey Piegga or the Philly Cheesesteak?

Answered: 233 Skipped: 822

ANSWER CHOICES	RESPONSES	
Yes	40.77%	95
No	59.23%	138
TOTAL		233

Q14: You indicated you have not tried the LTOs. Of the following items, which describes the reason the most?

Answered: 125 Skipped: 930



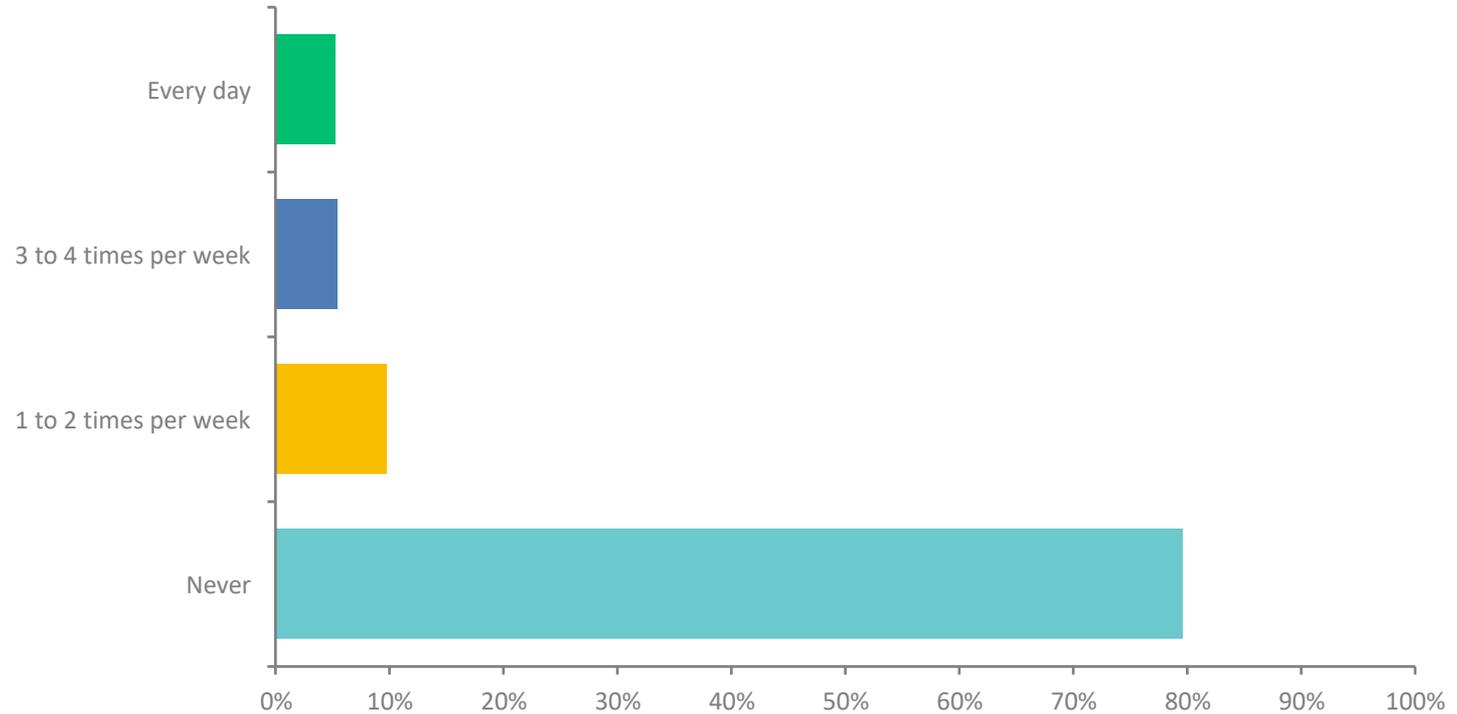
Q14: You indicated you have not tried the LTOs. Of the following items, which describes the reason the most?

Answered: 125 Skipped: 930

ANSWER CHOICES	RESPONSES	
These items were not served.	1.60%	2
The line was too long.	19.20%	24
I don't remember these items being served.	44.00%	55
Other	35.20%	44
TOTAL		125

Q15: On average, how often do you eat the breakfast served at school?

Answered: 535 Skipped: 520



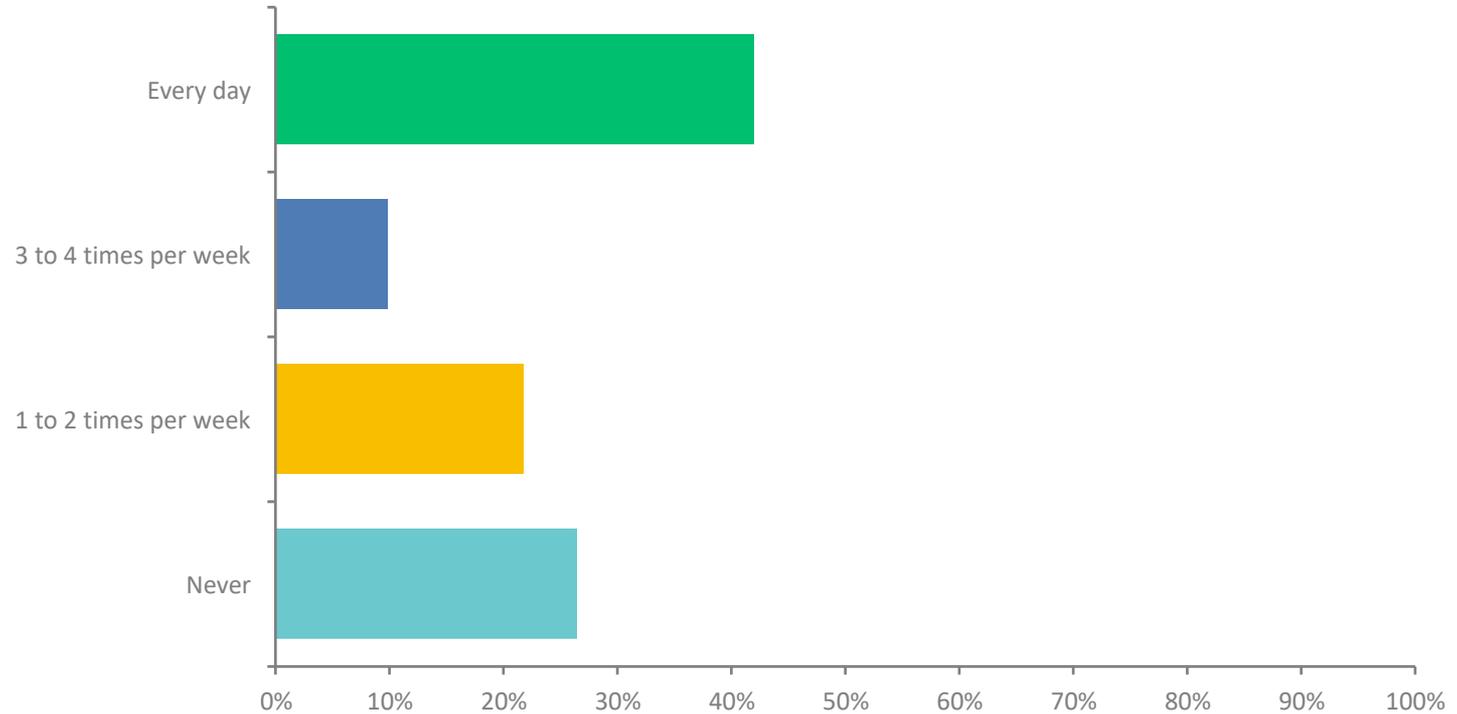
Q15: On average, how often do you eat the breakfast served at school?

Answered: 535 Skipped: 520

ANSWER CHOICES	RESPONSES	
Every day	5.23%	28
3 to 4 times per week	5.42%	29
1 to 2 times per week	9.72%	52
Never	79.63%	426
TOTAL		535

Q16: On average, how often do you eat the lunch served at school?

