



Administrator Meeting

Educational Service Unit 7, Oak Room

2657 44th Ave

Columbus, NE 68601-8537

Wednesday, January 28, 2015 at 8:00 AM

1. Click on the links below to access the meeting and notes.
Agenda and notes are available **during the meeting** by clicking here.

To **watch** the meeting live stream, click here.

To participate in the meeting from a remote location, please choose one of the following options:

Join by Computer: To join from a PC or Mac computer click on the following web address:
<https://esucc.zoom.us/j/704962704>

Join by Smart Device: You can join the meeting using a smart tablet or smart phone by opening the Zoom application (first time users must download Zoom from the apple or google store), select "join meeting" and enter the meeting ID number: 704 962 704

Join by Telephone: Dial 1 (646) 568-7788 and when asked enter in the Meeting ID: 704 962 704

2. Legislative Update with Mike Dulaney 8:30-9:30
Mike Dulaney will attend the meeting via Zoom to give a summary of the educational legislation at this point in the session.
3. Advisory Committee Report and Service Plan Recommendation Committee Chair, Cory Worrell, will present the recommended service plan for 2015-2016. Description of all necessary documents will be reviewed. The plan will then be presented to ESU Board of Directors on February 16, 2015 at their regularly scheduled Board Meeting.

4. Questions and Answers for KSB Law Firm 10:00-11:00
Bring your questions for KSB Law Firm. Steve and Bobby will be joining us via Zoom to answer any questions you may have. This agenda item is in response to your request, so take advantage of their expertise and knowledge.

5. Round Table Networking Discussions

- Public relations and communication
- Board relations (board meetings)
- Helping staff members accept changes
- Technology integration in classrooms, more consistency
- Ups and Downs of rolling out 1:1
- Others as determined by the group

[Click here for link to Superintendent Priorities](#)

6. **ESU's Top Picks**

6.1. Number 1: Blended Discussion & Legis Recap

6.2. Number 2: CASE for Educational Service Agencies

6.3. Number 3: Adolescent Literacy Learning

6.4. Number 4: Network Operations Update

6.5. Number 5: Math Standards

7. Administrator's Comments Legislature to look out for.

February 18 meeting is in conflict with NRCSA Legislative Forum.

Leadership retreat, SAVE THE DATE.

Educational Service Unit Coordinating Council information.

8. Title IA Advisory Meeting immediately following lunch.

Superintendent Meeting Schedule

2014-2015

*September 23, 2014 -

[Dave Ludwig](#)

October 22, 2014 -

[Frieda Lange/ AdvancED](#)

December 17, 2014 -

[Senators & Matt Blomstedt](#)

January 28, 2015 –

[KSB Law Firm](#)

February 18, 2015 –

[Bryce Wilson](#)

*April 14, 2015

July 22, 2015 Advisory Planning Meeting

**Dates in Red reflect changes.*

Dates to Avoid in Districts (ESU Continuous Improvement)

Sep 8, 2014

Oct 16, 2014

Nov 25, 2014

Jan 9, 2015

Feb 13, 2015

Apr 30, 2015

May 26, 2015

Jun 1, 2015

2015-2016

September 22, 2015

October 21, 2015

December 16, 2015

January 27, 2016

February 17, 2016

April 14, 2016

July 20, 2016 Advisory Planning Meeting

Nebraska Council of School Administrators

NCSA Legislative Bill Summaries
104th Legislature, First Session

Dr. Michael Dulaney
NCSA Executive Director

January 25, 2015

<i>Category</i>	<i>Bill</i>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>	<i>Pg.</i>
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	LB 225	Schnoor	Judiciary	Change provisions relating to unlawful possession of a firearm at a school	5
	LB 340	Brasch	Judiciary	Provide signage requirements and duties for the Nebraska State Patrol under the Concealed Handgun Permit Act	5
Curriculum	LB 103	Kintner	Education	Change provisions relating to participation in extracurricular activities as prescribed	6
	LB 343	Kolowski	Education	Provide funding for schools offering certain programs and courses as prescribed	6
	LB 379	Bolz	Education	Adopt the Expanded Learning Opportunity Grant Program Act	7
	LB 511	Cook	Education	Provide for return to learn protocols for pediatric cancer survivors	8
	LB 617	Larson	Education	Adopt the Working to Improve Schools Act	8
Early Childhood Education	LB 489	Sullivan	Education	Change provisions relating to grants for early childhood education as prescribed	11
	LB 547	Campbell	Health	Change provisions of the Quality Child Care Act	12
Education Innovation Fund	LB 355	Morfeld	Education	Change provisions relating to certain education funding as prescribed	12

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Assessment and Accountability

LB 101	<i>Sponsor</i> Sullivan	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to statewide assessment of student learning and reporting
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LB 101 amends the Quality Education Accountability Act. Beginning for school year 2016-17, the bill requires the state board to prescribe a statewide assessment system to evaluate student progress toward academic preparedness for postsecondary education and careers. The state board must collaborate with public postsecondary educational institutions and with the Coordinating Commission for Postsecondary Education in the identification of such assessment system.

The assessment system will serve as a consensus indicator of student progress toward academic preparedness for postsecondary education and careers and would consist of multiple assessment administrations in order to evaluate progress. The assessment system may be realized through the assessment instruments required for writing, reading, math and science or national assessment instruments on the condition that the requirements of the legislation are met.

Charter Schools

LB 616	<i>Sponsor</i> Larson	<i>Committee</i> Education	<i>One-liner</i> Adopt the Independent Public Schools Act
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LB 616 creates the Independent Public Schools Act. The bill defines an “independent public school” as a public school located in a city of the metropolitan class that operates under a compact granted by the State Board of Education, operates independently of any school board, and is managed by a board of trustees. Upon receiving a compact from the State Board of Education, an independent public school would be deemed a political subdivision and its board of trustees authorized to supervise and control the independent public school.

The State Board of Education is required to establish the requirements for receiving a compact to operate an independent public school, including:

- (a) An independent public school must be located in a city of the metropolitan class;
- (b) An independent public school must be open to all students on a space-available basis and may not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special needs, proficiency in the English language, or academic achievement;
- (c) An independent public school may limit enrollment to specific grade levels or areas of focus of the school, such as mathematics, science, or the arts;

- (d) No admission fee or tuition may be charged to apply to or attend an independent public school; and
- (e) Such other requirements as the state board deems necessary.

Pilot Program: LB 616 creates the Independent Public Schools pilot program. The program would provide for the approval of not more than 5 independent public schools, to operate in a city of the metropolitan class. The State Board of Education must review the pilot program after 5 years, and the state board must then decide whether or not to renew the compacts of the independent public schools operating under the pilot program.

In making a renewal decision, the state board must base its decision on evidence of the performance of the school over the term of the compact and must ensure that data used in making the decision is available to the school and the public.

Other Provisions:

- A student may withdraw from an independent public school at any time and enroll (a) in the school district in which the student resides, (b) in an option school district, or (c) in a private school or homeschool.
- A student may be expelled from an independent public school in accordance with the provisions of the Student Discipline Act.
- An independent public school may be located in all or part of an existing public school building, in space provided on a private work site, in a public building, or in any other suitable location. An independent public school may own, lease, or rent its space.
- An independent public school must operate in accordance with the performance, testing, and assessment requirements of the Quality Education Accountability Act.
- The Class V School Employees Retirement Act would apply to employees of an independent public school.
- The Class V school district in which an independent public school is located must provide transportation to the independent public school for students living in such school district who attend the independent public school, on the same terms and conditions as transportation is provided to students attending the public schools of such school district.

Leave of Absence: LB 616 provides that a public school district school board must grant a leave of absence to any teacher employed by the school district requesting leave in order to teach in an independent public school.

A teacher may request a leave of absence for such purpose for a maximum of two years. At the end of the two-year period, the teacher may (i) make a request to the school board or board of education of the school district that such leave be extended for an additional two years, which

approval may not be unreasonably withheld, or (ii) he/she may return to his/her employment with such school district and be entitled to all retirement and other benefits earned during his/her previous employment with the district.

If the request is granted, at the end of the fourth year the teacher may either return to employment with such school district or, if he/she chooses to continue teaching at the independent public school, resign from the school district.

Per Pupil Cost: The school district of residence of each student attending an independent public school is required to annually pay to the independent public school an amount equal to the school district's actual per pupil cost for the preceding fiscal year times the number of students residing in such district who attend the independent public school.

When a student withdraws or is expelled from an independent public school during the school year of the school district of residence, the independent public school must reimburse the school district of residence, for each withdrawing or expelled student, a pro rata amount of the payment, based on the number of complete months remaining in the school year of the school district of residence.

Criminal/Juvenile Codes

LB 30	<i>Sponsor</i> McCoy	<i>Committee</i> Judiciary	<i>One-liner</i> Prohibit disclosure of any applicant or permit holder information regarding firearms registration, possession, sale, or use as prescribed
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LB 30 provides that any information obtained by the Nebraska State Patrol or any other federal, state, county, or local department or agency regarding firearm registration, possession, sale, or use, whether obtained for purposes of application or issued as a permit or license, is confidential and may not be considered a public record.

The information would be available upon request for specific investigatory purposes to all federal, state, county, and local law enforcement agencies.

LB 60	<i>Sponsor</i> Kintner	<i>Committee</i> Judiciary	<i>One-liner</i> Authorize possession of firearms as prescribed
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LB 60 prohibits an employer from establishing, maintaining, or enforcing a policy or rule that prohibits or has the effect of prohibiting a person's transportation or storage of a firearm or ammunition when:

- (a) The firearm or ammunition:

- (i) Is kept from ordinary observation within the person’s attended, privately-owned motor vehicle; or
 - (ii) Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person’s privately-owned motor vehicle or a container securely affixed to such vehicle; and
- (b) The motor vehicle is operated or parked in a location that is open to the public.

A person who is injured or incurs damages, or the survivors of a person killed, as a result of a violation of the provisions of the bill may bring a civil action against any employer who committed or caused such violation.

An employee who is denied the opportunity to transport or store a firearm or ammunition by a policy or rule prohibited by the bill may bring a civil action to enjoin an employer from violating the provisions of the bill.

An employee terminated by a public or private employer for a violation of a policy or rule prohibited by the bill is entitled to full recovery as specified below. If demand for the recovery has not been satisfied within 45 calendar days after demand is made, the employee may bring a civil action against the public or private employer and would be entitled to the following:

- (a) Reinstatement to the same position held at the time of his or her termination from employment or an equivalent position;
- (b) Reinstatement of the employee’s full benefits and seniority rights, as appropriate; and
- (c) Compensation, if applicable, for lost wages, benefits, or other lost remuneration caused by the termination.

LB 137	<i>Sponsor</i> Johnson	<i>Committee</i> Judiciary	<i>One-liner</i> Change provisions relating to discharge of a firearm
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In 2009 the Legislature passed a bill (LB 63), which amended the Nebraska Criminal Code and created the offense of discharge of firearm in certain cities and counties.

The offense, a Class IC felony, prohibited any person, within the territorial boundaries of any city of the first class or county containing a city of the metropolitan class or primary class, to unlawfully, knowingly, and intentionally or recklessly discharge a firearm, while in any motor vehicle or in the proximity of any motor vehicle that such person has just exited, at or in the general direction of any person, dwelling, building, structure, occupied motor vehicle, occupied aircraft, inhabited motor home, or inhabited camper unit.

LB 137 expands the scope of the offense to include the entire state, regardless of where the offense took place.

LB 225	<i>Sponsor</i> Schnoor	<i>Committee</i> Judiciary	<i>One-liner</i> Change provisions relating to unlawful possession of a firearm at a school
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LB 225 amends the Nebraska Criminal Code (§ 28-1204.04) relating to the offense of unlawful possession of a firearm at a school.

Current law provides that any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school, which is a Class IV felony.

There are eight exceptions provided in the current law, including firearms that may lawfully be possessed by a member of a college or university rifle team, within the scope of such person's duties as a member of the team.

LB 225 strikes the word “rifle” within this exception, which means that firearms that may lawfully be possessed by a member of a college or university team, within the scope of such person's duties as a member of the team are excluded from the provisions of the offense of unlawful possession of a firearm at a school.

LB 340	<i>Sponsor</i> Brasch	<i>Committee</i> Judiciary	<i>One-liner</i> Provide signage requirements and duties for the Nebraska State Patrol under the Concealed Handgun Permit Act
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LB 340 amends the Concealed Handgun Permit Act and requires the Nebraska State Patrol to design a standardized sign for use by any person, entity, or employer in control of property prohibiting a permitholder from carrying a concealed handgun in or on the place or premises.

The sign must:

- (a) be at least 5” tall and 3.5” wide;
- (b) have a white background containing a 2” red circle with a slash covering an image of a black handgun;
- (c) use contrasting black and red font and include the following text:

NOTICE.

Carrying a concealed handgun by a permitholder is **PROHIBITED**
in or on this place or premises by the controllers of this property.
Posted pursuant to Nebraska Revised Statutes section 69-2441

- (d) be posted at each entrance to the place or premises between 48” and 66” above the floor or ground;
- (e) if the place or premises is a building, be posted (i) either on the door of each entrance to

the place or premises or within 12” on either side of the doorway of each entrance or (ii) on every door or within 12” on both sides of every doorway with double doors along the width of the entrance, if the entrance has multiple doorways;

(f) if the place or premises is not a building, be posted within 24” on either side of each designated motor vehicle, bicycle, or pedestrian entrance to the place or premises; and

(g) Shall not be obstructed or altered in any way and, if the sign becomes illegible for any reason, be immediately replaced with a legible sign.

Curriculum

LB 103	<i>Sponsor</i> Kintner	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to participation in extracurricular activities as prescribed
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LB 103 amends the law relevant to part-time enrollment (§ 79-2,136).

The bill requires each school board to shall establish policies and procedures to allow the participation of any student from a school that elects not to meet accreditation or approval requirements in any extracurricular activities and events to the same extent and subject to the same requirements, conditions, and procedures as students enrolled in the public school governed by such board.

Such policies and procedures may require such students participating in extracurricular activities to enroll in no more than one course offered for credit by such school and may require them 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 such extracurricular activities would 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 reimbursements.

LB 343	<i>Sponsor</i> Kolowski	<i>Committee</i> Education	<i>One-liner</i> Provide funding for schools offering certain programs and courses as prescribed
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LB 343 permits but does not require the State Board of Education to adopt and promulgate rules and regulations to determine the mechanisms for successful student completion of (i) a program of excellence, (ii) a dual-enrollment course, or (iii) a career academy. For each student who completes a program of excellence, a dual-enrollment course, or a career academy, NDE must approve and reimburse the school district through its ESU (“XX”) dollars (an unspecified amount in the bill) if the school district through its ESU has applied for such reimbursement. (For purposes of the general fund budget of expenditures defined under TEEOSA, funds received under this legislation would be considered special grant funds.)

The bill defines:

- (1) “Career academy” as a career academy established under current law;
- (2) “Dual-enrollment course” as a course taught to students for credit at both a high school and a postsecondary educational institution accredited by an accrediting organization recognized by the U.S. Department of Education; and
- (3) “Program of excellence” as a nationally recognized program, offered in the high school grades that includes a curriculum and pedagogy, professional development for teachers, and a rigorous assessment external to the school system.

Application: An ESU on behalf of a school district may apply to NDE for reimbursement as provided in the legislation. The school district through its ESU must provide documentation of the number of students in each program, course, or academy for which reimbursement is requested and the number of students successfully completing each program, course, or academy pursuant to the rules and regulations adopted by the State Board of Education.

Reimbursement would apply to a program of excellence, a dual-enrollment course, or a career academy taken on or after July 1 of every year beginning in 2016. Applications must be submitted not later than August 1 of every year beginning in 2017. NDE must award the grants and distribute the grants after September 1 and no later than October 1 of every year beginning in 2017.

Initial Costs: A school implementing a program of excellence, a dual enrollment course, or a career academy may apply through its ESU to NDE for a grant of funds to offset the initial costs of such implementation. The school district may not receive more than 49% of the total cost of such program, course, or academy. The program, course, or academy must be implemented within 2 years after the date on which the grant application is approved. If such program, course, or academy is not implemented within such 2-year time period, the school district through its ESU must return 100% of the amount of the grant to NDE.

Funding: LB 343 includes intent language to appropriate \$7 million for fiscal year 2016-17 to implement the portion of the legislation related to reimbursement to school districts for each student completing a program, course, or academy. The bill calls for an additional appropriation of \$3 million from the Education Innovation Fund (lottery proceeds) for fiscal year 2015-16 to provide for initial cost grants.

LB 379	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Bolz	Education	Adopt the Expanded Learning Opportunity Grant Program Act

LB 379 creates the Expanded Learning Opportunity Grant Program Act for the purpose of promoting academic achievement outside of school hours in high-need school districts.

An “expanded learning opportunity program” is defined in the bill as a school-community partnership that provides participating elementary and secondary age students and their families with programming and other support activities and services after school and on weekends, holidays, and other hours when school is not in session through a mix of programs and services that:

- (a) complement but do not duplicate elementary and secondary school day learning and
- (b) create opportunities to strengthen school-community partnerships that provide students and their families the supports they need to be successful in school.

The bill provides a lengthy and involved application process for grants to be established and administered by NDE for expanded learning opportunity programs. There is no provision for funding of this legislation.

LB 511	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Cook	Education	Provide for return to learn protocols for pediatric cancer survivors

LB 511 requires all public and private schools to establish a return to learn protocol for students returning to school after being treated for pediatric cancer. The return to learn protocol must recognize that students who have been treated for pediatric cancer and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff.

LB 617	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Larson	Education	Adopt the Working to Improve Schools Act

LB 617 creates the Working to Improve Nebraska Schools Act. The bill incorporates intent language as follows:

- (1) Each student's progression from one grade to the next grade be determined, in part, by his/her proficiency in reading;
- (2) School board policies facilitate reading instruction and intervention services to address student reading needs;
- (3) Each student and his/her parent be informed of the student's reading progress; and
- (4) Each student in a public school be able to read at or above grade level by grade three.

Accelerated Reading Intervention Program: School districts would be required to offer an accelerated reading intervention program to each student in kindergarten, first grade, second

grade, and third grade who exhibits a reading deficiency, for the purpose of preventing grade three student retention. The accelerated reading intervention program must:

- (1) Be provided to all students in kindergarten, first grade, second grade, and third grade who are identified as having a reading deficiency based upon state-approved local or statewide assessments;
- (2) Screen and monitor the reading progress of each student's foundational reading skills no fewer than three times per year;
- (3) Provide highly effective core reading instruction that is comprehensive and meets the majority of the general education classroom needs; and
- (4) Meet at least the following specifications:
 - (a) Assist students exhibiting a reading deficiency in developing the ability to read at grade level;
 - (b) Provide intensive development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
 - (c) Provide scientifically based reliable and valid assessments;
 - (d) Provide initial and ongoing analysis of each student's reading progress; and
 - (e) Be implemented during regular school hours in addition to the regular reading instruction.

Individual Reading Improvement Plan: Any student who exhibits a deficiency in reading at any time, based upon state-approved local or statewide assessments conducted in grades kindergarten, one, two, or three will receive an individual reading improvement plan no later than thirty days after identification of the reading deficiency.

The reading improvement plan would be created by the teacher, the principal, other pertinent school personnel, and the parents of the student and shall describe the reading intervention services the student will receive to remedy the reading deficit.

Each student receiving reading intervention services shall be screened and his/her progress monitored no fewer than three times per year and be provided with intensive reading intervention services until the student no longer has a reading deficiency.

Notification to Parent: The school of any student in kindergarten, grade one, grade two, or grade three, which student exhibits a deficiency in reading at any time during the school year, must notify the student's parent in writing no later than 30 days after the identification of the reading deficiency. The written notification must include the following:

- (1) That his or her child has been identified as having a deficiency in reading and an individual reading improvement plan will be established by the teacher, the principal, other pertinent school personnel, and the parent;
- (2) A description of the current services that are provided to the child;

- (3) A description of the proposed reading intervention and supplemental instructional services and support that will be provided to the child that are designed to remedy the identified area or areas of reading deficiency;
- (4) Strategies for parents to use at home in helping the child succeed in reading;
- (5) That if the student's reading deficiency is not corrected by the end of grade three, the student will not be promoted to grade four unless he/she qualifies for an exemption;
- (6) That while the statewide assessment is the initial determinant for promotion at the end of grade three, it is not the sole determinant of promotion and that additional evaluations, including portfolio reviews and alternative assessments, are available under such exemptions.

Summer School: Each school district must provide summer reading camps to all grade three students scoring below grade level on the grade three statewide reading assessment. Summer reading camps must be staffed with teachers of reading who have attained master teacher status pursuant to the Master Teacher Program Act. The master teacher must provide reading intervention services and support to correct the identified area or areas of reading deficiency.

Report to NDE: By September 1 of each year, each school board must annually report in writing to NDE the following information on the prior school year:

- (1) The school board's policies and procedures on student retention and promotion;
- (2) By grade, the number and percentage of all students in grades kindergarten, one, two, and three who were identified with a reading deficiency at the beginning of the school year and who met grade level standards at the end of the school year, as demonstrated by achieving a passing score on the state-approved local assessment or statewide assessment;
- (3) By grade, the number and percentage of all students in grades kindergarten, one, two, and three performing below grade level on the state-approved local assessment or statewide assessment;
- (4) By grade, the number and percentage of all students retained in grades kindergarten, one, two, and three;
- (5) Information on the total number and percentage of students in grade three who were promoted under an exemption; and
- (6) Any revisions to the school board's policy on student retention and promotion from the prior year's report.

Annual Report: NDE is required to prepare an annual report of the results of the statewide assessment to describe student achievement in the state as a whole, in each school district, and in each school. The annual report must include:

- (1) Descriptions of the performance of all schools participating in the statewide assessment system and all of their major student populations as determined by the department; and
- (2) The median scores of all eligible students who scored in the lowest twenty-fifth percentile on the statewide assessment in the previous reporting period.

The annual report must grade each public school under the following grading scale:

- A — Making excellent progress;
- B — Making above-average progress;
- C — Making satisfactory progress;
- D — Making less than satisfactory progress; and
- F — Failing to make adequate progress.

Early Childhood Education

LB 489	<i>Sponsor</i> Sullivan	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to grants for early childhood education as prescribed
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LB 489 permits the Early Childhood Education Endowment Board of Trustees to issue grants to early childhood education programs entering into agreements 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 must participate in training approved by the Early Childhood Training Center which is needed for participation or advancement in the quality rating and improvement system.

The board of trustees must require child care providers in programs receiving grants to obtain a step three rating or higher on a quality scale within three years of the starting date of the initial grant period to continue funding the program. The board of trustees must 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.

If a child care provider fails to achieve or maintain a step three rating or higher on the quality scale after three years from the starting date of the initial grant period, the child care provider must 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.

Any school district entering into agreements with child care providers must employ or contract with, either directly or indirectly, a program coordinator holding a certificate.

LB 547	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Campbell	Health	Change provisions of the Quality Child Care Act

In 1991 the Nebraska Legislature implemented legislation to allocate funds received from the federal Child Care and Development Block Grant Act of 1990. The Legislature allocated these funds to the Nebraska Quality Child Care Act, administered by the Department of Health and Human Services (HHS).

Under the Act, HHS may issue grants to persons, community-based organizations, or schools needing assistance to start or improve a child care program or needing assistance to provide staff training for a child care program.

Based upon the 2014 reauthorization of the federal Child Care and Development Block Grant Act, LB 547 intends to set aside a portion of the funds to be allocated to the Early Childhood Education Endowment Cash Fund beginning in 2015-16. The amount is steadily increased through 2019-20 and thereafter.

The Early Childhood Education Endowment Cash Fund is used to provide grants to school districts for at-risk children from birth to age three.

This legislation is supported by First Five Nebraska.

Education Innovation Fund

LB 355	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Morfeld	Education	Change provisions relating to certain education funding as prescribed

LB 355 proposes to reverse portions of legislation passed in 2013 (LB 497, which was introduced by Senator Sullivan).

Background: LB 497 (2013) reallocated lottery proceeds beginning in FY2016-17. Prior to LB 497, 24.75% of lottery proceeds were transferred to the Nebraska Opportunity Grant Fund and 19.75% were deposited in the Education Innovation Fund.

LB 497 eliminated the transfer of lottery proceeds to the Nebraska Opportunity Grant Fund and the Education Innovation Fund on June 30, 2016. The 2013 legislation provided for these lottery proceeds to be deposited in a newly created Nebraska Education Improvement Fund beginning July 1, 2016.

LB 497 also terminated the Education Innovation Fund and the Nebraska Opportunity Grant Fund on June 30, 2016 and transferred the fund balances to the Nebraska Education Improvement Fund.

Senator Morfeld's Proposal: LB 355 (2015) reinstates the allocation of lottery proceeds to the Nebraska Opportunity Grant Fund and eliminates the sunset provision of the Nebraska Opportunity Grant Fund, which was included within LB 497 (2013).

The Nebraska Opportunity Grant Fund is currently administered by the Coordinating Commission for Postsecondary Education to provide need-based financial aid to students attending postsecondary institutions. Institutions receiving this aid include the University of Nebraska, state colleges, community colleges, private career colleges and independent colleges.

LB 402	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Baker	Education	Change and eliminate provisions relating to distance education incentives

Under current provisions of the Education Innovation Fund, lottery proceeds equaling \$2 million are allocated for distance education equipment and incentives. The Education Innovation Fund is set to terminate on June 30, 2016.

School districts must adhere to a fairly involved process of application for these incentive funds.

LB 402 makes application for and receipt of funds for distance education equipment a more straightforward process. The bill does not effect the termination date of the Education Innovation Fund so the expectation set forth in LB 402 is that another state funding source would be made available to provide funding for distance education equipment.

LB 519	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Sullivan	Education	Provide for school and student aid, grants, and assistance as prescribed

Background: As per LB 497 (2014), the Education Innovation Fund will terminate on June 30, 2016. All money in the old fund will transfer on that date to the Nebraska Education Improvement Fund.

Distribution: After accepting input from the public in the 2014 interim, LB 519 is introduced to specify how the funds in the Education Improvement Fund will be allocated.

The first 10% of the lottery proceeds allocated to the Education Improvement Fund will be set aside each year for an emergency fund. The remaining 90% of the proceeds will be allocated for fiscal years 2016-17 to 2026-27 as follows:

- (a) 40% to the State Board of Education for competitive innovation grants;
- (b) 40% to the Coordinating Commission for Postsecondary Education for competitive innovation grants;

- (c) 10% to the State Board of Education to assist high school students with postsecondary and certification costs associated with trade occupations that are experiencing shortages of qualified workers; and
- (d) 10% to the Coordinating Commission for Postsecondary Education to assist students attending community colleges with postsecondary and certification costs associated with trade occupations that are experiencing shortages of qualified workers.

K-12 Competitive Innovation Grant Program: LB 519 requires the State Board of Education to establish a competitive innovation grant program with funding from the Nebraska Education Improvement Fund. Grantees would be school districts, ESUs, or a combination of entities that includes at least one school district or ESU. For grantees that consist of a combination of entities, a participating school district or ESU must be designated to act as the fiscal agent and administer the program funded by the grant. The state board may only award grants that the board deems to be sufficiently innovative and to have a high chance of success.

An application for a grant must describe:

- (a) 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;
- (b) The method for annually evaluating progress toward a measurable objective, with the final evaluation due 6 months prior to the end of the grant period;
- (c) The potential for the project to be both scalable and replicable; and
- (d) Any cost savings that could be achieved by reductions in other programs if the funded program is successful.

Following the final evaluation for each grant, the State Board of Education must recommend the grant project as:

- (a) Representing a best practice;
- (b) A model for a state-supported program; or
- (c) A local issue for further study.

For grant projects that are recommended as best practices after receiving a grant for 4 years, the State Board of Education may establish criteria allowing the best practices to be included in the best practices allowance to school districts as provided in the bill. The criteria must:

- (a) Specify qualifications for a school district to participate in the best practices allowance for each best practice to be included in the allowance;

- (b) Specify a best practices dollar amount based on 85% of the estimated costs related to each best practice included in the allowance that would not otherwise be incurred without the best practice and that do not replace other such costs;
- (c) Specify an accountability process which will result in a future aid correction if a school district is found to be in violation of any of the qualifications; and
- (d) Specify any other criteria deemed relevant by the state board.

By November 1 of each year for which the best practices allowance has been implemented, NDE must certify to each qualifying school district the amount of the best practices cost for such school district and the total best practices cost for all qualifying school districts to be included in the calculation of state aid for the next school fiscal year.

TEEOSA: LB 519 amends the school finance formula (TEEOSA) to provide that for any school fiscal year for which the best practices allowance has been implemented by the State Board of Education, NDE must calculate a best practices allowance for each school district qualifying equal to the lesser of:

(1) the best practices cost certified pursuant to such section for such school district or

(2) the product of the best practices cost certified for such school district

multiplied by the ratio of \$1 million

divided by the aggregate total of the best practices cost certified for all qualifying school districts for such school fiscal year.

Fifty percent of the best practices allowance calculated for each qualifying school district must be paid to such school district as best practices aid for the school fiscal year for which aid is being calculated.

Credentials for Trade Occupations: LB 519 requires the State Board of Education to establish a program with funding from the Nebraska Education Improvement Fund to provide assistance to high school students for postsecondary education and certification costs associated with obtaining credentials for trade occupations that are experiencing shortages of qualified workers as identified by the Department of Labor.

A high school student who begins a course of study for a listed trade occupation must continue to be eligible for assistance until the student graduates from high school or otherwise ceases to be a high school student in Nebraska. No more than 5% of the funds received from the Nebraska Education Improvement Fund will be retained for administration.