Answered: 529 Skipped: 526



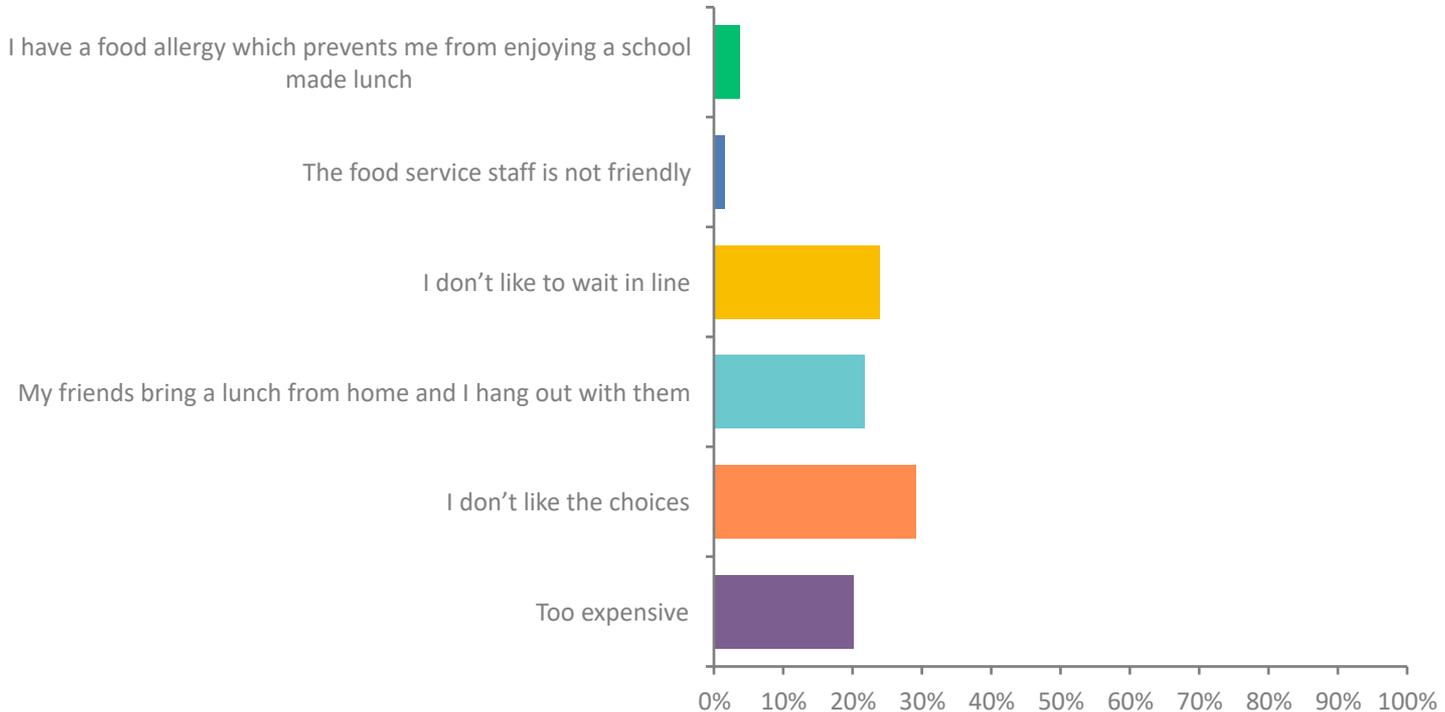
Q16: On average, how often do you eat the lunch served at school?

Answered: 529 Skipped: 526

ANSWER CHOICES	RESPONSES	
Every day	41.97%	222
3 to 4 times per week	9.83%	52
1 to 2 times per week	21.74%	115
Never	26.47%	140
TOTAL		529

Q17: You indicated you never participate in our school lunches. Of the following items, which describes your reason the most?

Answered: 134 Skipped: 921



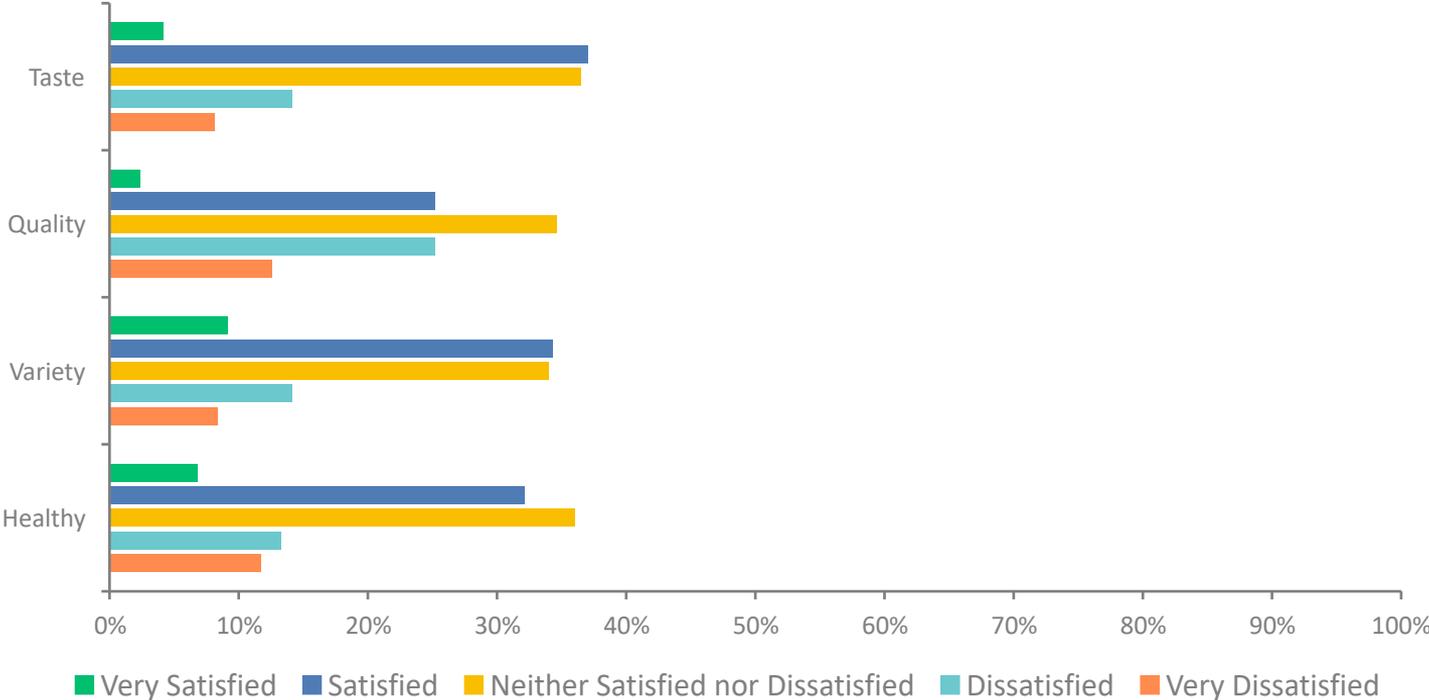
Q17: You indicated you never participate in our school lunches. Of the following items, which describes your reason the most?

Answered: 134 Skipped: 921

ANSWER CHOICES	RESPONSES	
I have a food allergy which prevents me from enjoying a school made lunch	3.73%	5
The food service staff is not friendly	1.49%	2
I don't like to wait in line	23.88%	32
My friends bring a lunch from home and I hang out with them	21.64%	29
I don't like the choices	29.10%	39
Too expensive	20.15%	27
TOTAL		134

Q18: Please rate our school lunch on the following:

Answered: 383 Skipped: 672



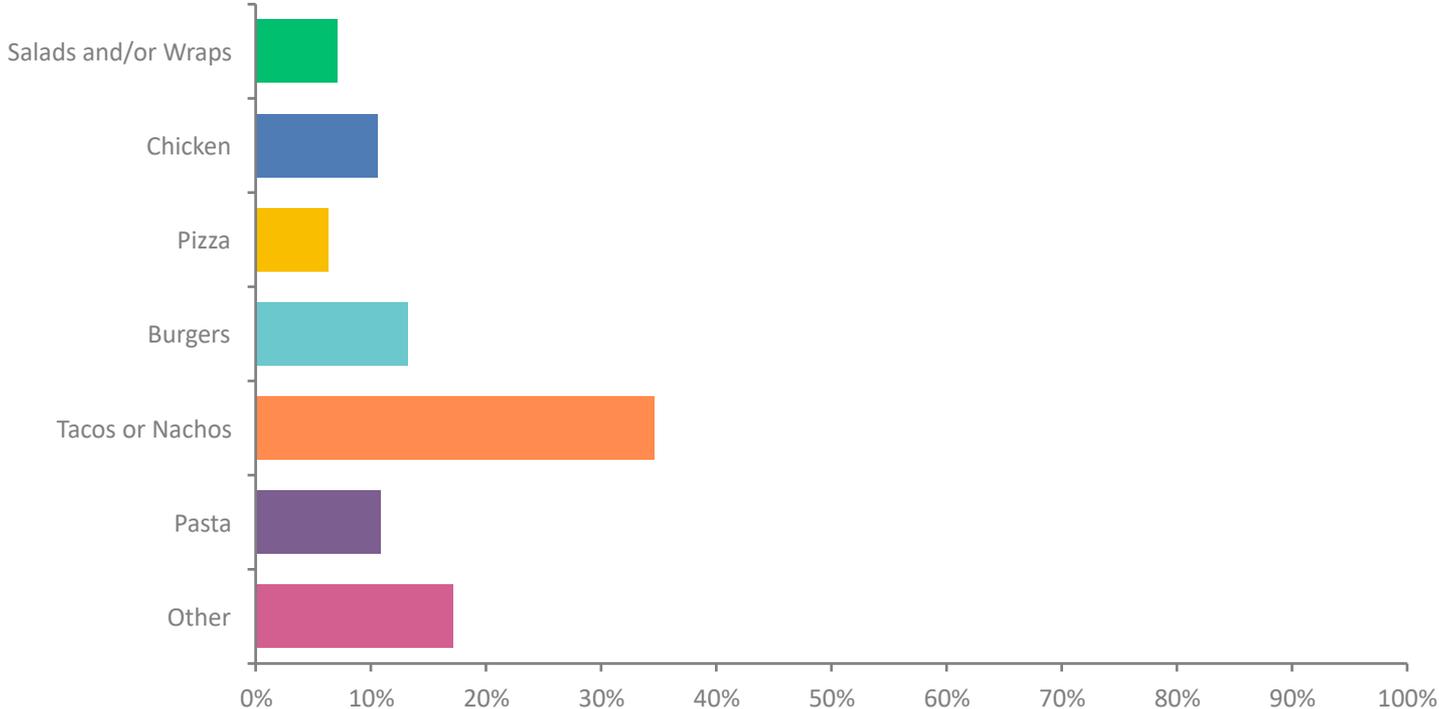
Q18: Please rate our school lunch on the following:

Answered: 383 Skipped: 672

	VERY SATISFIE D	SATISFIE D	NEITHER SATISFIE D NOR DISSATIS FIED	DISSATIS FIED	VERY DISSATIS FIED	TOTAL	WEIGHTE D AVERAGE
Taste	4.20% 16	37.01% 141	36.48% 139	14.17% 54	8.14% 31	381	2.85
Quality	2.36% 9	25.20% 96	34.65% 132	25.20% 96	12.60% 48	381	3.20
Variety	9.16% 35	34.29% 131	34.03% 130	14.14% 54	8.38% 32	382	2.78
Healthy	6.79% 26	32.11% 123	36.03% 138	13.32% 51	11.75% 45	383	2.91

Q19: What are your favorite menu items?

Answered: 378 Skipped: 677



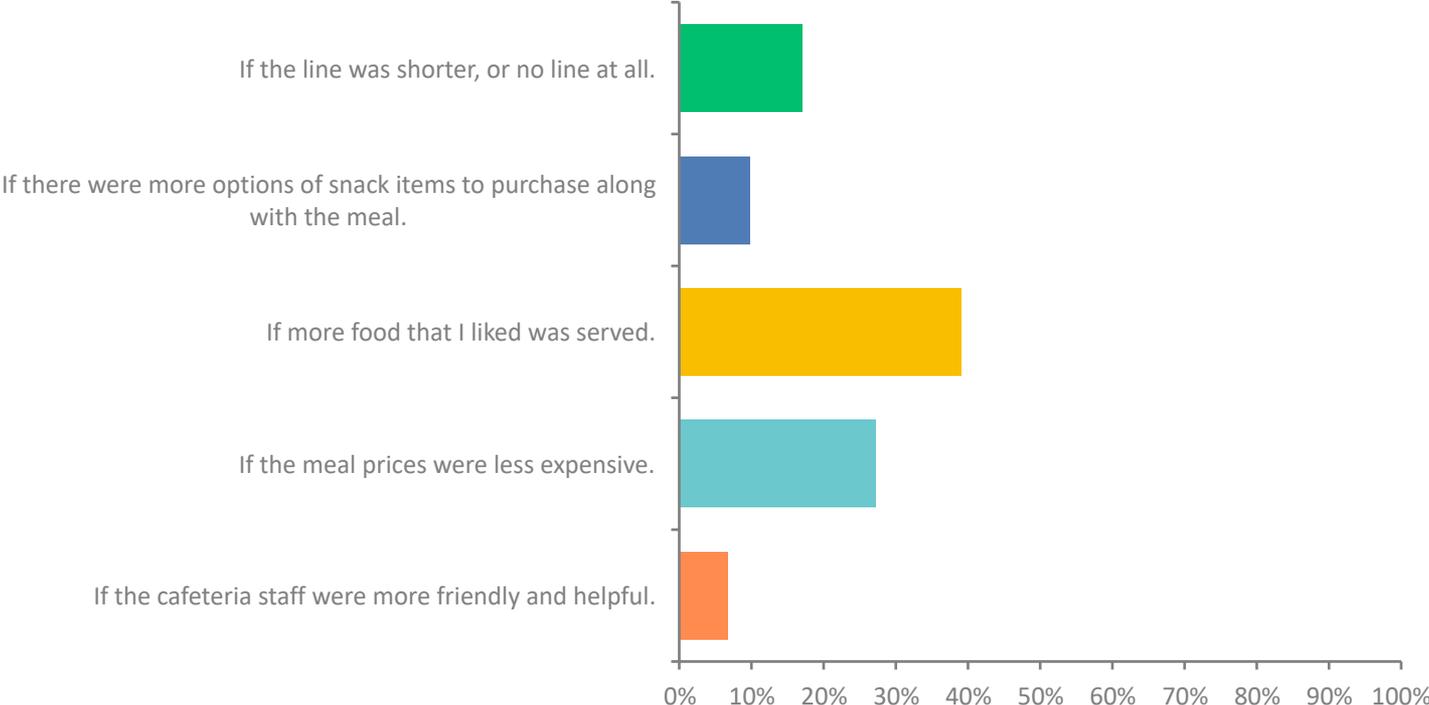
Q19: What are your favorite menu items?

Answered: 378 Skipped: 677

ANSWER CHOICES	RESPONSES	
Salads and/or Wraps	7.14%	27
Chicken	10.58%	40
Pizza	6.35%	24
Burgers	13.23%	50
Tacos or Nachos	34.66%	131
Pasta	10.85%	41
Other	17.20%	65
TOTAL		378

Q20: What would encourage you to eat the school meals more often?

Answered: 356 Skipped: 699



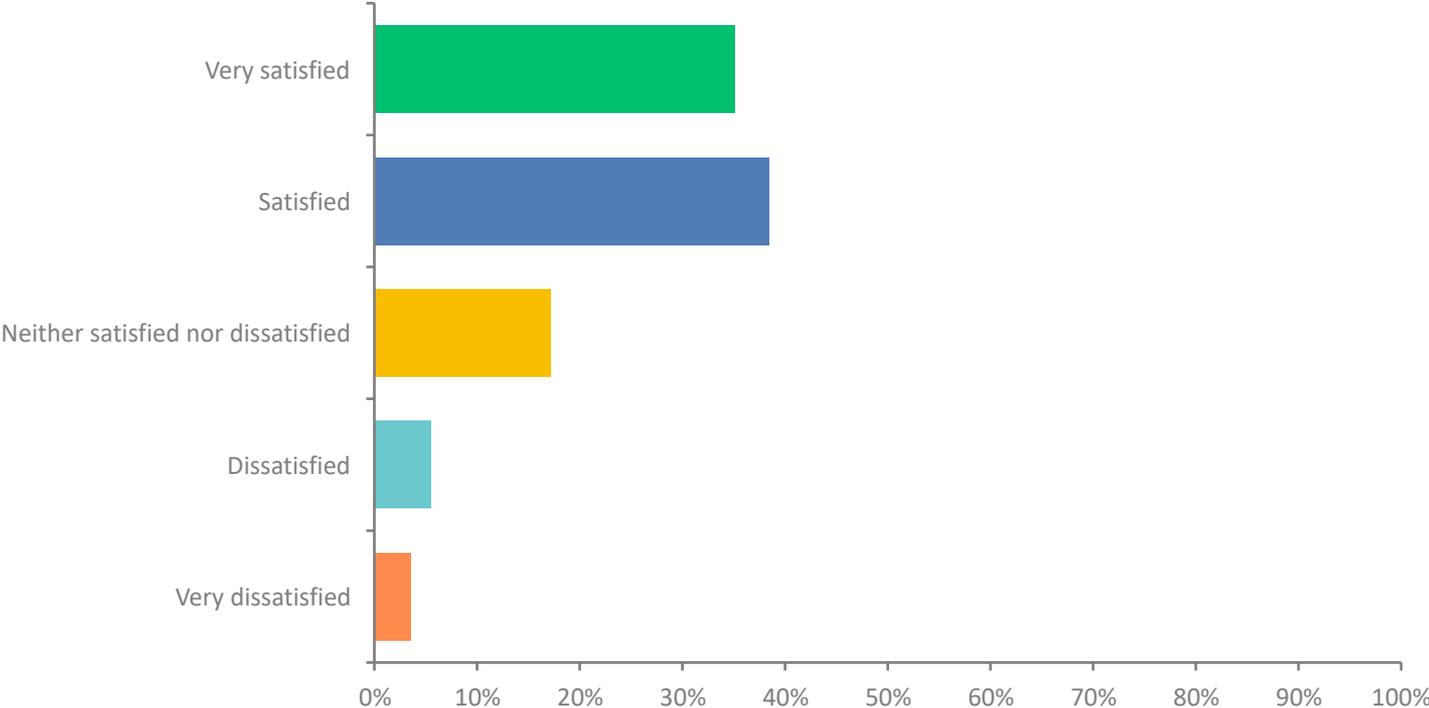
Q20: What would encourage you to eat the school meals more often?