The bill directs the Department of Labor to certify to the State Department of Education and the Coordinating Commission for Postsecondary Education a list of trade occupations that are experiencing shortages of qualified workers for use in providing assistance to students. The list

must include the specific coursework, certifications, or other postsecondary credentials sought by employers and for which there is a shortage for each listed trade occupation.

LB 520	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Sullivan	Education	Change provisions relating to transfers to certain education-related funds

Background: In 2003 the Legislature passed legislation creating the Nebraska Opportunity Grant Fund, which draws funds from lottery proceeds and provides grants to students for tuition and fees to attend Nebraska postsecondary institutions.

As per LB 497 (2014), money in the Nebraska Opportunity Grant Fund includes amounts transferred from the State Lottery Operation Trust Fund until June 30, 2016.

Intent: LB 520 includes intent language to provide all funding for the Nebraska Opportunity Grant Act from the General Fund beginning July 1, 2019, and to replace funding from the State Lottery Operation Trust Fund with appropriations from the General Fund as transfers from the State Lottery Operation Trust Fund are gradually decreased as provided in the bill.

The bill sets forth a three-year schedule of transfers from the Nebraska Education Improvement Fund to the Nebraska Opportunity Grant Fund until July 1, 2019 when the expectation under the bill is for the Legislature to continue funding the Opportunity Grant Fund through general fund expenditures.

LB 589	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Pansing Brooks	Education	Provide for allocation of the Nebraska Education Improvement Fund as prescribed

Background: In 2000, the Legislature passed LB 1399, which in part created the Attracting Excellence to Teaching Program. The purposes of the 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 or approved public and 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 (loan forgiveness program).

LB 1399 (2000) also created the Excellence in Teaching Cash Fund, which was to consist of appropriations by the Legislature, transfers from lottery proceeds, and other sources.

Education Innovation Fund: The current provisions of the Lottery Act require the first \$1 million of proceeds to the Education Innovation Fund to be transferred to the Excellence in Teaching Cash Fund.

LB 589 gradually increases the amount transferred to Excellence in Teaching Cash Fund from \$2 million for fiscal year 2016-17 to \$3 million for fiscal year 2017-18.

Educational Service Units

LB 478	<i>Sponsor</i> Baker	<i>Committee</i> Education	<i>One-liner</i> Provide bonding authority for educational service units
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In order to carry out the mission of ESUs, current law permits ESUs to purchase, lease, or lease-purchase real estate, equipment, supplies, services, and personal property for their own use. LB 478 amends this law to formally authorize ESUs to construct building facilities.

LB 478 further provides that, in addition to borrowing powers, an ESU would have the power to issue its negotiable bonds in connection with any project or transaction listed above.

The bonds may be issued after the ESU has conducted a public hearing on the issuance of bonds and proper notice provided.

The measure allows ESUs to establish a special fund for purposes of paying off the bonds or for acquiring, constructing, purchasing, leasing, or lease-purchasing new or existing buildings, facilities, real estate, and other capital improvements, including the erection, alteration, equipping, and furnishing of same. The fund must be established from the proceeds of an annual levy, to be determined by the ESU board, not to exceed 1¢. This levy authority would be in addition to any other constitutional, statutory, or ESU levy or spending limitation.

Educator Effectiveness/Mentoring

LB 185	<i>Sponsor</i> Bolz	<i>Committee</i> Appropriations	<i>One-liner</i> Appropriate funds to implement the Master Teacher Program Act
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In 2000 the Legislature passed legislation (LB 1399), which, in part, created the Master Teacher Program. The purpose of the program was to build a group of recognized teachers of high achievement in the teaching profession and to award salary bonuses to these teachers in the amount of \$5,000 each.

The problem has been the lack of funding for this program since its inception. LB 185 seeks to appropriate \$1 million in each of the next two fiscal years to fund the program.

LB 239	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Haar	Education	Provide for a Coordinator for Educator Effectiveness and educator evaluation

Background: In 2010 the Legislature passed LB 1014, which permitted rental income from solar and wind leases on school lands to be used for teacher performance pay beginning in 2016-17. The Board of Educational Lands and Funds was to provide a separate accounting of state apportionment which shows the income from solar or wind energy leases on school lands up to an amount of \$10 million, which is the maximum amount that may be allocated for teacher performance pay.

An important caveat to this 2010 legislation was the stipulation that at least 75% of all school districts include a system for teacher performance pay within their collective-bargaining agreements. If the Commissioner of Education determines that this stipulation has been met, the funds would be made available for disbursement to school districts for supplemental teacher pay.

The provisions of the 2010 legislation would automatically sunset in 2019 if the 75% requirement has not been met in 2016, 2017 or 2018.

Coordinator for Educator Effectiveness: LB 239 (2015) would redirect the funds accumulated from the rental income from solar and wind leases and also eliminate the teacher supplemental pay provisions of the 2010 legislation.

LB 239 would create the position of Coordinator for Educator Effectiveness to support the development and implementation of a systemic effective educator system.

The bill states that an educator effectiveness system includes a quality evaluation system with the primary goal of improving instruction and learning in every school district and school districts have an opportunity to receive training on the quality evaluation models.

The responsibilities of the coordinator would be to develop and make available on a statewide basis evaluation models for effective educators, provide training to implement the models, and facilitate the collection of data to determine the effectiveness of the models. The coordinator is directed to work in partnership with school districts, ESUs, postsecondary educational institutions, and education stakeholder groups.

Grants: LB 239 provides that, beginning with the 2016-17 school year, school districts may apply to NDE for grant funding for a period of up to two years to implement an evaluation model for effective educators and to obtain the necessary training for administrators and teachers for such model.

Funding for grant funds would be \$3.5 million and derived from rental income from solar and wind leases.

Mentor Teacher Programs: Current law requires the State Board of Education to develop guidelines for mentor teacher programs in local systems in order to provide ongoing support for individuals entering the teaching profession.

LB 239 stipulates that mentor teachers may not participate in the formal evaluation of beginning teachers, which would remain the responsibility of school administrators.

The bill further provides that the mentor teacher programs must identify criteria for selecting excellent, experienced, and qualified teachers to be participants in the local system mentor teacher program that are consistent with the guidelines developed by the State Board of Education.

LB 274	<i>Sponsor</i> Hansen	<i>Committee</i> Appropriations	<i>One-liner</i> Appropriate funds to the State Department of Education for mentor teacher programs
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In 1998 the Legislature passed LB 1228, which, in part, authorized the creation of Mentor Teacher Programs. The State Board of Education was required to develop guidelines for mentor teacher programs in local systems in order to provide ongoing support for individuals entering the teaching profession. The mentor teacher programs were to identify criteria for selecting excellent, experienced, and qualified teachers to be participants.

LB 274 would appropriate \$2.5 million for each FY2015-16 and FY2016-17 to implement these provisions of existing law.

Employment Issues

LB 83	<i>Sponsor</i> Cook	<i>Committee</i> Business/Labor	<i>One-liner</i> Provide certain protections for employees relating to wage disclosure
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LB 83 amends the Nebraska Wage Payment and Collection Act. The bill provides that an employer may not:

- (1) Require nondisclosure by an employee of his or her wages as a condition of employment;
- (2) Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages;

- (3) Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily;
- (4) Coerce, intimidate, or threaten an employee to discourage that employee's disclosure of his or her wages, interfere with an employee's efforts to disclose his or her wages, or discipline an employee for disclosing his or her wages; or
- (5) Retaliate against an employee for asserting rights or remedies under this section.

LB 83 provides that nothing in the legislation should be construed to:

- (1) Create an obligation on any employer or employee to disclose wages;
- (2) Permit an employee, without the written consent of the employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law;
- (3) Diminish any existing rights under the National Labor Relations Act; or
- (4) Permit the employee to disclose wage information of other employees to a competitor of their employer.

Handbook: An employer that provides an employee handbook to its employees must include in the handbook notice of employee rights and remedies under this section.

Civil Action: In addition to any other remedies provided under the Nebraska Wage Payment and Collection Act, an employee may bring a civil action against an employer for a violation of the provisions of the legislation. If a court finds that an employer has violated these provisions, the court must, in addition to any judgment awarded to the employee, order costs of the action and reasonable attorney's fees to be paid by the employer. In such an action, the court may order reinstatement, back pay, restoration of lost service credit, if appropriate, the expungement of any related adverse records of an employee who was the subject of the violation, as well as any money damages that the court deems appropriate to compensate the employee for the violation.

LB 115	<i>Sponsor</i> Scheer	<i>Committee</i> Banking	<i>One-liner</i> Prohibit certain actions related to social security numbers
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LB 115 represents a new proposed section of law relevant to use of social security numbers.

The bill provides that no person may require an individual to disclose or furnish his/her social security number for any purpose in connection with any activity or refuse any service, privilege, or right to an individual because he/she refuses to disclose or furnish his/her social security number unless:

- (a) the individual consents to provide or allow the use of his/her social security number,
- (b) the social security number is expressly required by federal, state, or local law, rule, regulation, or ordinance, or
- (c) the social security number is used for a criminal history background check of the individual by an employer or volunteer service organization.

LB 133	<i>Sponsor</i> Ebke	<i>Committee</i> Business/Labor	<i>One-liner</i> Change interest rate provisions on certain Nebraska Workers' Compensation Court awards
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Under the current provisions of the Workers' Compensation Act, when an attorney's fee is allowed, there is a further assessment against the employer for an amount of interest on the final award obtained, computed from the date compensation was payable, until the date payment is made by the employer, at a rate equal to the rate of interest allowed per annum under section 45-104.01. (The current rate as provided by the Legislature is 14% per annum.)

LB 133 would change the method to determine the interest rate such that it would equal two percentage points above the bond investment yield, as published by the U.S. Secretary of the Treasury, of the average accepted auction price for the first auction of each annual quarter of the 26-week U.S. Treasury bills.

LB 134	<i>Sponsor</i> Johnson	<i>Committee</i> Business/Labor	<i>One-liner</i> Change provisions relating to first injury reports under the Nebraska Workers' Compensation Act
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Under the current provisions of the Nebraska Workers' Compensation Act, in every case of reportable injury arising out of and in the course of employment, the employer or workers' compensation insurer must file a report with the Nebraska Workers' Compensation Court. The report must be filed within 10 days after the employer or insurer has been given notice of or has knowledge of the injury.

LB 134 makes a number of stipulations to the filing of this report.

The bill specifies that the report filed must be confidential and not open to public inspection or copying, except as otherwise provided and as necessary for the Workers' Compensation Court to administer and enforce other provisions of the Workers' Compensation Act.

An employee may elect to waive confidentiality for reports involving such employee, and such reports will be open to public inspection or copying. An election, once made, must remain in effect notwithstanding any change in employment by such employee, unless the election is

revoked by the employee. An election or revocation must be made in a form and manner prescribed by the administrator of the compensation court.

The compensation court must deny any request to inspect or copy a report filed unless an election to waive confidentiality has been made by the employee or:

- (1) The requester is the employee who is the subject of the report or an attorney or authorized agent of that employee. An attorney or authorized agent of the employee must provide a written authorization for inspection or copying from the employee if requested by the compensation court;
- (2) The requester is the employer, workers' compensation insurer, risk management pool, or third-party administrator that is a party to the report or an attorney or authorized agent of such party. An attorney or authorized agent of a party must provide a written authorization for inspection or copying from the party if requested by the compensation court;
- (3) The requester is:
 - (a) an attorney or an authorized agent of an insurer or a third-party administrator who is involved in administering any claim for insurance benefits related to any injury of the employee whose report is filed with the compensation court or
 - (b) an attorney representing a party to a lawsuit filed by or on behalf of the employee whose report is filed with the compensation court. An attorney or authorized agent of such insurer or third-party administrator or an attorney representing a party to such a lawsuit must provide a written authorization for inspection or copying from the insurer, third-party administrator, or party, as applicable, if requested by the compensation court;
- (4) The report will be used for the purpose of state or federal investigations or examinations or for the state or federal government to compile statistical information;
- (5) The report requested is sought for the purpose of identifying the number and nature of any injuries to any employees of an employer identified in the request and the compensation court is able to and does redact any information revealing the identity of the employee prior to releasing the report;
- (6) The report requested is a pleading filed with the compensation court or an exhibit submitted with a pleading filed with the compensation court; or
- (7) Release of the report is ordered by a court of competent jurisdiction.

Any request to inspect or copy a report filed must be made in a form and manner prescribed by the administrator of the compensation court.

LB 158	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	McCollister	Business and Labor	Deny compensation under the Nebraska Workers'

LB 158 amends the Nebraska Workers' Compensation Act with a new section of law stating that no compensation would be allowed if, at the time of or in the course of entering into employment or at the time of receiving notice of the removal of conditions from a conditional offer of employment:

- (1) The employee knowingly and willfully made a false representation as to his/her physical or medical condition;
- (2) the employer relied upon the false representation and the reliance was a substantial factor in the hiring; and
- (3) a causal connection existed between the false representation and the injury.

LB 288	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Ebke	Business and Labor	Prohibit public employers from making certain deductions from wages

LB 288 proposes a new section of law to provide that any collective-bargaining agreement involving a public employer entered into, renewed, or extended on or after the effective date of the bill may not contain provisions requiring or allowing the deduction of dues, assessments, or other amounts from a public employee's wages, including public school employees, either directly or indirectly, on behalf of a union, collective-bargaining organization, or other professional association.

The bill also prohibits deduction of union dues for employees prior to the effective date of the bill if the existing collective bargaining agreement does not require such deduction.

LB 288 does not provide for an effective date. In the event the bill becomes law, it would be operative 90 days after the Legislature adjourns sine die.

LB 363	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Nordquist	Business and Labor	Provide time limits and penalties for late medical payments under the Nebraska Workers' Compensation Act

LB 363 amends the Nebraska Workers' Compensation Act and provides that all medical payments payable under the Act must be payable within 30 days after notice has been given or within 30 days after the entry of a final order, award, or judgment of the compensation court.

If a medical payment is delinquent by 30 days or more, 50% will be added to the amount payable and must be paid to the employee.

LB 388	<i>Sponsor</i> Hansen	<i>Committee</i> Business and Labor	<i>One-liner</i> Provide annual adjustments for total disability income benefits under the Nebraska Workers' Compensation Act
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LB 388 amends the Nebraska Workers' Compensation Act (§ 48-121) relevant to compensation for injuries resulting in total disability.

The bill provides that any weekly income benefit for total disability awarded after the effective date of the bill must be adjusted each year in a proportion equal to annual increases resulting from the determination of the average weekly wage under section 48-121.02 (determination of state average weekly wage).

Note: The state average weekly wage is determined by the administrator of the Nebraska Workers' Compensation Court as follows:

By October 1 each year, the total insured wages reported to the Department of Labor for the preceding calendar year, excluding federal employees, is divided by the average monthly number of employees insured under the Employment Security Law.

The average monthly number of employees is determined by dividing the total number of employees insured under the Employment Security Law reported for the calendar year by 12.

The state average annual wage thus obtained is divided by 52, and the state average weekly wage thus determined is rounded to the nearest whole cent.

The state average weekly wage so determined is applicable for the calendar year commencing January 1 following the October 1 determination.

LB 480	<i>Sponsor</i> Harr	<i>Committee</i> Business and Labor	<i>One-liner</i> Change provisions relating to computing compensation under the Nebraska Workers' Compensation Act
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Current provisions of the Nebraska Workers' Compensation Act (§ 48-119) states that no compensation is allowed for the first seven calendar days of disability, except as otherwise provided, but if disability extends beyond the period of seven calendar days, compensation would begin on the eighth calendar day of disability, except that if the disability continues for six weeks or longer, compensation would be computed from the date disability started began.

LB 480 merely takes the potential ambiguity out of the phrase “six weeks” and replaces it with the more definitive provision of “forty-two days.”

LB 526	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Sullivan	Education	Define a term related to teachers' and administrators' certificates

In 2003 the Legislature passed LB 685, which, in part, expanded existing provisions with regard to alternative (“flexible”) certification for educators. The provisions of LB 526 (2015) were originally intended to be included within the technical cleanup bill (LB 525), but were instead placed in a separate bill for public consideration.

Specifically, LB 526 adds a definition within Chapter 79 (§ 79-101) for the terms “certificate, certificated, or certified” to refer to an individual holding a certificate to teach, administer, or provide special services, and includes an individual who holds a permit issued by the Commissioner of Education (as per §§ 79-806 to 79-815). (This would include career and technical certification, amongst others.)

LB 556	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Kolowski	Business and Labor	Waive workers' compensation as the exclusive remedy if an employer is willfully negligent

Current provisions of the Nebraska Workers’ Compensation Act (§ 48-127) provide that if the employee is injured by reason of his/her intentional willful negligence, or by reason of being in a state of intoxication, neither he/she nor his/her beneficiaries will receive any compensation under the Nebraska Workers' Compensation Act.

LB 556 amends this same section of law to state that if the employee is found by the Nebraska Workers' Compensation Court or any judge thereof to have been injured by reason of the willful negligence of the employer, the employee would be entitled to bring an action at law for his/her damages.

The filing of the workers' compensation petition would begin the applicable limitations period for the employee's claim for damages while the determination of the employer's willful negligence is pending before the Nebraska Workers' Compensation Court.

The determination of the compensation court, or any judge thereof, as to the willful negligence of the defendant would be determinative and binding on the parties in any subsequent action for damages at law. In such case, the finder of fact in any subsequent action for damages at law would be instructed that the defendant has been found to be willfully negligent in causing the plaintiff’s injuries and that the determination is binding on the parties.

LB 586	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Morfeld	Judiciary	Prohibit discrimination based upon sexual orientation and gender identity

LB 586 amends a series of statutes throughout the Nebraska Code to prohibit discrimination based upon sexual orientation or gender identity.

The bill defines “sexual orientation” as actual or perceived homosexuality, heterosexuality, or bisexuality.

The bill defines “gender identity” as the actual or perceived appearance, expression, identity, or behavior of an individual, whether or not that appearance, expression, identity, or behavior is different from the individual's assigned sex at birth.

LB 599	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Ebke	Business and Labor	Provide a minimum wage for certain young student workers

At the 2014 General Election, Initiative 425 was passed by the voters by a fairly wide margin. The measure increased the minimum wage from \$7 per hour to \$8 effective January 1, 2015. The measure further provided for an increase to \$9 per hour effective January 1, 2016.

LB 599 amends the same statute affected by Initiative 425 (§ 48-1203). The bill provides that any employer employing young student workers must pay the young student workers wages at a rate of \$7.25 per hour. It further stipulates that no more than one-fourth of the total hours paid by the employer will be at the wage rate prescribed in the bill.

The bill defines “young student worker” as any person who (i) is 18 years of age or younger, (ii) attends any public or private high school, and (iii) does not qualify for the wage rate (listed below).

48-1203.01. *Training wage; rate; limitations.* An employer may pay a new employee who is younger than twenty years of age and is not a seasonal or migrant worker a training wage of at least seventy-five percent of the federal minimum wage for ninety days from the date the new employee was hired. An employer may pay such new employee the training wage rate for an additional ninety-day period while the new employee is participating in on-the-job training which (1) requires technical, personal, or other skills which are necessary for his or her employment and (2) is approved by the Commissioner of Labor. No more than one-fourth of the total hours paid by the employer shall be at the training wage rate.

An employer shall not pay the training wage rate if the hours of any other employee are reduced or if any other employee is laid off and the hours or position to be filled by the new employee is substantially similar to the hours or position of such other employee.

An employer shall not dismiss or reduce the hours of any employee with the intention of replacing such employee or his or her hours with a new employee receiving the training wage rate.

LB 627	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Mello	Business and Labor	Change provisions relating to pregnancy under the Nebraska Fair Employment Practice Act

LB 627 amends the Nebraska Fair Employment Practice Act to require reasonable accommodation, with respect to pregnancy, to include acquisition of equipment for sitting, more frequent or longer breaks, periodic rest, assistance with manual labor, job restructuring, light duty assignments, modified work schedules, temporary transfers to less strenuous or hazardous work, time off to recover from childbirth, or break time and appropriate facilities for breast-feeding.

The bill also makes it an unlawful employment practice for an employer to discriminate against an individual who is pregnant in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

When referring to an individual who is pregnant, discrimination would include:

- (1) Limiting, segregating, or classifying a job applicant or employee in a way that adversely affects the opportunities or status of the applicant or employee because of the pregnancy of the applicant or employee;
- (2) Participating in a contractual or other arrangement or relationship that has the effect of subjecting a pregnant individual to discrimination in the application or employment process, including a relationship with an employment agency, a labor union, an organization providing fringe benefits to an employee of the covered entity, or an organization providing training and apprenticeship programs;
- (3) Utilizing standards, criteria, or methods of administration (a) that have the effect of discrimination on the basis of pregnancy or (b) that perpetuate the discrimination against others who are subject to common administrative control;
- (4) Not making reasonable accommodations to the known physical limitations of a pregnant individual who is an applicant or employee unless such covered entity can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the covered entity;
- (5) Denying employment opportunities to a job applicant or employee who is pregnant if the denial is based upon the need of such covered entity to make reasonable

- accommodation to the physical limitations due to the pregnancy of the employee or applicant;
- (6) Using qualification standards, employment tests, or other selection criteria that screen out or tend to screen out a pregnant individual or a class of pregnant individuals unless the standard, test, or other selection criteria, as used by the covered entity, is shown to be job-related for the position in question and is consistent with business necessity;
 - (7) Conducting a medical examination or making inquiries of a job applicant as to whether the applicant is pregnant, except that:
 - (a) A covered entity may make preemployment inquiries into the ability of an applicant to perform job-related functions;
 - (b) A test to determine the illegal use of drugs shall not be considered a medical examination; and
 - (c) A covered entity may require a medical examination after an offer of employment has been made to a job applicant and prior to the commencement of the employment duties of the applicant and may condition an offer of employment on the results of the examination if:
 - (i) All entering employees are subjected to such an examination;
 - (ii) Information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, except that (A) supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations, (B) first-aid and safety personnel may be informed, when appropriate, if the pregnancy might require emergency treatment, (C) government officials investigating compliance with the Nebraska Fair Employment Practice Act shall be provided relevant information on request, and (D) information shall be made available in accordance with the Nebraska Workers' Compensation Act; and
 - (iii) The results of the examination are used only in a manner not inconsistent with the Nebraska Fair Employment Practice Act;
 - (8) Requiring a medical examination or making inquiries of an employee as to whether the employee is pregnant unless the examination or inquiry is shown to be job-related and consistent with business necessity. A test to determine the illegal use of drugs shall not be considered a medical examination. A covered entity may conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees at the worksite and may make inquiries into the ability of an employee to perform job related functions if the information obtained regarding the medical condition or history of the employee is subject to the requirements listed above;

- (9) Requiring a job applicant or employee affected by pregnancy, childbirth, or related medical conditions to accept an accommodation that such applicant or employee chooses not to accept;
- (10) Requiring an employee to take leave under any leave law or policy of the covered entity if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions of the employee; and
- (11) Taking adverse action against an employee in the terms, conditions, or privileges of employment for requesting or using a reasonable accommodation to the known limitations related to the pregnancy of the employee.

Facilities / Construction

LB 28	<i>Sponsor</i> Krist	<i>Committee</i> Health	<i>One-liner</i> Adopt the Radon Resistant New Construction Act
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LB 28 requires that, beginning January 1, 2018, new construction in Nebraska must include radon resistant new construction. The Department of Health and Human Services (HHS) is required to adopt and promulgate rules and regulations that establish the minimum standards for radon resistant new construction that must be met in order to comply with the provisions of the bill.

“New construction” is defined as any original construction of a single-family home or a multifamily dwelling, including apartments, group homes, condominiums, and townhouses, or any original construction of a building used for commercial, industrial, educational, or medical purposes. New construction does not include additions to existing structures or remodeling of existing structures.

Enforcement would be the responsibility of any county, city, or village that adopts, as part of its building code, standards for radon resistant new construction. The minimum standards for radon resistant new construction established by HHS must include the following requirements:

- (a) The installation of an active radon mitigation system must only be performed by a radon mitigation specialist;
- (b) The installation of radon resistant new construction may be performed by a building contractor or his/her subcontractors or by a radon mitigation specialist during new construction; and
- (c) Only a radon mitigation specialist may install a radon vent fan or upgrade a passive new construction pipe to an active radon mitigation system.

The bill also creates the Radon Resistant Building Codes Task Force. The task force must make recommendations to the Governor and HHS concerning minimum standards for radon resistant new construction in new construction.

LB 117	<i>Sponsor</i> Haar	<i>Committee</i> Natural Resources	<i>One-liner</i> Change provisions relating to energy financing contracts
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LB 117 proposes a number of changes to existing law that permits governmental units, including school districts, to enter into energy-based energy contracts.

The measure includes the following changes:

- Expands the scope of the law to permit such contracts for new construction as well as existing structures in order to produce energy cost savings;
- Expands energy conservation measures to repair or renovate geothermal systems as well heating, ventilation, and air conditioning systems;
- Expands the types of energy financing contract to calculated contracts as well as performance contracts, shared-savings contracts, guaranteed contracts, and lease-purchase contracts;
- Expands the definition of “energy service company” to mean a person or business experienced in either the implementation and installation or construction of energy conservation measures; and
- Requires a governmental unit to obtain a written opinion from a professional engineer licensed in the State of Nebraska whose interests are independent from any proposing energy service company and from the financial or energy savings outcome of the contract.
- Requires a detail of the responsibilities of a Nebraska-licensed professional engineer associated with the energy service company in the design, construction, installation, and commissioning of the energy conservation measures selected by the governmental unit.

The measure requires that any energy financing contract entered into by a governmental unit must set forth the calculated energy cost savings during the contract period attributable to the energy conservation measures to be installed by the energy service company. Operational savings may be included in the calculated or guaranteed total savings amount approved by the governmental unit. The calculated or guaranteed energy cost savings must be reviewed and approved in writing by the independent professional engineer prior to commencement of construction or any work under the contract. The contract must also state the calculated or guaranteed energy savings for each year of the contract period.

The bill stipulates that, while an energy service company entering into a guaranteed energy contract must also supply a guarantee bond equal to 100% of the guaranteed energy savings for the entire term of the contract, no guarantee bond is required for a calculated energy contract.

Finally, LB 117 appears to create an exception under the levy and spending limitations for expenditures related to an obligation created by an energy financing contract.

LB 431	<i>Sponsor</i> Baker	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to public school district construction
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Under present law (§ 73-106), the general rule is that if a public school district expends public funds for the construction, remodeling, or repair of any school-owned building or for site improvements and if the contemplated expenditure for the complete project exceeds \$40,000, then the school board or its representative must advertise for bids in the regular manner established by the board and accept or reject bids.

LB 431 amends this section of law by increasing the threshold before the bid requirement is triggered. The bill states that no bidding process is required for projects under \$100,000.

The bill further provides that the State Board of Education is to adjust the dollar amount every fifth year, with the first such adjustment effective on July 1, 2020. The adjusted amount must be equal to the then current amount adjusted by the cumulative percentage change in the CPI for All Urban Consumers published by the Federal Bureau of Labor Statistics for the five-year period preceding the adjustment rate. The amount would be rounded to the next highest one-thousand-dollar amount.

LB 513	<i>Sponsor</i> Craighead	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to use and leasing of school property
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The intent of LB 513 is to provide greater flexibility to enter into long-term leases as the school district deems appropriate. The legislation is designed to correct the problem of not utilizing vacant or available facilities since potential tenants do not care to enter into short-term leases.

Under current law (§ 79-10,107) relating to lease of school district property, a school board of any school district may lease, upon such terms and conditions as it determines, any school district property or portion thereof that it determines is not needed for the immediate use of the school district.

LB 513 amends this law to state that a school board may permit the use, upon such terms and conditions as it determines, any school district property or portion thereof at times when it is not needed for school district use.

The bill further states that if the school board determines that any school district property or portion thereof is not currently needed for the use of the school district but may be needed for future use, the school board may lease the property, or portion thereof, upon such terms and conditions as it determines.

LB 595	<i>Sponsor</i> Davis	<i>Committee</i> Education	<i>One-liner</i> Create the Task Force on School Construction Assistance
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Task Force: LB 595 creates the Task Force on School Construction Assistance, which would consist of 10 members appointed by the Governor with approval of the Legislature, and two nonvoting members of the Legislature appointed by the Executive Board of the Legislature.

The members of the task force appointed by the Governor must include representatives of education, business, the local community, government, and at least one expert on capital construction. At least one member representing education must represent a school district with preschool through twelfth grade and if there are additional members appointed representing education, the additional members must represent school districts with grades K-12 and reflect a diverse range of school district sizes. To the extent practicable, the members shall represent a geographic diversity.

The task force would make recommendations on the following:

- (a) Capital infrastructure systems and funding sources to provide school districts with state financial assistance for qualifying construction projects, including new construction and repair and replacement of existing facilities. The recommended systems and funding sources must:
 - (i) allow providers of public education to respond to evolving methods of delivering education and to the funding and maintaining of capital infrastructures,
 - (ii) reduce the reliance of school districts on property taxes for the retirement of bonded indebtedness, and
 - (iii) consider the feasibility of debt pooling to reduce interest rates; and
- (b) The types and amounts of technical assistance that may be required by public schools for school capital construction programs.

The task force must submit a report to the Education Committee and Appropriations Committee of the Legislature and NDE no later than November 1, 2016.

Database: LB 595 also requires NDE to establish and maintain a public education facility information database. The database would provide information on preschool facilities, facilities serving any grades K-12, and any related auxiliary buildings and properties.