Answered: 356 Skipped: 699

ANSWER CHOICES	RESPONSES	
If the line was shorter, or no line at all.	17.13%	61
If there were more options of snack items to purchase along with the meal.	9.83%	35
If more food that I liked was served.	39.04%	139
If the meal prices were less expensive.	27.25%	97
If the cafeteria staff were more friendly and helpful.	6.74%	24
TOTAL		356

Q21: The servers and cashiers are friendly and courteous.

Answered: 361 Skipped: 694



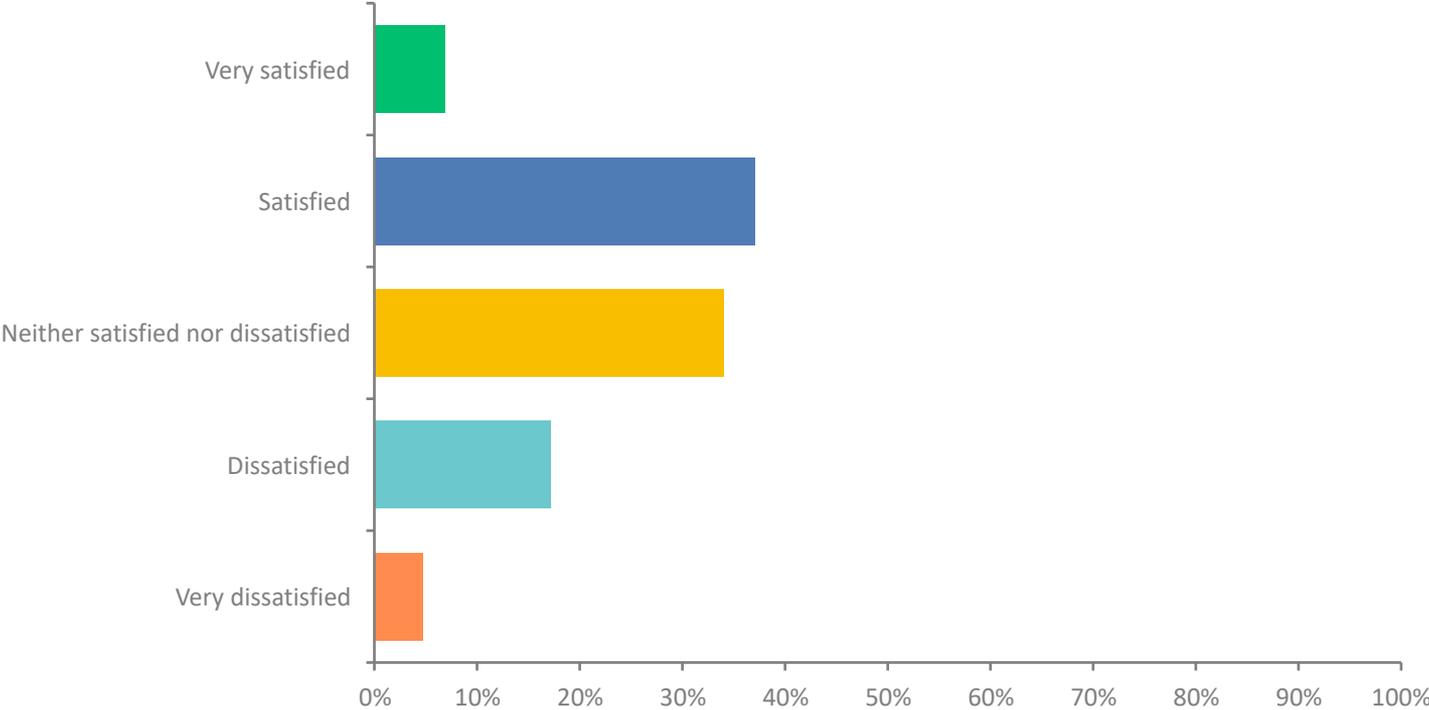
Q21: The servers and cashiers are friendly and courteous.

Answered: 361 Skipped: 694

ANSWER CHOICES	RESPONSES	
Very satisfied	35.18%	127
Satisfied	38.50%	139
Neither satisfied nor dissatisfied	17.17%	62
Dissatisfied	5.54%	20
Very dissatisfied	3.60%	13
TOTAL		361

Q22: Overall, what is your level of satisfaction with the school meal program?

Answered: 361 Skipped: 694



Q22: Overall, what is your level of satisfaction with the school meal program?

Answered: 361 Skipped: 694

ANSWER CHOICES	RESPONSES	
Very satisfied	6.93%	25
Satisfied	37.12%	134
Neither satisfied nor dissatisfied	34.07%	123
Dissatisfied	17.17%	62
Very dissatisfied	4.71%	17
TOTAL		361

May-24

Blair Community Schools Budget Comparison Receipts

Description	Code	2023-2024				2022-2023			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Local Receipts									
Local Property Taxes	11100	\$4,749,918	\$14,905,700	\$16,450,818	90.6%	\$6,337,353	\$16,440,981	\$17,470,198	94.1%
Property Tax Interest & Penalties	11140	\$173	\$31,200	\$38,000	82.1%	\$323	\$36,502	\$37,000	98.7%
Carline Tax	11115	\$0	\$1,307	\$1,200	108.9%	\$0	\$1,153	\$8,500	13.6%
OPPD In Lieu	11120	\$221,416	\$221,416	\$232,000	95.4%	\$244,890	\$244,890	\$220,000	111.3%
Motor Vehicle Tax	11125	\$161,272	\$1,338,636	\$1,750,000	76.5%	\$160,965	\$1,303,884	\$1,700,000	76.7%
Tuition ESU#3 (PT Contract)	11315	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition Other Districts (SPED)	11323	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Summer School	11312	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Preschool	11370	\$6,900	\$50,625	\$45,000	112.5%	\$5,331	\$50,953	\$40,000	127.4%
Transportation School Districts	11423	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Transportation Private Sources	11440	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Interest	11510	\$252	\$42,287	\$26,000	162.6%	\$4,506	\$28,546	\$14,000	203.9%
Local License Fee	11911	\$2,800	\$6,040	\$6,500	92.9%	\$2,300	\$6,340	\$7,000	90.6%
Police Court Fines	11921	\$0	\$675	\$900	75.0%	\$100	\$668	\$600	111.3%
Community Service Fees	11800	\$0	\$2,039	\$2,000	102.0%	\$0	\$0	\$1,800	0.0%
Rentals - Facilities and Equip	11910	\$640	\$6,700	\$5,000	134.0%	\$480	\$6,940	\$4,000	173.5%
Contributions/Donations	11920	\$0	\$2,616	\$4,000	65.4%	\$70	\$6,577	\$4,000	164.4%
Grant - Corporate/Private Interest	11925	\$1,445	\$27,517	\$0	100.0%	\$2,000	\$17,164	\$0	100.0%
Misc Revenue-Other School Districts	11951	\$400	\$400	\$0	100.0%	\$0	\$0	\$0	100.0%
Misc Revenue-Local Government	11960	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Other Local Receipts	11990	\$0	\$0	\$0	100.0%	\$0	\$385	\$0	100.0%
Total		\$5,145,217	\$16,637,157	\$18,561,418	89.6%	\$6,758,317	\$18,144,984	\$19,507,098	93.0%
Intermediate Source									
County Fines & Licenses	12110	\$0	\$154,519	\$110,000	140.5%	\$0	\$114,150	\$107,000	106.7%
ESU #3 Receipts	12210	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$0	\$154,519	\$110,000	140.5%	\$0	\$114,150	\$107,000	106.7%
State Source									
State Aid	13110	\$375,225	\$3,377,025	\$3,752,253	90.0%	\$43,887	\$394,983	\$438,874	90.0%
Special Education	13120	\$365,550	\$2,182,031	\$2,499,504	87.3%	\$200,987	\$1,072,226	\$1,310,000	81.8%
SPED Sch Age Transportation	13125	\$0	\$0	\$101,000	0.0%	\$0	\$100,850	\$120,000	84.0%
Homestead Exemption	13130	\$67,938	\$203,814	\$375,000	54.4%	\$78,770	\$236,310	\$425,000	55.6%
Payments for Hi Ability	13535	\$0	\$11,734	\$11,410	102.8%	\$0	\$10,436	\$9,740	107.1%
Flex Funding: Before Age 5	13165	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Flex Funding: School Age	13166	\$0	\$0	\$0	100.0%	\$0	\$0	\$8,000	0.0%
Pro-Rate Motor Vehicles	13180	\$14,398	\$30,129	\$45,000	67.0%	\$23,158	\$34,042	\$41,000	83.0%
State Apportionment	13400	\$0	\$421,971	\$370,000	114.0%	\$0	\$429,646	\$310,000	138.6%
Property Tax Credit	13131	\$0	\$576,683	\$850,000	67.8%	\$0	\$577,146	\$1,000,000	57.7%
Personal Property Tax Credit	13132	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%