The department may require school districts and ESUs to provide the following information to NDE for inclusion in the database:

- (a) The name of the facility;
- (b) The square footage of the facility;
- (c) The year the facility was built;
- (d) The major renovations made to the facility in the preceding 30 years;

- (e) The outstanding bonded indebtedness of the school district or ESU;
- (f) The year, amount, and purpose of the last bond request approved by voters of the school district or ESU;
- (g) Operations and maintenance costs of the facility;
- (h) Technical upgrades needed for the facility;
- (i) Health and safety upgrades needed for the facility;
- (j) Energy conservation projects that have been implemented in the facility within the last 20 years;
- (k) Energy usage of the facility; and
- (l) Other publicly available information about the facility.

The database would be made available to the public by NDE and may include functions and other options that are available only to NDE and school districts.

If a school district or ESU is unable to provide any of the information from existing data or without acquiring additional resources, the school district or ESU may request a waiver of the requirement for that information from the Commissioner of Education.

The bill provides intent to appropriate \$100,000 for purposes of the bill.

Income Tax

LB 228	<i>Sponsor</i> Watermeier	<i>Committee</i> Revenue	<i>One-liner</i> Change corporate income tax rates
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Under the current Nebraska Revenue Act, the corporate income tax rate is 5.58% on the first \$100,000 of taxable income and at the rate of 7.81% on all taxable income in excess of \$100,000.

LB 228 would change the corporate income tax rate, effective January 1, 2016, to be 5.01% on the first \$100,000 of taxable income and at the rate of 6.84% on all taxable income in excess of \$100,000.

It is not yet determined the extent to which LB 228 would reduce overall state revenue.

LB 280	<i>Sponsor</i> Davis	<i>Committee</i> Revenue	<i>One-liner</i> Authorize a school-funding surtax and reduce the levy authority of school districts and learning communities
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LB 280 is legislation promoted by the Opensky Policy Institute and introduced by Senator Al Davis. According to the Opensky website, LB 280 is designed to:

- Reduce agricultural land valuation from 75% to 65% for K-12 funding formula purposes only. This would direct more state aid to school districts with high agricultural land values without reducing revenue for other local services.
- Expand the resource calculation of the school aid formula by adding a local income tax tied to a reduction in property taxes. The proposal would add a local income tax tied to a reduction in property taxes. This would assess a community's ability to pay based on property and income wealth, would lower property taxes across the state and would keep the local income tax revenues with the local school district. Those school districts with unmet needs can raise additional dollars by increasing their local income tax rate by a supermajority vote of the school board.
- Create a foundation aid component. The proposal would provide a per-pupil amount of \$500 to every district, regardless of whether a school receives equalization aid or not, to help restore aid to districts that have lost equalization funding due to unprecedented growth in agricultural land values.

Source: openskypolicy.org

School-funding Surtax: LB 280 creates a “school-funding surtax” to be imposed on any individual with an income tax liability. The surtax would be equal to the individual's income tax liability multiplied by the rate listed below. The surtax would be collected at the same time and in the same manner as the state individual income tax.

School-funding Surtax Rates:

- a. For nonresidents, 19.4%
- b. For residents and partial-year residents, the rate set by the school board of the school district in which the resident or partial-year resident resides, which rate would be 19.4% unless the school board establishes a rate in excess of such rate under either of the following methods:
 - i. The school board may, by supermajority vote, approve a rate of 21.9%, 24.4%, 26.9%, or 29.9%, which may last up to five years. After five years, the rate would return to 19.4%. The school board must notify the Tax Commissioner of such increased rate; or
 - ii. The school board, by majority vote, pass a resolution to place the issue of exceeding the rate of 19.4% before the registered voters of the school district at any primary, general, or special election. The school board must deliver a copy of such resolution to the county clerk or election commissioner of every county that contains all or part of the school district. The resolution must include the increased rate that would be imposed and the duration of the increased rate.

The increased rate may be 21.9%, 24.4%, 26.9%, or 29.9%, and may last up to five years.

If a majority of those voting on the ballot question are opposed to the increased rate, the increased rate would not be imposed and the school board must notify the Tax Commissioner that the rate remains 19.4%.

Learning Community

LB 96	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Smith	Education	Eliminate certain taxing authority of learning communities

LB 96 does not eliminate the learning community nor does it eliminate the learning community coordinating council, but it does eliminate the learning community common levy (general funds and special building funds).

The effect of this legislation would be to keep the learning community in tact along with certain responsibilities of the learning community coordinating council but would return member schools within the learning community to the same levy authority as all other schools districts in Nebraska.

LB 392	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Crawford	Education	Change and eliminate learning community provisions relating to levy authority, distribution of core services funds, and state aid calculations

Levy Authority: LB 392 eliminates the common levy provisions for the learning community. Member school districts of a learning community would have the same levy authority as all other school districts in Nebraska.

Retains authority for the learning community coordinating council to levy up to 2¢ for evaluation and research pursuant to plans developed by the learning community coordinating council and adjusted on an ongoing basis.

Boundaries: LB 392 amends existing law relevant to certain school boundaries (§ 79-2107). The bill provides that if the property in question is agricultural land within the extraterritorial jurisdiction of a city of the first class within a school district which is a member of the learning community and the affected school districts are unable to reach agreement after ninety days of negotiation, any of the affected school districts may petition the district court for a determination as to whether the parties have negotiated in good faith.

If the court determines that either or both of the parties have not negotiated in good faith, the court may order that the affected school districts continue negotiating. In determining whether the parties have negotiated in good faith, the court must consider one or more of the following criteria:

- (1) the educational needs of the students in the affected school districts;
- (2) the economic impact on the affected school districts;
- (3) any common interests between the affected school districts and the community that has zoning jurisdiction over the property in question; and
- (4) community educational planning.

If the court orders the affected school districts to continue negotiating and no agreement is reached after 90 days following such order, the court must issue an order transferring the property in question to the school district containing such city of the first class and determining an amount of fair consideration to be paid by the receiving school district to the transferring school district.

The bill contains an operative of July 1, 2016.

LB 421	<i>Sponsor</i> Kintner	<i>Committee</i> Education	<i>One-liner</i> Eliminate a learning community and provide for distribution of assets as prescribed
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LB 421 eliminates all laws related to learning communities and amends various laws to provide the same levy authority to member school districts of a former learning community as that provided for all other school districts. The bill also eliminates the learning community coordinating council.

The bill contains various effective dates but the learning community laws would be eliminated on July 1, 2016.

LB 481	<i>Sponsor</i> Kintner	<i>Committee</i> Education	<i>One-liner</i> Permit school districts to opt out of a learning community as prescribed
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LB 481 permits a member school district of a learning community to opt out of the learning community by a majority vote of the members of the board of education of the district and by providing written notification to the learning community coordinating council and to the “Commission of Education” not less than 6 months before the effective date of the opting out.

Presumably, the sponsor of the legislation intends to specify “Commissioner of Education” as one of the recipients of the notification.

Miscellaneous

LB 66	<i>Sponsor</i> Schumacher	<i>Committee</i> Judiciary	<i>One-liner</i> Require political subdivisions to make disclosures regarding bonds and provide for liability
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LB 66 provides that the governing body of a school district, city, village, or county that issues bonds must disclose, in bold type, on the first page of any bond prospectus published in connection with issuing the bonds:

- (a) the amount of any unfunded pension obligations of the school district, city, village, or county,

- (b) the actual amount of the valuation of the real estate subject to taxation in the school district, city, village, or county,
- (c) the actual amount of the valuation of the real estate in the school district, city, village, or county that will not be available for payment of the bonds because of tax increment financing, and
- (d) a statement substantially as follows: It is uncertain if the bonds being issued would have priority over the pension obligations of (insert name of school district, city, village, or county) if it declares bankruptcy.

The members of any governing body that offers or sells bonds in violation of the bill or offers or sells bonds by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements, made in the light of the circumstances under which they are made, not misleading will be jointly and severally liable to the buyer of the bonds if the buyer did not know of the untruth or omission and if the members of the governing body do not sustain the burden of proof that they did not know and in the exercise of reasonable care could not have known of the untruth or omission.

The buyer may sue the governing body under the Political Subdivisions Tort Claims Act or the members of the governing body in their individual capacities who voted in favor of the issuance of the bonds to recover the consideration paid for the bond, together with interest at six percent per annum from the date of payment, costs, and reasonable attorney’s fees, less the amount of any income received on the bonds, upon the tender of the bonds, or for damages if the buyer no longer owns the bonds.

Damages would be the amount that would be recoverable upon a tender less (a) the value of the bonds when the buyer disposed of them and (b) interest at 6% per annum from the date of disposition.

LB 78	<i>Sponsor</i> Gloor	<i>Committee</i> Banking	<i>One-liner</i> Change provisions relating to the public agencies authorized to enter into agreements under the Intergovernmental Risk Management Act
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Since the passage of LB 664 (2001), the Intergovernmental Risk Management Act has provided that any two or more public agencies, other than school districts and ESUs, may make and execute an agreement providing for joint and cooperative action in accordance with the act to form, become members of, and operate a risk management pool for the purpose of providing to members risk management services and insurance coverages in the form of group self-insurance or standard insurance, including any combination of group self-insurance and standard insurance, to provide health, dental, accident, and life insurance to member’s employees and officers.

LB 78 would remove the exclusion of school districts and ESUs from this section of the Intergovernmental Risk Management Act.

LB 121	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Schumacher	Government	Require voter identification and secret-ballot envelopes

For voters casting their ballots on election day, the voter must present a government-issued photographic identification. For voters unable to present a government-issued photographic identification, the voter, immediately prior to being handed a ballot must:

- (1) Sign a statement setting forth the voter’s name and current address; and
- (2) Either:
 - (a) submits to being photographed in a manner prescribed by the election commissioner or county clerk, or
 - (b) has a written certification from a pollworker that the voter is personally known by the pollworker at the precinct at the time the voter is requesting a ballot.

LB 144	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Davis	Education	Reduce levy authority of community colleges and increase state aid to community colleges

LB 144 gradually reduces the community colleges levy authority from 11.25 cents to 6.25 cents by 2019.

The bill proposes an unspecified amount of state aid for community colleges as replacement funds due to the reduction in levy authority.

LB 209	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Hilkemann	Judiciary	Adopt the Political Subdivisions Mandatory Mediation Act

LB 209 creates the Political Subdivisions Mandatory Mediation Act with the purpose of require political subdivisions to enter into mandatory mediation prior to litigation in any dispute between two or more political subdivisions. The bill applies to all political subdivisions, including school districts, learning communities, and presumably ESUs.

The bill provides that prior to the commencement of litigation regarding a dispute between two or more political subdivisions, the political subdivisions must participate in mediation under the Nebraska Uniform Mediation Act.

Under the Uniform Mediation Act, “mediation” is defined as a process in which a mediator facilitates communication and negotiation between parties to assist them in reaching a voluntary agreement regarding their dispute.

LB 227	<i>Sponsor</i> Hansen	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to educational bridge programs
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In 2012 the Legislature passed LB 1079, which permitted NDE to provide grants to establish “bridge programs.” These programs are meant to:

- (1) Provide English reading and writing and math skills required to succeed in a postsecondary educational credentialing or degree program;
- (2) Lead to the attainment of college credit and a recognized postsecondary educational credential or an industry-recognized credential;
- (3) Be open only to low-income participants who are co-enrolled in adult education, developmental education, or English as a second language;
- (4) Target the specific workforce needs of an occupational sector within the state and provide services aimed at improving education, skills, and employment prospects for low-income adults;
- (5) Use educational best practices, including contextualized instructional strategies, team teaching, modularized learning, or reduced student-teacher ratios; and
- (6) Provide for supportive services needed for student educational and employment success, including, but not limited to, job coaching and personal needs.

The Legislature appropriated \$200,000 each fiscal year for three consecutive fiscal years beginning with FY2012-13 to NDE from the Education Innovation Fund (lottery funds) to provide grants to establish bridge programs.

LB 227 would allow NDE to provide such grants for another five years (through 2020) for the establishment or continuation of bridge programs. The bill would continue an allocation of \$200,000 from the Education Innovation Fund each year for such grants.

LB 256	<i>Sponsor</i> Bloomfield	<i>Committee</i> Revenue	<i>One-liner</i> Change the sales tax rate and the distribution of sales tax revenue
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LB 256 increases the state sales tax from 5.5% to 6% beginning on October 1, 2015. The additional one-half of 1% in sales tax revenue would be credited to the state’s Property Tax Relief Fund.

LB 335	<i>Sponsor</i> Mello	<i>Committee</i> Health	<i>One-liner</i> Create and provide duties for the Intergenerational Poverty Task Force
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LB 335 creates the Intergenerational Poverty Task Force. The committee would consist of the following voting members:

- (a) Chair, Health and Human Services Committee;
- (b) Chair, Appropriations Committee; and
- (c) Three at-large members of the Legislature.

The Commissioner of Education, among other agency leaders, would be a nonvoting, ex officio member of the task force.

Other members of the task force would be nonvoting members appointed through an application and selection process, representing (a) advocacy groups that focus on childhood poverty issues and education issues, (b) academic experts in childhood poverty or education, service providers, (c) service providers, (d) educational institutions, (e) workforce development agencies, and (f) experts in early childhood education.

The task force would:

- 1) Share, examine, and analyze data and information regarding intergenerational poverty in the state with a primary focus on data and information regarding children who are at risk of continuing the cycle of poverty unless outside intervention is made and develop effective and efficient plans, programs, and recommendations to help children escape the cycle of poverty;
- 2) Encourage participation and input from academic experts, advocacy groups, nonprofit corporations, local governments, and faith based institutions in exploring strategies and solutions to help children who are victims of intergenerational poverty escape the cycle of poverty;
- 3) Study, evaluate, and report on the status and effectiveness of policies, procedures, and programs implemented by other states and by nongovernmental entities that address the needs of and that provide services to children affected by intergenerational poverty;
- 4) Identify policies, procedures, and programs, including any lack of interagency data sharing, lack of policy coordination, or current federal requirements, that are impeding efforts to help children in the state affected by intergenerational poverty escape the cycle of poverty and recommend changes to those policies and procedures;
- 5) Create a long-range strategic plan containing:
 - a) Measurable goals and benchmarks, including future action needed to attain those goals and benchmarks, for decreasing the incidence of intergenerational poverty among the state's children and increasing the number of the state's children who escape the cycle of poverty; and
 - b) Recommended data-supported changes to policies, procedures, and programs to address the needs of children affected by intergenerational poverty and to help those children escape the cycle of poverty, including the steps that will be required to make

the recommended changes and whether further action is required by the Legislature or the federal government.

LB 335 permits the task force to:

- 1) Request and receive from any state or local governmental entity or institution information relating to poverty in the state, including reports, audits, data, projections, and statistics; and
- 2) Appoint special committees to advise and assist the task force.