May-24

Blair Community Schools Budget Comparison Receipts

Description	Code	2023-2024				2022-2023			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Education Innovation Grant	13575	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Teacher Training Grants	13551	\$0	\$8,147	\$0	100.0%	\$0	\$0	\$0	100.0%
State Field Trip Grant (NAC)	13590	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
NDEQ Transportation Grant	13500	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Early Childhood Grant	13540	\$0	\$15,738	\$72,405	21.7%	\$0	\$15,653	\$63,560	24.6%
SixPence Early Childhood Grant	13541	\$0	\$14,919	\$85,000	17.6%	\$18,145	\$65,977	\$105,558	62.5%
NDEQ Transportation Grant	13599	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Other	13990	\$0	\$850	\$0	100.0%	\$300	\$780	\$0	100.0%
Total		\$823,111	\$6,843,040	\$8,161,572	83.8%	\$365,246	\$2,938,049	\$3,831,732	76.7%
Federal Sources									
IDEA Part B, Peak Grant	14418	\$0	\$0	\$0	100.0%	\$0	\$1,651	\$0	100.0%
Title I Current	14505	\$0	\$22,800	\$185,092	12.3%	\$0	\$17,700	\$193,496	9.1%
Title I - Accountability	14506	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Title II Part A	14509	\$0	\$0	\$44,146	0.0%	\$0	\$0	\$49,826	0.0%
Title IV	14969	\$0	\$0	\$15,795	0.0%	\$0	\$0	\$12,169	0.0%
IDEA PART B (611) ARP	14421	\$0	\$0	\$0	100.0%	\$0	\$12,535	\$0	100.0%
IDEA PRESCHOOL (619) ARP	14422	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA BASE AGE 0-3/3-5	14512	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA 619 Ages 3-4	14516	\$0	\$12,290	\$12,503	98.3%	\$0	\$0	\$12,290	0.0%
IDEA Part B (611) Base Allocation	14518	\$0	\$450,230	\$470,581	95.7%	\$0	\$64,737	\$450,230	14.4%
IDEA Part B Proportionate Share	14521	\$0	\$4,350	\$8,160	53.3%	\$0	\$0	\$4,530	0.0%
MIPS	14708	\$13,393	\$61,803	\$45,000	137.3%	\$19,587	\$41,019	\$30,000	136.7%
MEDICAID ADMIN	14709	\$0	\$9,830	\$22,000	44.7%	\$7,939	\$21,170	\$26,000	81.4%
Forest Reserve: De Soto	14707	\$0	\$0	\$14,000	0.0%	\$0	\$0	\$13,500	0.0%
Perkins Grant	14525	\$0	\$20,216	\$18,961	106.6%	\$0	\$0	\$20,216	0.0%
Title III NCLB-LEP	14527	\$0	\$0	\$3,000	0.0%	\$0	\$456	\$3,108	14.7%
Head Start	14309	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER III Grant (Covid19)	14998	\$0	\$0	\$215,670	0.0%	\$0	\$156,298	\$551,685	28.3%
Other Fed Categorical	14530	\$0	\$84,729	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$13,393	\$666,248	\$1,054,908	63.2%	\$27,526	\$315,566	\$1,367,050	23.1%
Non Revenue Receipts									
Insurance Adjustment	15301	\$0	\$0	\$0	100.0%	\$0	\$13,408	\$0	100.0%
Transfer of Funds In	15200	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Refunds from Prior Years Expenses	11980	\$0	\$5,176	\$0	100.0%	\$675	\$14,862	\$0	100.0%
Other Non-Revenue Rec	15690	\$0	\$1,354	\$0	100.0%	\$0	\$1,482	\$0	100.0%
Total		\$0	\$6,530	\$0	100.0%	\$675	\$29,752	\$0	0.0%
Non Program Receipts									
Sale of Property	15300	\$0	\$7,456	\$0	100.0%	\$825	\$23,666	\$0	100.0%

May-24

Blair Community Schools Budget Comparison Receipts

Description	Code	2023-2024				2022-2023			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Total		\$0	\$7,456	\$0	100.0%	\$825	\$23,666	\$0	100.0%
GRAND TOTAL		<u>\$5,981,720</u>	<u>\$24,314,951</u>	<u>\$27,887,898</u>	<u>87.2%</u>	<u>\$7,152,590</u>	<u>\$21,566,167</u>	<u>\$24,812,880</u>	<u>86.9%</u>

Period: 9
 Month: MAY
 Year: 2023-2024

Receipts to be Collected	\$27,887,898	\$24,812,880
Local Property Taxes-State Budget 11101	-\$1,319,641	\$1,567,515
Cash Balance Estimated on Budget	\$5,518,862	\$5,226,297
County Treasurer Balance Estimated on Budget	<u>\$6,192,422</u>	<u>\$5,997,351</u>
Total Receipts	<u><u>\$38,279,541</u></u>	<u><u>\$37,604,043</u></u>

Blair Community Schools Budget Comparison Expenditures

		2023-2024				2022-2023			
Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%	
201100	Regular Instruction	\$1,094,915	\$9,339,387	\$12,952,745	72.1%	\$1,041,845	\$9,112,721	\$12,521,159	72.8%
201125	Regular Instruction - FLEX	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
201150	Instruction - Limited English Programs	\$4,291	\$42,842	\$69,556	61.6%	\$8,957	\$83,597	\$109,213	76.5%
201160	Instruction - Poverty Programs	\$38,315	\$337,927	\$541,833	62.4%	\$50,977	\$409,042	\$530,225	77.1%
	Subtotal REGULAR INSTRUCTION	\$1,137,522	\$9,720,155	\$13,564,135	71.7%	\$1,101,780	\$9,605,360	\$13,160,597	73.0%
201200	Special Education	\$258,852	\$2,233,408	\$2,808,063	79.5%	\$248,016	\$2,098,914	\$2,875,420	73.0%
202141	Special Education (Psychology)	\$14,778	\$153,999	\$413,219	37.3%	\$34,743	\$281,796	\$418,318	67.4%
202151	Special Education (Speech Path)	\$21,696	\$178,177	\$217,909	81.8%	\$21,185	\$177,174	\$195,922	90.4%
202161	Special Education (Occup Therapy)	\$5,288	\$56,434	\$158,389	35.6%	\$7,832	\$88,312	\$128,082	68.9%
202171	Special Education (Physical Therapy)	\$5,279	\$47,793	\$1,183	4038.3%	\$0	\$102	\$569	17.9%
202181	Special Education (Vision Services)	\$12,485	\$87,395	\$85,000	102.8%	\$17,016	\$68,716	\$85,000	80.8%
	Subtotal SPED - SCHOOL AGE	\$318,377	\$2,757,206	\$3,683,763	74.8%	\$328,792	\$2,715,014	\$3,703,311	73.3%
201190	Early Childhood Education	\$399	\$7,807	\$27,086	28.8%	\$8,105	\$23,924	\$1,200	1993.7%
201291	Preschool - SPED - Ages 3-5	\$13,046	\$113,706	\$98,887	115.0%	\$17,876	\$149,252	\$344,508	43.3%
201292	Preschool - SPED - Ages 0-2	\$0	\$43	\$1,078	4.0%	\$0	\$0	\$200	0.0%
202142	Preschool - Psych - Ages 3-5	\$0	\$0	\$0	100.0%	\$0	\$323	\$0	100.0%
202143	Preschool - Psych - Ages 0-2	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202152	Preschool - Speech Path - Ages 3-5	\$97	\$1,444	\$3,983	36.3%	\$558	\$8,096	\$2,242	361.1%
202153	Preschool - Speech Path - Ages 0-2	\$4,526	\$42,671	\$39,470	108.1%	\$5,338	\$27,464	\$40,420	67.9%
202162	Preschool - Occup Therapy - Ages 3-5	\$2,622	\$24,653	\$20	123266.8%	\$2,014	\$18,128	\$24,200	74.9%
202163	Preschool - Occup Therapy - Ages 0-2	\$2,604	\$23,531	\$299	7871.1%	\$2,014	\$18,654	\$24,380	76.5%
202172	Preschool - Physical Therapy - Ages 3-5	\$2,628	\$26,065	\$60,075	43.4%	\$3,375	\$30,374	\$40,576	74.9%
202173	Preschool - Physical Therapy - Ages 0-2	\$2,604	\$20,962	\$35,200	59.6%	\$3,375	\$30,543	\$40,701	75.0%
202182	Preschool - Vision Services - Ages 3-5	\$1,561	\$10,924	\$20,000	54.6%	\$3,781	\$14,689	\$20,000	73.4%
202183	Preschool - Vision Services - Ages 0-2	\$1,561	\$10,924	\$14,000	78.0%	\$1,891	\$7,344	\$14,000	52.5%
	Subtotal PRESCHOOL (non-reimbursed)	\$31,648	\$282,731	\$300,098	94.2%	\$48,328	\$328,792	\$552,426	59.5%
202610	Operation of Plant	\$113,097	\$1,208,249	\$1,486,522	81.3%	\$112,389	\$1,166,461	\$1,392,281	83.8%
202620	Maintenance of Plant	\$56,659	\$465,423	\$410,956	113.3%	\$32,104	\$268,497	\$280,425	95.7%
202630	Grounds Maintenance	\$11,322	\$116,352	\$176,787	65.8%	\$17,032	\$121,426	\$142,931	85.0%
202640	Equipment Maintenance	\$187	\$29,800	\$19,400	153.6%	\$591	\$14,091	\$11,200	125.8%
202650	Non-Student Vehicle Maint & Purch	\$0	\$7,263	\$68,696	10.6%	\$477	\$14,086	\$68,869	20.5%
202660	Security	\$184	\$67,066	\$89,200	75.2%	\$0	\$80,810	\$84,200	96.0%
202670	Safety	\$8,582	\$45,886	\$57,893	79.3%	\$2,049	\$48,913	\$52,484	93.2%
202680	Operation/Maintenance of Plant-Other	\$0	\$0	\$4,000	0.0%	\$0	\$0	\$3,000	0.0%
	Subtotal MAINTENANCE COSTS	\$190,032	\$1,940,040	\$2,313,454	83.9%	\$164,642	\$1,714,284	\$2,035,389	84.2%
202710	Reg Pupil Transportation-Operating	\$33,189	\$318,479	\$676,862	47.1%	\$45,490	\$303,722	\$342,126	88.8%
202712	SPED Transportation-Operating	\$8,090	\$62,233	\$64,376	96.7%	\$7,261	\$51,203	\$151,221	33.9%
202713	SPED Transport-Preschool-Operating	\$0	\$312	\$0	100.0%	\$0	\$472	\$0	100.0%
202720	Reg Pupil Transportation-Monitoring	\$5,830	\$50,264	\$65,256	77.0%	\$10,231	\$90,163	\$2,095	4303.7%
202722	SPED Transportation-Monitoring	\$4,692	\$47,012	\$72,976	64.4%	\$8,151	\$68,415	\$47,227	144.9%
202730	Reg Pupil Transportation-Maintenance	\$1,866	\$85,595	\$84,473	101.3%	\$534	\$83,442	\$379,914	22.0%
202732	SPED Transportation-Maintenance	\$481	\$19,356	\$31,390	61.7%	\$16	\$14,711	\$30,893	47.6%
202790	Reg Pupil Transportation-Other	\$32	\$305	\$1,168	26.1%	\$32	\$634	\$120,159	0.5%
202792	SPED Transportation-Other	\$0	\$0	\$3,435	0.0%	\$183	\$4,798	\$47,290	10.1%