By November 1st of each year, the task force must submit a report to the Governor and to the Legislature, which must:

- 1) Include the long-range strategic plan required under the bill;
- 2) Describe how the task force fulfilled its statutory purposes and duties during the time period covered by the report;
- 3) Describe policies, procedures, and programs that have been implemented or modified to help break the cycle of poverty for children affected or at risk of being affected by intergenerational poverty; and
- 4) Contain recommendations on how the state should act to address issues relating to breaking the cycle of poverty for children affected or at risk of being affected by intergenerational poverty.

LB 371	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Sullivan	Education	Create and provide duties for the Nebraska Council for Educational Success

Background: The P-16 movement emerged in the late 1990s when national leaders concluded that cooperation among all education sectors was required to address the lack of sufficient progress in improving student achievement. The Nebraska P-16 Initiative was formed in 1998 and NCSA was an early participant in the organization.

The issue arising in recent years, at least as far as NCSA was concerned, was whether the Nebraska P-16 had become a political tool of the executive branch.

Nebraska Council for Educational Success: LB 371 is intended to chart a new course with regard to collaborative efforts between the K-12 community, postsecondary institutions, the private school community, the business community, etc.

The bill does not replace the P-16 Initiative, necessarily, since the Nebraska P-16 is housed at the University and is not created under statute.

Senator Sullivan, as part of her effort toward a statewide vision for education, filed LB 371 to create the Nebraska Council for Educational Success, which would consist of:

- 1) The Governor or his/her designee;
- 2) The Commissioner of Education who would be co-chairperson of the council;
- 3) The executive director of the Coordinating Commission for Postsecondary Education who would be co-chairperson of the council;
- 4) The chancellor of the Nebraska State College System;
- 5) The executive director of the Nebraska Community College Association;
- 6) The director of the Educational Service Unit Coordinating Council;
- 7) The Director of Economic Development;
- 8) The Commissioner of Labor;
- 9) The chief executive officer of the Department of Health and Human Services;
- 10) The executive director of the Buffett Early Childhood Institute at the University of Nebraska;
- 11) The president of the University of Nebraska System;
- 12) The following members appointed by the Governor:
 - a) An individual from an association that represents private colleges;
 - b) An individual representing an educational foundation;
 - c) A parent of a child in any of grades K-12;
 - d) An individual representing an organization that represents business interests;
 - e) An administrator employed by a school district;
 - f) A member of a school board; and
 - g) A teacher employed by a school district.

Non-voting members of the council would include the chairs of the Education, Appropriations, and Revenue Committees.

The purposes of the Nebraska Council for Educational Success would be to:

- (1) facilitate and strengthen collaboration of publicly funded programs from early childhood through postsecondary education,
- (2) identify a process for measuring the progress of implementation of the strategic plan to create the statewide vision for education, and
- (3) make recommendations designed for a more coordinated, integrated, seamless education system that enables children to enter school ready to learn, receive challenging instruction throughout their school careers, graduate from high school ready for postsecondary education and careers, and continue their education through postsecondary study in ways that make them productive in the workforce and successful citizens.

The council would meet at least four times per year and must record all proceedings. The meetings of the council would be subject to the Open Meetings Act and public records law.

The council would make recommendations to the Legislature or the appropriate educational governing board for research-based ideas, including ideas to:

1. Strengthen mechanisms to increase the number and academic quality of students who enroll in teacher education programs offered by Nebraska colleges and universities, including financial aid programs for students enrolled in such programs, with an emphasis on increasing the number of students to teach in identified or expected shortage area;
2. Strengthen mechanisms to ensure the successful transition of children from early childhood education programs to elementary school, from elementary school to middle school, middle school to high school, and high school to postsecondary education or the workforce, or both;
3. Strengthen mechanisms to increase constructive parental involvement that improves the educational outcomes for their children;
4. Strengthen mechanisms to ensure that the coursework, standards, and assessments required of pupils in secondary schools are aligned with the knowledge and workload expected of students at the postsecondary level;
5. Strengthen mechanisms to ensure collaboration among the business community, members of the academic community, and political leaders to develop strategies for the growth and diversification of the economy of this state;
6. Strengthen policies relating to workforce development, employment needs of private employers, and workforce shortages in occupations critical to the education, health, and safety of the residents of Nebraska;
7. Strengthen the development or identification of a statewide longitudinal data system that links data relating to early childhood education programs and public education in grades kindergarten through twelve with data relating to postsecondary education and the workforce in Nebraska;
8. Facilitate development of a plan for collaborative research using data from the statewide longitudinal data system, including research that assesses:
 - a. The efficiency and effectiveness of the use of state resources to improve the readiness of students for postsecondary education and the workforce;
 - b. The effectiveness of the preparation of teachers and administrators;
 - c. The return on investment of educational and workforce development programs paid for with public funds; and
 - d. The efficiency and effectiveness of the use of resources in postsecondary education, including, but not limited to, operating appropriations to the postsecondary educational institutions and financial aid programs;

9. Create a process for measuring the progress of implementation of the strategic plan to create the statewide vision for education and include in the annual report required in the bill the progress of such implementation using the measuring process;
10. Recommend to the Education Committee the need for any statutory changes that the council considers necessary to meet the goals established under the strategic plan; and
11. Address other matters as determined necessary or appropriate by the council.

The council may establish committees and may apply for any available grants and accept any gifts, grants, and donations from any source to assist the council in carrying out its duties.

LB 398	<i>Sponsor</i> Harr	<i>Committee</i> Revenue	<i>One-liner</i> Exempt all tangible personal property from property tax
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Under LB 398, all tangible personal property would be exempt from property tax effective January 1, 2017. The bill does not change existing provisions of TEEOSA that provide for the value of personal property for purposes of state aid value.

LB 435	<i>Sponsor</i> Cook	<i>Committee</i> Education	<i>One-liner</i> Adopt the Time to Teach and Time to Learn Act
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LB 435 creates the Time to Teach and Time to Learn Act.

The issue posed in the legislation is that the typical school day and school calendar has been burdened with too many programs unrelated to the primary function of schools, which is teaching and learning the curriculum established by the school board of a school district.

The bill creates the Class Size and Instructional Time Task Force, which would be composed of

- (i) three members of the Education Committee,
- (ii) two classroom teachers, two principals, two superintendents, two school board members, and two representatives of teacher training institutions, appointed by [unspecified], and
- (iii) the Commissioner of Education and one staff member of NDE having responsibility for educational research and data collection, appointed by the commissioner.

The task force would direct a research project to assess class sizes and instructional time at school districts across the state. By December 1, 2015, the task force must report to the Legislature its findings and recommendations for creating incentives for school districts to reduce class sizes and increase instructional time, including improved utilization of the poverty allowance funding provided under TEEOSA.

LB 503	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Krist	Government	Provide authority for the Auditor of Public Accounts to issue subpoenas and request court orders

LB 503 provides authority to the Auditor of Public Accounts to issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony, and cause the depositions of witnesses either residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

In case of disobedience on the part of any person to comply with any subpoena issued by the State Auditor or of the refusal of any witness to testify on any matters regarding which he/she may be lawfully interrogated, the court must compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

If a witness refuses to testify before the State Auditor on the basis of the privilege against self-incrimination, the State Auditor may request a court order.

LB 508	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Cook	Education	Provide minimum requirements for acceptance to teacher education programs

Beginning in January 1, 2019, LB 508 would create the following minimum entry requirements for applicants for a teacher education program:

- (1) A grade-point average of not less than 3.0 on a 4.0 scale or a grade-point average in the top 50th percentile for coursework completed during the most recent two years of the applicant's education, whether secondary or postsecondary; and
- (2) Demonstrated mastery of general knowledge, including the ability to read, write, and compute, by achieving a minimum score determined by the State Board of Education on a standardized test normed to the general college-bound population and approved by the state board, including, the Praxis Series tests administered by the Educational Testing Service, the SAT published by the College Board and administered by the Educational Testing Service, or the ACT college readiness assessment administered by ACT, or an equivalent test approved by the commissioner.

LB 516	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Bolz	Education	Create the Brain Injury Council and the Brain Injury Trust Fund and provide powers and duties

LB 516 creates the Brain Injury Council. The council would consist of 15 members as follows:

- The director of the NDE Division Rehabilitation Services or his/her designee as a nonvoting, ex officio member,
- the Director of Public Health of the Department of Health and Human Services or his/her designee, and
- 13 public members appointed by the Governor.

Of the public members, seven members must be individuals with a brain injury or family members of individuals with a brain injury and six members must be representatives of the following groups:

- Public or private health-related organizations,
- disability advisory or planning groups within Nebraska,
- service providers for individuals with brain injuries, and
- the general public.

The council must meet at least 4 times annually and at any other time as the business of the council requires and at such place as may be established by its chairperson.

The council would provide financial oversight and technical assistance to NDE in the management of the Brain Injury Trust Fund.

The council would:

- (a) Advise and make recommendations to NDE and other related state agencies on ways to improve and develop services regarding brain injury, including the coordination of such services between public and private entities;
- (b) Encourage participation by the public through the establishment of public hearings and other types of community outreach and prevention activities;
- (c) Encourage and stimulate research, public awareness, education, and prevention activities;
- (d) Oversee any programs created under the federal Traumatic Brain Injury Act of 1996, as the act existed on January 1, 2015, and report to the federal government regarding such programs; and
- (e) Provide fiscal oversight and develop criteria for expenditures from the Brain Injury Trust Fund.

LB 516 creates the Brain Injury Trust Fund. The fund would include appropriations from the Legislature, transfers authorized by the Legislature, grants, private contributions, and money from any other source for brain injury prevention and awareness.

The expenditures from the fund would be limited to meeting the needs of individuals with brain injury in Nebraska and providing for the expenses of the council and division staff for support of the council. The criteria for expenditures from the fund may include:

- (a) Funding resource facilitation. A resource facilitator must be available to provide ongoing support for individuals with brain injury and their families for coping with brain injury. A resource facilitator must provide a linkage to existing services and increase the capacity of the state’s providers of services to individuals with brain injury by providing brain-injury-specific information, support, and resources and enhancing the usage of support commonly available in a community;
- (b) Training service providers to provide appropriate brain injury services;
- (c) Providing funding for the brain injury registry established in the Brain Injury Registry Act;
- (d) Providing activities to promote public awareness of brain injury and prevention methods; and
- (e) Providing support for any brain injury support group that meets the approval of the council.

The Division Rehabilitation Services must issue a report annually on the status of the Brain Injury Trust Fund to the Governor and electronically to the Legislature.

LB 525	<i>Sponsor</i> Sullivan	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to education
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LB 525 represents the annual omnibus technical cleanup bill for education-related statutes.

LB 601	<i>Sponsor</i> Bloomfield	<i>Committee</i> Education	<i>One-liner</i> Prohibit a school board member and an immediate family member from being employed with the school district
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LB 601 prohibits a school board member from being employed in any capacity with the school district for which he/she serves as a board member.

The bill also provides that no immediate family member of a school board member may be employed by the school district during the time in which the school board member serves on such board. Immediate family member is defined as the school board member's spouse, children, parents, stepchildren, and stepparents.

LB 604	<i>Sponsor</i> Bloomfield	<i>Committee</i> Government	<i>One-liner</i> Change provisions relating to reimbursement to political subdivisions under the Governor's Emergency Program
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Under current provisions of the Emergency Management Act there exists a Governor's Emergency Program. Funds appropriated to the program would be expended, upon direction of the Governor, for any state of emergency. The state of emergency proclamation must set forth the emergency and must state that it requires the expenditure of public funds to furnish immediate aid and relief. The Adjutant General is charged with administering the funds appropriated to the program.

LB 604 provides that when all necessary supporting documentation has been submitted as a request for aid by a political subdivision for which either state or federal funds have been obligated and an application has already been approved, the Adjutant General or his/her representative may reimburse a political subdivision for expended funds for projects completed by such political subdivision. The Adjutant General or his/her representative may provide such reimbursements for a completed project before all projects are complete within the political subdivision.

LB 657	<i>Sponsor</i> Speaker Hadley	<i>Committee</i> Appropriations	<i>One-liner</i> Appropriate funds for state government expenses
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LB 657 represents the mainline biennium budget bill presented by the Governor.

Open Meetings / Public Records

LB 84	<i>Sponsor</i> Davis	<i>Committee</i> Government	<i>One-liner</i> Permit a public body to use telephone conferencing or videoconferencing for public meetings
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LB 84 provides that if a public body represents territory that does not cover more than one county and such county has a population of less than 3,000 inhabitants, one member of the public body may participate in any meeting of such public body by means of telephone conference, videoconferencing, or conferencing by other electronic means. Only one member per meeting of such public body may participate by means of telephone conference, videoconferencing, or conferencing by other electronic means.

The bill further provides that if a public body represents territory that includes at least two counties with populations of less than 3,000 inhabitants and such public body is not already covered under the Act, one member of the public body may participate in any meeting of such public body by means of telephone conference, videoconferencing, or conferencing by other electronic means. Only one member per meeting of such public body may participate by means of telephone conference, videoconferencing, or conferencing by other electronic means.

The bill provides that videoconferencing, telephone conferencing, or conferencing by other electronic communication may not be used to circumvent any of the public government purposes established in the Open Meetings Act.

LB 282	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Baker	Government	Change provisions relating to closed sessions for public bodies

LB 282 amends the Open Meetings Act and makes two important changes.

The bill provides that a closed session may occur for an evaluation of the job performance of a nonelected official or employee if such person has not requested a public meeting.

The bill also permits a closed session of a governing body for discussion of applicants, other than finalists, who have applied for employment by the public body. A finalist is defined as any applicant:

- (i) who reaches the final pool of applicants, numbering four or more, from which the successful applicant is to be selected,
- (ii) who is an original applicant when the final pool of applicants numbers less than four, or
- (iii) who is an original applicant and there are four or fewer original applicants.

LB 365	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Baker	Government	Allow school districts and educational service units to keep electronic records

Minutes: LB 365 amends the Opening Meetings Act. Current provisions of the Act provide that minutes must be written and available for inspection within 10 working days or prior to the next convened meeting, whichever occurs earlier... .

LB 365 provides that minutes of the meetings of a school board or an ESU board may be kept as an electronic record.

Records: LB 365 also creates a new section of law (presumably to be included in the public records law) stating that all books, papers, documents, reports, and records kept by a school district or ESU may be retained as electronic records. Minutes of the meetings of a school board or an ESU board may be kept as an electronic record.

LB 432	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Baker	Government	Change provisions relating to access to and copying of public records

In 2000 the Legislature passed legislation (LB 628 – Brashear) to greatly expand the rights and privileges of citizens to acquire copies of public documents. The 2000 legislation permitted citizens to use their own copying or photocopying equipment to make copies onsite.

LB 432 eliminates language to allow citizens to use their own copying equipment onsite. The bill provides that copies made by the custodian of the public record may be provided in electronic or print format at the option of the custodian unless the requester does not have the ability to receive the copies in electronic format, and in such instances the custodian must provide the copies in print format.

LB 646	<i>Sponsor</i> Kintner	<i>Committee</i> Government	<i>One-liner</i> Eliminate provisions for secret ballots for leadership under the Open Meeting Act
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The current provisions of the Opening Meetings Act provides that the vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate must be recorded in the minutes.

LB 646 strikes this provision and thereby, presumably, leads to an open ballot with each member’s vote recorded. (See LB 649)

LB 649	<i>Sponsor</i> Kintner	<i>Committee</i> Government	<i>One-liner</i> Require all votes taken by public officials to be a public record as prescribed
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LB 649 amends the Public Records law to require that all votes taken by public officials in the course of their public duties shall be considered public record.

Property Tax

LB 178	<i>Sponsor</i> Watermeier	<i>Committee</i> Revenue	<i>One-liner</i> Change valuation of agricultural land and horticultural land
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Under current law, agricultural and horticultural land is valued at 75% of its actual value for taxing purposes. Special value land is valued at 75% of its special value.

LB 178 stipulates that, for purposes of school district taxation, agricultural/horticultural land and special value land would be valued at a percentage of its actual value determined from a table provided in the legislation:

<i>Tax Year</i>	<i>Percentage</i>
2016	70
2017	65
2018	60
2019 and after	55

The current acceptable range (percentage of variation from a standard for valuation as measured by an established indicator of central tendency of assessment) for agricultural/horticultural land is 69% to 75% of actual value and for lands receiving special valuation, the range is 69% to 75% of special valuation.

LB 178 would stipulate that the acceptable range would remain the same except as it applies to school district taxation and provides a table for such purposes:

<i>Tax Year</i>	<i>Percentage Range</i>
2016	64 to 70
2017	59 to 65
2018	54 to 60
2019 and after	49 to 55

State Aid Value: Finally, the bill modifies the current provisions of TEEOSA relevant to state aid value and how it would be applied to agricultural/horticultural land and also special valuation land as follows. Under current law, state aid value for agricultural/horticultural land is 72% of actual value and for special valuation land it is 72% of special valuation.

Under LB 178 the value applicable to both agricultural/horticultural land and special valuation land is as follows:

<i>Tax Year</i>	<i>Percentage</i>
2016	67
2017	62
2018	57
2019 and after	52

The bill contains an operative date of January 1, 2016.

LB 293	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Schnoor	Revenue	Change valuation of agricultural land and horticultural land

Under current law, agricultural and horticultural land is valued at 75% of its actual value for taxing purposes. Special valuation land is valued at 75% of its special value.

LB 293 would provide that agricultural and horticultural land is valued at 65% of its actual value for taxing purposes and special valuation land is valued at 65% of its special valuation.

The current acceptable range (percentage of variation from a standard for valuation as measured by an established indicator of central tendency of assessment) for agricultural/horticultural land is 69% to 75% of actual value and for lands receiving special valuation, the range is 69% to 75% of special valuation.

LB 293 would provide that the acceptable range for agricultural/horticultural land is 59% to 65%

of actual value and for lands receiving special valuation land, the range is 59% to 65% of special valuation.

State Aid Value: The bill modifies the current provisions of TEEOSA relevant to state aid value and how it would be applied to agricultural/horticultural land and also special valuation land as follows. Under current law, state aid value for agricultural/horticultural land is 72% of actual value and for special valuation land it is 72% of special valuation.

LB 293 would change state aid value such that agricultural/horticultural land would be 62% of actual value and for special valuation land, 62% of special valuation.

The bill contains an operative date of January 1, 2016.

LB 350	<i>Sponsor</i> Brasch	<i>Committee</i> Revenue	<i>One-liner</i> Change valuation of agricultural land and horticultural land
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(Note: LB 350 represents identical legislation to LB 293.)

Under current law, agricultural and horticultural land is valued at 75% of its actual value for taxing purposes. Special valuation land is valued at 75% of its special value.

LB 350 would provide that agricultural and horticultural land is valued at 65% of its actual value for taxing purposes and special valuation land is valued at 65% of its special valuation.

The current acceptable range (percentage of variation from a standard for valuation as measured by an established indicator of central tendency of assessment) for agricultural/horticultural land is 69% to 75% of actual value and for lands receiving special valuation, the range is 69% to 75% of special valuation.

LB 350 would provide that the acceptable range for agricultural/horticultural land is 59% to 65% of actual value and for lands receiving special valuation land, the range is 59% to 65% of special valuation.

State Aid Value: The bill modifies the current provisions of TEEOSA relevant to state aid value and how it would be applied to agricultural/horticultural land and also special valuation land as follows. Under current law, state aid value for agricultural/horticultural land is 72% of actual value and for special valuation land it is 72% of special valuation.

LB 350 would change state aid value such that agricultural/horticultural land would be 62% of actual value and for special valuation land, 62% of special valuation.

The bill contains an operative date of January 1, 2016.

Retirement

LB 40	<i>Sponsor</i> Nordquist	<i>Committee</i> Retirement	<i>One-liner</i> Grant investigative powers to the Public Employees Retirement Board
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Due to some documented instances of fraud, LB 40 would authorize the Public Employees Retirement Board (PERB) to make a thorough investigation of any overpayment of a benefit, when in the judgment of the retirement system such investigation is necessary, including circumstances in which benefit payments are made after the death of a member or beneficiary and the retirement system is not made aware of such member's or beneficiary's death.

In connection with any investigation, the PERB would have the power to compel the attendance of witnesses and the production of books, papers, records, and documents, whether in hardcopy, electronic form, or otherwise, and issue subpoenas for such purposes. Such subpoenas would be served in the same manner and have the same effect as subpoenas from district courts.

This new power would apply to all five state sponsored retirement plans, including the School Employees Retirement System.

LB 236	<i>Sponsor</i> Coash	<i>Committee</i> Retirement	<i>One-liner</i> Change and eliminate provisions relating to collection of judgments and public retirement plans
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In 2012, the Legislature passed LB 916, which incorporated the provisions of LB 973 (introduced by Senator Coash). The provisions of LB 916 allowed for attachment of school employee pension benefit or annuity once the pension or annuity is distributed to the member if the member has been convicted or pled no contest to assault, sexual assault, kidnapping, child abuse, false imprisonment or theft by embezzlement and a civil judgment has been entered for restitution; provisions apply retroactively.

The provisions of LB 916 (2012) were applied to all five state sponsored retirement systems, including the School Employees Retirement Plan.

LB 236 at first blush appears to reverse the provisions of the 2012 legislation as it relates to attachment of pension benefits. In actuality, the bill strengthens these provisions.

LB 236 amends existing law (§ 25-1563.01). This law provides that in bankruptcy and in the collection of a money judgment, certain benefits are exempt from attachment, garnishment, or other legal or equitable process and from all claims of creditors to the extent reasonably necessary for the support of the debtor and any dependent of the debtor:

- an interest held under a stock bonus,
- pension,
- profit-sharing, or

- similar plan or contract payable on account of illness, disability, death, age, or length of service.

There are several exceptions provided under this law and LB 236 would create another exception if the debtor:

- (a) is a member of a retirement plan provided by this state, by a political subdivision of this state, or by a joint entity or joint public agency created under state law to act on behalf of political subdivisions,
- (b) is convicted of or pleads no contest to a felony or misdemeanor, and
- (c) is found liable for civil damages as a result of such felony or misdemeanor.

In such a case, the court may order the payment of the member's annuities or benefits earned under the retirement plan for such civil damages, except that the annuities or benefits to the extent reasonably necessary for the support of the member or any of his/her beneficiaries must be exempt from the payment.

Any order for payment of annuities or benefits may not be stayed on the filing of any appeal of the conviction. If the conviction is reversed on final judgment, all annuities or benefits paid as civil damages would be forfeited and returned to the member.

The payment of any annuities or benefits subject to a qualified domestic relations order under the Spousal Pension Rights Act would take priority over any order for payment pursuant to this subdivision.

Operative Date: The changes proposed under LB 236 would apply to persons convicted of a felony or misdemeanor and found liable for civil damages as a result of such felony prior to, on, or after the effective date of the legislation.

LB 446	<i>Sponsor</i> Nordquist	<i>Committee</i> Retirement	<i>One-liner</i> Redefine compensation and change provisions for school employees retirement
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LB 446 makes a number of changes in both the School Employees Plan and the Class V (OPS) plan.

The bill changes the definition of “compensation” in the Class V plan to mirror the definition of “compensation” in the School Employees plan and adds “capping” language to the Class V school plan which is similar to the language in the school plan.

It also includes a technical clean up provision in the School Employees plan which moves the “capping” language from the definition of “compensation” to the section which applies the “capping” language for purposes of the calculation of the final retirement benefit for a retiree.

There are no substantive changes to the “capping” provision in the School Employees plan.

LB 447	<i>Sponsor</i> Nordquist	<i>Committee</i> Retirement	<i>One-liner</i> Change provisions relating to the Class V School Employees Retirement Act
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LB 447 make the following changes to the Class V (OPS) Retirement Plan:

1. Removes the board of education members from the board of trustees and provides for the election of member trustees by members of the retirement system;
2. Places the retirement system administrator and other retirement system employees under the control of the board of trustees; and
3. Creates an independent investment authority for the board of trustees who make all investment decisions regarding the retirement system's funds.

LB 448	<i>Sponsor</i> Nordquist	<i>Committee</i> Retirement	<i>One-liner</i> Make current and new Class V school employees members of the School Employees Retirement System of the State of Nebraska
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NCSA was notified by Senator Nordquist prior to the start of the 2015 Session that he intended to introduce this legislation. The bill is meant as a discussion measure, which would require ample study if it were ever to be considered.

LB 448 would transfer all the current members of the Class V (Omaha) School Employees Retirement System into the School Employees Retirement System on and after an unspecified date. It would also require all regular employees of the Class V school district hired on and after an unspecified date to become members of the School Employees Retirement System.

LB 551	<i>Sponsor</i> Nordquist	<i>Committee</i> Retirement	<i>One-liner</i> Adopt the Local Government Employees Retirement Act
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LB 551 is meant to be a discussion bill. It creates the Local Government Employees Retirement Plan, which is similar to the County Employees Cash Balance Retirement plan. The new Plan includes the following provisions:

1. It is a cash balance plan with an unspecified interest credit rate;
2. All local governmental entities may elect to, but are not required to, join the plan beginning on an unspecified date;
3. Employee and employer contribution amounts are unspecified;

4. If a first class city with a fire fighter or police officer retirement plan elects to transfer to the Plan, a supplemental contribution rate shall be added; the combined base and supplemental contribution rates would not be less than the current fire fighter or police officer and employer contribution rates;
5. Any retirement funds in a pre-existing local government retirement plan would be transferred to the Plan upon election to transfer to the Plan;
6. The Nebraska Investment Council would invest all funds of the Plan;
7. If the actuarially required contribution rate exceeds the rate of all contributions, the entity which would provide the additional contributions is unspecified; and
8. The Plan would be administered by the Public Employees Retirement Board; a representative of local government employees will be added to the membership of the Public Employees Retirement Board.

School Finance

LB 58	<i>Sponsor</i> Scheer	<i>Committee</i> Education	<i>One-liner</i> Provide for calculation and distribution of funds to certain schools as prescribed
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LB 58 would provide a one-time allocation of aid to certain non-equalized schools. The bill provides that an amount of funds equal to the difference between the total amount of state aid appropriated for school fiscal year 2013-14 and the total amount of state aid appropriated for school fiscal year 2014-15 would be distributed in school fiscal year 2015-16 to school districts which did not receive equalization aid in school fiscal year 2014-15.

The funds must be distributed to such districts proportionally based on the number of students in each such district and must be used only for property tax reduction.

The exact amount of funds that would be made available is not yet determined.

LB 59	<i>Sponsor</i> Scheer	<i>Committee</i> Education	<i>One-liner</i> Redefine state aid value for purposes of the Tax Equity and Educational Opportunities Support Act
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Under the current provisions of TEEOSA, state aid value (used for calculation of state aid) is as follows:

- (a) For real property other than agricultural and horticultural land, 96% of actual value;
- (b) For agricultural and horticultural land, 72% of actual value, and for special valuation (greenland), 72% of special valuation; and
- (c) For personal property, the net book value.

LB 59 would change the state aid value provisions of TEEOSA as follows:

- (a) For real property, 100% of actual value;
- (b) Special valuation (greenland), 72% of special valuation; and
- (c) For personal property, the net book value.

Under LB 59, agricultural and horticultural land would be removed from the calculation of state aid.

LB 182	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Haar	Education	Create the School Funding and Educational Outcomes Review Committee

LB 182 creates the School Funding and Educational Outcomes Review Committee. A similar structured committee was created in 1990 with the passage of TEEOSA, but was eliminated due to state budget cutbacks almost ten years ago.

The committee would consist of the following members:

- (1) Four members of the general public, at least one of whom has experience in the teaching profession in the public schools and no more than two of whom must be residents of the same congressional district;
- (2) Four members who are either school superintendents or school district business officials, not more than two of whom are residents of the same congressional district;
- (3) One member from a school board from each class of school district; and
- (4) The Governor or his/her designee, the Property Tax Administrator, and the chairperson of the Education Committee of the Legislature, all of whom would be nonvoting members.

The chair of the Education Committee would be the chair of the Review Committee. The Committee would meet at least twice annually and may meet more often upon the call of the chair.

The duties of the Committee would be to:

- (1) Review the mission of providing Nebraskans the opportunity to acquire the necessary skills and knowledge to be productive individuals;
- (2) Review, make recommendations, and report on the progress of the goals established by the Legislature and NDE. The committee may solicit comments, concerns, and case studies from all sizes of schools in Nebraska and develop best practices for implementing and achieving these goals; and

- (3) Review the implementation of TEEOSA and operation of budget growth limitations, equalization aid, the minimum levy adjustments, and expenditures of school districts.

By July 1st of each even-numbered year, the Review Committee must report to the Governor, to the State Board of Education, and electronically to the Legislature on (i) the adequacy of school funding sources in effectuating property tax relief, (ii) broadening the tax base for the support of the public school system, (iii) equalization of the tax burden for the support of the public school system, and (iv) equalization of educational opportunities for students and the effects of budget limitations on district spending patterns. NDE and the staff of the Education Committee would assist as needed and requested by the chair of the committee.

LB 283	<i>Sponsor</i> Baker	<i>Committee</i> Government	<i>One-liner</i> Allow school districts and educational service units to make emergency expenditures under the Emergency Management Act
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LB 283 amends the Emergency Management Act, enacted in 1951. For purposes of background, this Act is designed to:

- (1) Reduce the vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural, technological, or manmade disasters and emergencies, civil disturbances, or hostile military or paramilitary action;
- (2) Provide an emergency management system embodying all aspects of preparedness, response, recovery, and mitigation;
- (3) Clarify and strengthen the roles of the Governor, state agencies, and local governments in the mitigation of, prevention of, preparation for, response to, and recovery from disasters, emergencies, or civil defense emergencies;
- (4) Authorize and provide for cooperation and coordination of activities relating to mitigation of, prevention of, preparedness for, response to, and recovery from disasters, emergencies, and civil defense emergencies by agencies and officers of this state and its political subdivisions and similar state, local, interstate, federal-state, and foreign activities in which the state and its political subdivisions may participate;
- (5) Assist in mitigation and prevention of disasters, emergencies, and civil defense emergencies caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and
- (6) Provide for the funding of activities incidental to carrying out the purposes of the act.