Blair Community Schools Budget Comparison Expenditures

		2023-2024				2022-2023			
Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%	
202793	SPED Transportation-Other Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
	Subtotal STUDENT TRANSPORTATION	\$54,181	\$583,557	\$999,937	58.4%	\$71,899	\$617,560	\$1,120,925	55.1%
202110	Attendance & Social Work Services	\$3,815	\$34,331	\$0	100.0%	\$3,676	\$22,419	\$0	100.0%
202120	Guidance Services	\$39,307	\$361,249	\$371,762	97.2%	\$39,942	\$352,816	\$489,740	72.0%
202130	Health Services	\$22,456	\$194,859	\$238,902	81.6%	\$21,842	\$189,253	\$241,264	78.4%
202140	Psych Services	\$0	\$11,623	\$32,850	35.4%	\$0	\$4,736	\$25,000	18.9%
202190	Other Pupil Supp Services	\$6,699	\$79,439	\$136,244	58.3%	\$12,222	\$93,690	\$133,080	70.4%
202210	Improvement of Instruction	\$0	\$6,245	\$46,172	13.5%	\$20,273	\$47,644	\$132,911	35.8%
202212	Curriculum & Assessment	\$0	\$3,365	\$15,073	22.3%	\$0	\$4,135	\$46,838	8.8%
202213	Instructional Staff Training/Development	\$1,987	\$17,288	\$61,698	28.0%	\$14,455	\$27,734	\$64,901	42.7%
202211	School Improvement	\$0	\$0	\$0	100.0%	\$0	\$0	\$1,410	0.0%
202214	Implementation of Standards	\$544	\$1,413	\$276	511.7%	\$0	\$0	\$0	100.0%
202220	Library Services	\$42,204	\$400,401	\$603,596	66.3%	\$43,375	\$425,376	\$597,778	71.2%
202230	Instruction-Related Technology	\$24,859	\$229,827	\$199,054	115.5%	\$39,120	\$158,267	\$325,131	48.7%
202223	Audio-Visual Services	\$1,679	\$6,770	\$7,300	92.7%	\$94	\$6,736	\$7,300	92.3%
202240	Academic Student Assessment	\$0	\$15,000	\$35,125	42.7%	\$0	\$32,653	\$45,121	72.4%
202310	Board of Education	\$4,413	\$35,127	\$41,649	84.3%	\$5,111	\$25,727	\$40,799	63.1%
202320	Executive Admin Services	\$56,656	\$518,469	\$698,977	74.2%	\$25,190	\$227,126	\$365,379	62.2%
202330	Legal Services	\$680	\$12,649	\$14,850	85.2%	\$798	\$9,517	\$17,500	54.4%
202410	Office of Principal	\$116,643	\$1,072,002	\$1,351,186	79.3%	\$119,150	\$1,028,787	\$1,355,457	75.9%
202490	School Administration - Other	\$1,422	\$8,101	\$9,200	88.1%	\$4,061	\$5,386	\$10,700	50.3%
202510	Gen Business Support	\$30,935	\$343,012	\$426,437	80.4%	\$27,174	\$303,159	\$384,872	78.8%
202520	Warehousing & Distribution	\$0	\$297	\$301	98.8%	\$0	\$554	\$1	55418.0%
202530	Printing, Publishing, Duplicating Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202540	Planning, R&D, & Evaluation Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202560	Public Information Services	\$1,121	\$3,508	\$0	100.0%	\$0	\$0	\$0	100.0%
202570	Personnel Services	\$16	\$2,814	\$2,500	112.6%	\$0	\$2,478	\$3,000	82.6%
202580	Technology-Administration Services	\$270	\$3,953	\$7,300	54.1%	\$0	\$9,443	\$3,750	251.8%
202900	Other Support Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
203300	Community Services	\$0	\$89	\$1,542	5.8%	\$0	\$95	\$2,015	4.7%
203400	Corporate/Private Interest Grants	\$5,965	\$45,633	\$0	100.0%	\$231	\$6,113	\$0	100.0%
203535	High Ability Learners Grant	\$0	\$0	\$11,410	0.0%	\$0	\$10,436	\$10,130	103.0%
203540	State Early Childhood Grant	\$8,716	\$73,787	\$72,405	101.9%	\$0	\$48,274	\$63,560	76.0%
203541	Sixpence Early Childhood Grant	\$8,542	\$56,869	\$85,000	66.9%	\$5,882	\$53,819	\$105,558	51.0%
203551	Extended Learning Opportunity Grant	\$645	\$3,666	\$0	100.0%	\$0	\$0	\$0	100.0%
203590	Career Education Grant	\$15,000	\$36,088	\$0	100.0%	\$0	\$0	\$0	100.0%
203599	State Categorical Grants-NDEQ Grant	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
201300	Summer School	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
208000	Activity Fund Transfers	\$0	\$0	\$60,000	0.0%	\$0	\$0	\$30,000	0.0%
209000	NON-PROGRAM EXPEND	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
	FEDERAL PROGRAMS			\$0					
206200	Title I	\$37,073	\$333,643	\$245,033	136.2%	\$15,460	\$182,865	\$255,491	71.6%
206210	Title I Accountability	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206310	Title IIA	\$0	\$0	\$0	100.0%	\$0	\$49,709	\$0	100.0%
206404	IDEA 611 BIRTH TO	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206406	IDEA 619 AGES 3-4	\$0	\$0	\$12,503	0.0%	\$0	\$12,290	\$12,290	100.0%

Blair Community Schools Budget Comparison Expenditures

Program Name	2023-2024				2022-2023			
	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
206408 IDEA - SPED BASE-EP	\$40,597	\$355,688	\$470,581	75.6%	\$35,570	\$343,330	\$450,230	76.3%
206410 IDEA - SPED Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206412 IDEA - Part B Proportionate Share	\$0	\$0	\$8,160	0.0%	\$0	\$4,350	\$4,350	100.0%
206415 IDEA SPECIAL PROJECTS	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206418 IDEA PART B PEAK PROJECTS	\$0	\$985	\$0	100.0%	\$1,758	\$3,409	\$0	100.0%
206421 IDEA PART-B (611) ARP BASE & ENROLL	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206422 IDEA PRESCHOOL (619) ARP	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206700 PERKINS GRANT	\$0	\$9,757	\$18,961	51.5%	\$370	\$9,991	\$20,216	49.4%
206925 Title III	\$0	\$0	\$3,000	0.0%	\$0	\$2,590	\$3,108	83.3%
206940 HEAD START	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206990 FEDERAL CATEGORICAL GRANTS	\$0	\$9,530	\$0	100.0%	\$0	\$77,900	\$0	100.0%
206998 ARP - ESSER III GRANT	\$8,689	\$95,792	\$215,669	44.4%	\$12,629	\$191,282	\$551,685	34.7%
TOTAL	\$2,212,691	\$19,666,959	\$26,366,105	74.6%	\$2,163,823	\$18,955,098	\$26,373,212	71.9%

Period: 9 (MAY)
Year: 2023-2024

Total Budget of Disbursements	\$26,366,105	\$26,373,212
Debt Service (Spending Authority Adjustment)	\$10,316,750	\$9,709,723
Necessary Cash Reserve	\$1,596,686	\$1,521,108
Total Requirements	\$38,279,541	\$37,604,043

CONTRACT OF EMPLOYMENT WITH SUPERINTENDENT

THIS CONTRACT is made by and between the Board of Education of the **Washington County School District 89-0001, a/k/a Blair Community Schools**, hereinafter referred to as “the Board,” and Randall D. Gilson, hereinafter referred to as “the Superintendent.”

WITNESSETH: That in accordance with action taken by the Board as recorded in the minutes of the Board meeting held on June 10, 2024 the Board agrees to employ the Superintendent, and the Superintendent agrees to accept such employment, subject to the following terms and conditions:

Section 1 - Term of Contract. This Contract is for a term of two (2) years beginning on July 1, 2024 and expiring on June 30, 2026 unless extended in one (1) year increments under the terms of this Section, or unless earlier terminated under Section 9 of this Contract. A “contract year” for purposes of this Contract shall be from July 1 to June 30, and shall consist of 260 work days, and the Superintendent shall be on duty on all week days during “Duty-Time” as that term is defined herein, except for Holidays and Vacation, Sick, or Bereavement days as provided herein. On or before January 15th of the last year of the Contract or the last year of the Contract if it has been extended, the Superintendent shall, by written notice, advise the Board his willingness to extend the Contract for a period of one (1) year at the end of the current term. Upon receipt of such written notification by the Superintendent, the Board shall notify the Superintendent, in writing, on or before February 15th of the last year of the contract or the last year of the contract if it has been extended, if the Contract will or will not be extended for a period of one (1) year. The Contract may only be extended or terminated or cancelled upon express and formal action by the Board.

Section 2 - Salary. The annual salary shall be: One Hundred and Ninety Thousand and Nine Hundred Dollars (\$190,900). Said annual salary shall be paid in equal installments in accordance with the policy of the Board governing payment of certificated employees of the District. In the event that the Superintendent is elected to any other office or offices of the Board of Education or in connection with the District, the Superintendent shall perform the duties of such other office or offices without remuneration other than that as provided in this Contract. The District, acting by and through its Board of Education, reserves the right to adjust the annual salary during the term of this Contract, said salary adjustment, however, shall not reduce the annual salary to any lesser amount than that as above stated. Any adjustment in salary made during the term of this Contract shall be in the form of an amendment and shall become a part of this Contract; provided, however, that in making any such salary adjustment, it shall not be considered that the District has entered into a new Contract, nor shall the termination date of this Contract be thereby extended unless the Board of Education, by specific action, shall expressly extend such termination date. In no event shall any such extension, together with the unexpired term of this Contract or any prior extension, be for a period in excess of three (3) years. This Contract shall conform to the regulations governing deductions with reference to Withholding Tax, Social Security and the School Employees’ Retirement Act. Other deductions may be withheld as agreed to by the parties to this contract.

Section 3 - Benefits. As further consideration for the services to be performed by the Superintendent, it is agreed as follows:

- a) Leave Benefits. Paid leave is available to the Superintendent when the following specific conditions are met: 1) the Superintendent is currently employed by the District, and 2) the paid leave day is taken on a day the Superintendent would otherwise be expected to be at work.
 - i. Vacation. The Superintendent shall be allowed twenty (20) working days of vacation leave during each contract year to be taken at such times as selected by the Superintendent, with advance notice to the Board. Vacation shall not be taken at times that would interfere with the Superintendent's attendance at regularly scheduled Board meetings or at times when the Superintendent's duties require the Superintendent's attendance at school.
 - ii. Accumulation and Carry-over of Vacation Days. The Board believes that periodic vacation is beneficial for the effective discharge of duties and intends that vacation be used during each contract year. Vacation days shall not accumulate from contract year to contract year and any unused vacation days remaining from a prior contract year shall be subtracted from the number of vacation days the Superintendent has for the following contract year, such that the total vacation days at the beginning of each contract year be no greater than twenty (20) days.
 - iii. Sick Leave. The Superintendent shall be allowed ten (10) working days of sick leave each contract year with 30 days accumulation of sick days from contract year to contract year.
 - iv. Holidays. The following days shall be holiday days and not working days: July 4th, Labor Day, Thanksgiving, Christmas Day, New Years Day, and Memorial Day.
 - v. Log. All vacation and sick leave days used by the Superintendent shall be logged by Superintendent, reported to the Board Secretary and Board President, and entered into the District's employee payroll and benefits database system. The Board Secretary shall report such leave to the Board on a quarterly basis.
 - vi. Reimbursement for Unused Days. There shall be no reimbursement for any unused sick days at the end of each contract year or upon resignation or termination of this contract.
- b) Health and Dental Insurance. The District shall pay for health and dental insurance for which the Superintendent is qualified under the District's group insurance plan, equal to that provided to teachers.
- c) Disability Insurance. The District shall pay for disability insurance under the District's group plan, equal to that provided to teachers.
- d) Meetings and Dues. The Superintendent shall participate in professional activities, including but not limited to national, state, and local educational associations, conferences, and workshops that support and reflect the goals and objectives of the district, provided that such participation does not interfere with the proper performance of Superintendent's duties. The reasonable and necessary expenses of such professional activities shall be remitted or reimbursed by the District consistent with Board policies. In addition, the District shall pay the Superintendent's annual dues to professional or community service organizations suitable for the Superintendent's position upon the

Superintendent's request.

- e) Transportation and Travel Expense Reimbursement. The reasonable and necessary expenses of transportation required in the performance of Superintendent's official duties shall be reimbursed at the rate established by the Board. The Superintendent shall also be reimbursed for all reasonable and proper business travel and other out-of-pocket expenses incurred in connection with the performance of duties and responsibilities on behalf of the District. The Superintendent shall present an itemized and detailed accounting of such transportation and/or travel expenditures and receipts as required by the District and in conformity with applicable laws and regulations of the Internal Revenue Service.
- f) Indemnification. The District shall, to the extent permitted by law, defend, hold harmless, and indemnify the Superintendent from any and all demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's individual capacity or the Superintendent's official capacity as an agent or employee of the District, provided that the incident arose while the Superintendent was acting (or, in good faith, reasonably believed that the Superintendent was acting) within the scope of the Superintendent's employment with the District and the District is not in an adverse position in the legal proceedings. The Board shall have professional liability insurance for the Superintendent with the same policy limits and insurance coverage as is provided for the members of the Board of Education and certified staff of the District.
- g) Avoidance of Fines or Penalties. The District may elect to not provide any benefit set forth in the Contract in the event the District determines in its discretion that the provision of the benefit would result in a fine or penalty. In the event the District makes such an election, the District shall negotiate with the Superintendent to obtain a like-benefit that would not result in a fine or penalty, and in the event such is not available, the Superintendent's salary shall be grossed up in an amount equal to the cost savings from not providing the benefit (excluding the costs of fines and penalties).
- h) Cell Phone Reimbursement. The District requires the Superintendent to have a cellular phone or other electronic device to provide immediate and/or remote access to the Superintendent. As a result, the District shall pay the Superintendent a monthly cellular phone allowance of \$80.00, not to exceed \$960.00 per contract year.
- i) Physical Examination. The Superintendent agrees to have a comprehensive physical examination performed by a licensed physician once each year during the term of this Contract. The cost of such physical examination that is not covered by health insurance shall be paid by the District. The examining doctor shall provide the board secretary with a certificate of fitness for duty

Section 4 - Residency. The Superintendent shall reside within the School District during the term of this contract.

Section 5 - Representations and Legal Requirements. The Superintendent affirms that: (1) the Superintendent holds or will hold a valid and appropriate certificate to act as a certificated employee in the State of Nebraska to perform the assigned duties throughout the term of this Contract and any extensions of this Contract; (2) the required certificate to perform the assigned duties shall be registered as required by law; it being understood and agreed that this contract is not valid until the required certificate is registered in accordance with law and that the Superintendent shall not be compensated for any services performed prior to the date of

registration of this certificate; and (3) the Superintendent is not under contract with another board of education within the State of Nebraska covering any part of or all of the same time of performance as provided for in this Contract. The Superintendent further warrants and represents as follows: (1) all information set forth in the Superintendent's application for employment and other information provided by the Superintendent in seeking employment are true and accurate, and if said information ceases to be true, Superintendent will advise the Board of Education immediately; (2) Superintendent has never been convicted or plead no contest or otherwise been adjudicated as having committed a felony, any other offense involving moral turpitude or any other offense involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21; and (3) Superintendent has not suffered suspension or revocation of any educational professional license or certificate, nor voluntarily surrendered such a license or certificate where charges or potential charges were pending or imminent. There shall be no penalty for release or resignation by the Superintendent from this Contract; provided no resignation shall become effective until expiration of the remaining term of the Contract unless the Board fixes an earlier effective date. This Contract is subject to provisions of the School Employees' Retirement Act.

Section 6 - Duties. The Superintendent shall perform the duties of such position as are regularly and customarily expected for such positions and such duties and responsibilities as are set forth in Board Policy or Regulation for such positions. The Superintendent shall be subject to such other reasonable and customary duties as the Board may assign. The Superintendent agrees to devote full time to the assigned duties during "Duty Time" as defined herein, provided that with the advance agreement of the Board of Education, the Superintendent may undertake consultative work, speaking engagements, writing, lecturing or other professional duties. For purposes of this Agreement, the term "Duty-Time" shall mean that portion of the Superintendent's professional duties performed during the regular school and work day in addition to the duties to be performed outside the regular school and work day for meetings of the Board of Education and other meetings, events or activities where the Superintendent's presence is required. Regular school and work day "Duty-Time shall include (1) generally 7:30 a.m. to 4:30 p.m. when school is in session; and (2) generally 8:00 a.m. to 4:00 p.m. when school is not in session, provided that the Superintendent may determine in his/her sole discretion the exact hours of each day when he/she shall be on duty during the work day. In performing the assigned duties, the Superintendent shall be governed by the policies, regulations and directions of the Board of Education. The Superintendent shall in all respects diligently and faithfully perform the assigned duties to the best of the Superintendent's professional ability. Regular dependable attendance at meetings of the Board and committees of the Board and at other assigned duties is an essential function of the Superintendent's position.

Section 7 - Board-Superintendent Relationship. The Board shall have primary responsibility for formulating and adopting Board policy. The Superintendent shall be the chief administrative officer for the District, and shall have primary responsibility for implementation of Board policy. The Superintendent shall be responsible for development of policies for adoption by the Board and for development of regulations and rules consistent with Board policy. In the absence of Board policy on matters which require prompt action, the Superintendent shall have the authority to act using the Superintendent's professional judgment and consistent with legal requirements; provided that the Superintendent shall report the nature of the matter and the action taken to the

Board no later than the next regularly scheduled Board meeting. The Superintendent and Board agree, individually and collectively, to promptly refer all criticism, complaints and suggestions called to its attention to the Superintendent for action, study or recommendation, as appropriate.

Section 8 - Evaluation of the Superintendent. The Board shall evaluate the Superintendent in accordance with applicable state statutes and Board of Education policy. The Superintendent shall notify the President of the Board to remind the Board of the need to evaluate. The Superintendent shall be evaluated twice during the first contract year and once during each subsequent contract year, unless the Board deems additional evaluations appropriate. Upon completion of such evaluation, the Board may take any action as a result of such evaluation that it deems reasonable and proper. The Superintendent shall receive a copy of the evaluation and shall have the right to submit a written response to the evaluation. Any evaluation or assessment of the Superintendent by the Board or written response by the Superintendent shall be retained in and become part of the Superintendent's personnel file.

Section 9 - Contract Termination or Cancellation. This contract may be terminated or cancelled as follows:

- a) Grounds for Termination. In the event the Superintendent violates any of the provisions of this Contract or performs any act or does anything which is materially harmful to the District, or which substantially inhibits the Superintendent's ability to discharge the duties as set forth herein, including, but not limited to (1) becoming legally disqualified to perform as a superintendent in the State of Nebraska; (2) participation in any fraud; (3) causing any intentional damage to property; (4) engaging in any unlawful act; (5) any representations in this Contract being determined to be false or incorrect; and (6) just cause, including: (a) incompetency, which includes, but is not limited to, demonstrated deficiencies or shortcomings in knowledge of subject matter or teaching or administrative skills; (b) neglect of duty; (c) unprofessional conduct; (d) insubordination; (e) immorality; (f) physical or mental incapacity; (g) failure to give evidence of professional growth as required by law; or (h) other conduct which interferes substantially with the continued performance of duties. The Superintendent may then be discharged in accordance with applicable law. Suspension or other disciplinary action may be enforced in accordance with applicable law.
- b) Effect of Termination. Upon lawful termination of this Contract for any reason, the compensation to be paid hereunder shall be an amount which bears the same ratio to the annual salary specified as the number of months or fraction thereof to the date of such termination bears to the twelve months in the annual salary period in which termination occurs. Any portion of the salary paid, but not earned, prior to the date of termination of this Contract, and any sums owing to the District by the Superintendent, shall be set off from sums due to the Superintendent and, if the sums owing to the District are in excess of the sums due the Superintendent, the amount owing shall be immediately refunded by the Superintendent.
- c) Fitness to Perform Duties: Should the Superintendent be unable to perform the Superintendent's duties by reason of mental or physical incapacity or any reason beyond the Superintendent's control, and said disability exists for a period exceeding the Superintendent's sick leave allowance, the Board of Education may, in its discretion, place the Superintendent on leave of absence and appoint an Acting Superintendent for

the District. The Board of Education may also, in its discretion, make a proportionate reduction from the salary and benefits, and if such disability continues or is permanent, or of such nature as to make the Superintendent unable to perform essential functions of the position for which the Superintendent is employed, the Board of Education may, at its option, terminate this agreement whereupon the respective duties, rights and obligations hereof shall terminate.

Section 10 - Return of District Property. Upon termination of the Superintendent’s employment for any reason, the Superintendent will immediately return to the District all District property in the Superintendent’s possession including all data, electronic information, documents, keys, fobs, security badges or cards, computers and related equipment or software, credit cards, and any other District property furnished to the Superintendent by virtue of employment. The Superintendent agrees not to retain or make copies of District data, electronic information, or documents upon notification of termination or non-renewal of the contract.

Section 11 - Governing Laws. The parties shall be governed by all applicable Nebraska and federal laws, rules, and regulations in performance of their respective duties and obligations under this Contract.

Section 12 - Amendments and Severability. This Contract may be modified or amended only by a writing duly authorized and executed by the Superintendent and the Board. If any portion of this Contract shall be declared invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity or enforceability of the remaining provisions of this Contract.

The failure to return a signed copy of this Contract to the President or Secretary of the Board of Education of the District on or before June 10, 2024 shall constitute a rejection by the Superintendent of the offer of employment.

Executed this ____ day of _____, 20 ____	Executed this ____ day of _____, 20 ____
<p style="text-align: center;">Randall D. Gilson</p> <p>By: _____ Superintendent</p>	<p style="text-align: center;">Board of Education of Washington County School District 89-0001, a/k/a Blair Community Schools</p> <p>By: _____ President, Board of Education</p> <p>Attest: _____ Secretary, Board of Education</p>

Superintendent Pay Transparency Notice—Proposed Contract - Dr. Randall Gilson

Notice is hereby given that Blair Community Schools has approval of a proposed superintendent employment contract/contract amendment on its agenda for the board meeting to be held on June 10, 2024 at 7:00 pm at Blair Community Schools Central District Office located at 1326 Park Street in Blair, Nebraska 68008.

After the 2024/25 school year, how many years remain on the contract:
(Column F must be completed if additional years remain on contract.)

1

The estimated costs to the district for the 2024/25 year and future years are listed below:

	2024/25 Base Pay, Additional Compensation & Benefits	Future Base Pay, Additional Compensation & Benefits per Contract	TOTAL CONTRACT COST
Base Pay for the Total FTE	\$ 190,900.00	\$ 190,900.00	\$ 381,800.00
Compensation for activities outside of the regular salary:			
• <i>Extended contracts / Activities outside of regular salary</i>			\$ -
• <i>Bonus/Incentive/Performance Pay</i>			\$ -
• <i>Stipends</i>			\$ -
• <i>All other costs not mentioned above</i>			\$ -
Benefits and Payroll Costs Paid by district:			
• <i>Insurances (Health, Dental, Life, Long Term Disability)</i>	\$ 658.00	\$ 658.00	\$ 1,316.00
• <i>Cafeteria Plan Stipend</i>			\$ -
• <i>Cash in lieu of insurance</i>	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
• <i>Employee's share of retirement, deferred compensation, FICA and Medicare if paid by the district</i>			\$ -
• <i>District's share of retirement, FICA and Medicare</i>	\$ 32,164.00	\$ 32,164.00	\$ 64,328.00
• <i>IRS value of housing allowance</i>			\$ -
• <i>IRS value of vehicle allowance</i>			\$ -
• <i>Additional leave days</i>			\$ -
• <i>Annuities</i>			\$ -
• <i>Service credit purchase</i>			\$ -
• <i>Association / Membership dues</i>	\$ 2,800.00	\$ 2,800.00	\$ 5,600.00
• <i>Cell Phone/Internet reimbursement</i>	\$ 960.00	\$ 960.00	\$ 1,920.00
• <i>Relocation reimbursement</i>			\$ -
• <i>Travel allowance/reimbursement</i>	\$ 3,600.00	\$ 3,600.00	\$ 7,200.00
• <i>Mileage Allowance</i>			\$ -
• <i>Educational tuition assistance</i>			\$ -
• <i>All other benefit costs not mentioned above</i>			\$ -
Totals:	\$ 236,082.00	\$ 236,082.00	\$ 472,164.00