The problem addressed in LB 283 is that some portions of the Emergency Management Act appear to apply to all local governments and other portions appear to exclude school districts and ESUs.

The bill first specifies that each local government, including school districts and ESUs will have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such local government for the payment of expenses and in furthering the purposes of the Emergency Management Act.

LB 283 also amends the Act as it relates to emergency expenditures. In the event of a disaster, emergency, or civil defense emergency, each local government, including school districts and ESUs may make (i) emergency expenditures, (ii) enter into contracts, and (iii) incur obligations for emergency management purposes regardless of existing statutory limitations and requirements pertaining to appropriation, budgeting, levies, or the manner of entering into contracts.

If any such expenditure, contract, or obligation will be in excess of or in violation of existing statutory limitations or requirements, then before any the expenditure, contract, or obligation is undertaken it must be approved by a vote of the governing body of such local government, and the governing body may not vote its approval unless it has secured the certificate of the city, village, county, school district, ESU, or interjurisdictional emergency management director that such action is necessary in the public interest for emergency management purposes.

For school districts and ESUs, the certificate must be secured from the county in which the school district or principal office of the ESU is located.

LB 323	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Davis	Education	Create the School Financing Review Commission

LB 323 creates the School Financing Review Commission. The commission would consist of 19 members, including:

- (a) Three members of the Legislature, appointed by the Executive Board of the Legislative Council;
- (b) two members representing postsecondary education, with expertise in the area of school finance;
- (c) the Commissioner of Education or his or her designee;
- (d) a representative of the Governor;
- (e) two members, each residing in a Class II school district;
- (f) two members, each residing in a Class III school district;
- (g) two members, each residing in a Class IV school district;
- (h) two members, each residing in a Class V school district;
- (i) two members from the state at large;
- (j) one member representing an educational service unit serving a rural area; and
- (k) one member representing an educational service unit serving an urban area.

Members would be appointed by the Governor with the approval of the Legislature within 30 days after the effective date of the bill to serve through December 31, 2016. The commission would cease to exist on December 31, 2016.

The commission would conduct an in depth review of the financing of the public elementary and secondary schools. The commission would:

- a. Examine the option of using income as a component in the financing of schools;
- b. Examine the option of using sales tax as a component for local school funding, including, but not limited to, the experience of any other states with such option;
- c. Examine financing methods used in other states which offer alternatives to heavy reliance on property tax;
- d. Examine financing issues as they relate to the quality and performance of the schools;
- e. Examine options for funding expanded prekindergarten services;
- f. Examine the costs and resources necessary to educate students in poverty and those with limited English proficiency;
- g. Examine methods used by other states to fund kindergarten through twelfth grade infrastructure needs; and

The commission must prepare a report with recommendations and a plan to implement the recommendations. The report must be presented electronically to the Legislature by December 1, 2016.

The commission may:

- (1) Hire staff, including consultants;
- (2) Obtain assistance from NDE and the Department of Revenue in acquiring data needed to carry out its duties; and
- (3) Contract for any necessary facilities, equipment, and services, including computer services.

The bill provides intent language for an appropriation of at least \$100,000 to fund the commission’s work.

LB 351	<i>Sponsor</i> Brasch	<i>Committee</i> Education	<i>One-liner</i> Change state aid provisions relating to allocated income tax funds
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Beginning for school fiscal year 2016-17 and thereafter, LB 351 specifies that an amount equal to 20% of the aggregate statewide income tax liability of all resident individuals will be disbursed as option payments and as allocated income tax funds.

The bill requires that, by November 15th each year, the Tax Commissioner must certify to NDE for the preceding tax year the income tax liability of resident individuals for each local system.

NDE is required to calculate the allocation percentage and each local system's allocated income tax funds. The allocation percentage would be an amount equal to 20% of the aggregate statewide income tax liability of all resident individuals minus the total amount paid for option students, with the difference divided by the aggregate statewide income tax liability of all resident individuals. Each local system's allocated income tax funds would be calculated by multiplying the allocation percentage times the local system's income tax liability.

The impact of this legislation is not yet known.

LB 444	<i>Sponsor</i> Groene	<i>Committee</i> Education	<i>One-liner</i> Eliminate the minimum levy adjustment for purposes of state aid to schools
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LB 444 outright repeals the section of TEEOSA that provides for a minimum levy adjustment. The bill also amends certain portions of the school finance formula so that nonequalized districts might be eligible for allocated income tax funds but the exact number of such districts is not yet known.

LB 509	<i>Sponsor</i> Cook	<i>Committee</i> Education	<i>One-liner</i> Change and eliminate provisions relating to a poverty allowance under the state aid formula
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Under current provisions of TEEOSA, the poverty allowance correction equals the poverty allowance minus 85% of the poverty allowance expenditures.

LB 509 broadens the application of the poverty allowance and provides that poverty allowance correction would equal the poverty allowance minus 95% of the poverty allowance expenditures.

Under current provisions of TEEOSA, if the poverty allowance expenditures do not equal 50% or more of the allowance for the school fiscal year, the school district would be disqualified from receiving a poverty allowance for the school fiscal year for which aid is being calculated.

LB 509 eliminates this disqualifying factor from the formula, thus extending the poverty allowance to a broader number of school districts.

Under current provisions of TEEOSA, a poverty plan must include an explanation of how the school district will address, among other items, attendance, including absence follow-up and transportation for students qualifying for free or reduced-price lunches who reside more than one mile from the attendance center.

LB 509 extends this requirement to two miles from the attendance center.

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LB 521	<i>Sponsor</i> Sullivan	<i>Committee</i> Revenue	<i>One-liner</i> Provide, eliminate, and change provisions relating to property tax levies and credits and state aid to schools and provide for a transfer from the Cash Reserve Fund
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LB 521 represents a major change in the system of levy limitations imposed by LB 1114 (1996) and implemented in 1998.

The bill provides that, beginning with school fiscal year 2016-17, each local system would receive aid distributed as property tax credit funds for the purpose of providing property tax relief.

The property tax credit rate would equal the amount available in the Property Tax Credit Cash Fund (created in the bill) on November 1 preceding the school fiscal year for which aid is being calculated divided by the ratio of the aggregate adjusted valuation for all local systems divided by 100.

The property tax credit funds for each local system would equal the property tax credit rate for such school fiscal year multiplied by the ratio of such local system's total adjusted valuation as certified divided by 100.

Beginning for school fiscal year 2016-17, each local system would receive apportionment funds from the temporary school fund equal to any amount in lieu of tax money certified by the Commissioner of Education for any school district in the local system plus a per-student allocation. The per-student allocation would equal the local system formula students multiplied by the ratio of the remainder of the temporary school fund to be allocated as certified by the commissioner divided by the statewide aggregate total formula students.

Local Effort Rate: Under LB 521, for school fiscal year 2016-17 and thereafter:

- (a) the local effort rate would be the maximum levy after the subtraction of the property tax credit rate for the school fiscal year for which aid is being certified less 10¢;
- (b) for the final calculation of state aid, the local effort rate would be the rate which, when multiplied by the total adjusted valuation of all taxable property in local systems receiving equalization aid, will produce the amount needed to support the total formula need of local systems when added to state aid appropriated by the Legislature and other actual receipts of local systems; and
- (c) the local effort rate yield for such school fiscal years would be determined by multiplying each local system's total adjusted valuation by the local effort rate.

Formula Resources: LB 521 provides that, for state aid calculated for school fiscal year 2016-17 and thereafter, total local system formula resources include:

- (a) apportionment funds,
- (b) student support aid,
- (c) summer school aid, focus school and program aid, poverty aid, limited English proficiency aid, transportation aid determined, distance education aid, and elementary site aid,
- (d) net option funding,
- (e) other actual receipts,
- (f) property tax credit funds, and
- (h) the local effort rate yield.

LB 523	<i>Sponsor</i> Sullivan	<i>Committee</i> Revenue	<i>One-liner</i> Change income tax rates and state intent relating to funding public education
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The intent of LB 523 is to increase income tax rates to facilitate increasing state support for public education for the purpose of shifting some of the tax burden for education from property taxes to income taxes.

The bill increases both individual and corporate income tax schedules and rates for the purpose of shifting funding from property taxes to state funding.

The exact amount that would be shifted by virtue of LB 523 is not yet known.

LB 524	<i>Sponsor</i> Sullivan	<i>Committee</i> Education	<i>One-liner</i> Change provisions documenting eligibility relating to free and reduced-price school meals
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In 2010 Congress passed the Healthy, Hunger-Free Kids Act, which permits another route to participation in the free and reduced lunch program: community eligibility.

Under that program, students no longer have to apply for free and reduced-price lunch eligibility. Eligible schools (those with 30 to 40 percent "identified students," including students whose families receive welfare benefits, children enrolled in Head Start, or students who are homeless or in foster care) may be reimbursed directly, and all children in the school may receive free breakfast and lunch. The percentage of meals reimbursed is calculated as the number of identified students in the school, multiplied by 1.6. The 2014-15 school year was the first time all eligible schools were allowed to enroll.

LB 524 provides language within TEEOSA to make Nebraska compliant with the new federal law.

Under the bill, a parent or guardian of any student enrolled in, or in the process of enrolling in, any school district in the state may voluntarily provide information on any application regarding the applicant's potential to meet the qualifications for free or reduced-price lunches without regard to whether the school the child attends, or will attend, is a school that uses such information to qualify students for free or reduced-price meals or a school that provides free meals to all students under the Community Eligibility Provision.

Each school district must process this information for students who attend a school that provides free meals to all students under the Community Eligibility Provision in the same manner to determine the qualification status of the student as the information for students who attend school in a school building that uses such information to qualify students for free or reduced-price meals. If no such information is provided, the student will be presumed not to qualify for free or reduced-price lunches for the purposes of the application.

LB 524 expands both the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program to entice new teachers to teach in school buildings that provides free meals to all students under the Community Eligibility Provision with the offer of a higher level of loan forgiveness.

The bill makes changes to provisions relating to the summer school allowance, poverty plans, diversity plans, elementary learning centers, and learning community to incorporate the Community Eligibility Provision.

LB 534	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Groene	Education	Provide for limitations on General Fund expenditures for state aid to education

LB 534 amends the TEEOSA with a cap on the amount appropriated for state aid each fiscal year.

The cap would equal the amount expended from the General Fund for TEEOSA in the previous fiscal year plus a student growth adjustment.

If the amount of state aid calculated exceeds the capped amount, the State Board of Education must reduce the state aid payable to each school district by the percentage by which the state aid calculated exceeds the capped amount, unless otherwise provided by the Legislature.

LB 563	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	McCollister	Education	Change provisions relating to school fiscal year

LB 563 amends the existing law (§ 79-1091), which defines a school fiscal year. The current fiscal year of each school district begins on September 1 and ends August 31.

LB 563 changes the school fiscal year to begin on August 1 and end on July 31.

LB 582	<i>Sponsor</i> Nordquist	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to a focus school and program allowance
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Under the current provisions of TEEOSA, NDE is required to determine the focus school and program allowance for each school district in a learning community that submits the required information. The focus school and program allowance for each school district in a learning community equals the sum of the allowances calculated for each focus school and focus program operated by the school district.

The focus school and program allowance currently equals the statewide average general fund operating expenditures per formula student multiplied by 0.10 then multiplied by the number of students participating in the focus school or program as reported on the fall membership report from the school fiscal year immediately preceding the school fiscal year in which the aid is to be paid for state aid certified and as reported on the annual statistical summary report from the school fiscal year immediately preceding the school fiscal year in which the aid was paid for the final calculation of state aid.

LB 582 increases the factor from 0.10 to 0.30. The impact of this proposed change is not yet known.

LB 590	<i>Sponsor</i> Friesen	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to a taxable value certified under the Tax Equity and Educational Opportunities Support Act
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Under the current provisions of TEEOSA (§ 79-1016), the county assessor is required to certify to the Property Tax Administrator the total taxable value by school district in the county for the current assessment year.

LB 590 amends this provision of the school finance formula to provide that the county assessor must include in this certification the current assessed valuation of any taxable real property that is having its property taxes divided rather than the property's redevelopment project valuation.

The impact of this proposed change is not yet known.

School Organization

LB 49	<i>Sponsor</i> Scheer	<i>Committee</i> Education	<i>One-liner</i> Provide for allied school systems
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The stated purpose of the legislation is to “increase educational opportunities and equity for students statewide.”

By July 1st of each year, beginning with 2016, any school district with an ADM for grades K-12 of fewer than 650 students and is not already a member of an allied system must either:

- (a) form an allied system with at least three (3) other school districts or join an existing allied system; or
- (b) form an allied system with one school district having an average daily membership for grades kindergarten through twelve of 650 students or more.

A school district with an enrollment of 650 students or more may, but is not required to, join an allied system.

Failure to Comply: If one or more school districts required to form or join an allied system have not done so by July 1st, the Commissioner of Education is required to form one or more allied systems that include such districts or direct each such school district to join an existing allied system specified by the commissioner for such district.

The commissioner must provide an opportunity to be heard for each such district, the member school districts of any affected allied system, and any other interested party and must consider the number of students in each allied system in forming new allied systems or directing a district to join a specified existing allied system.

An Agreement: Allied systems would be formed as an agreement between at least three member school districts, which would include at a minimum:

- (1) The superintendent of each school district in the allied system is deemed the representative of his/her district to the allied system;
- (2) The superintendent of each school district in the allied system must file with NDE a notice of the school district’s membership in such allied system and a list of the other member school districts by July 1st of each year beginning in 2016;
- (3) Each school district in the allied system must have the same schedule for the first three periods of the school day, except that this provision does not require that districts have the same schedule for the first three periods of the school day for extracurricular activities;
- (4) School districts in an allied system wishing to cooperate beyond the uniform schedule requirements may form an interlocal agreement relative to cooperation on such additional matters. Every member of such interlocal agreement is entitled to one vote on matters covered by such interlocal agreement;
- (5) All employees of each school district would remain employees of such district and their contracts would be negotiated through such district; and

(6) No school district in an allied system may move into another allied system if such change would reduce the allied system to fewer than three member school districts unless the remaining member school districts agree to dissolve such allied system and join other allied systems. If at least one school district that is a member of an allied system merges with one or more other school districts and the resulting reorganized school district joins the allied system, each school district that was a member of the allied system prior to the merger must count as a separate member school district only for the purpose of meeting the minimum requirement of three member school districts. Nothing would prevent a school district from reorganizing with one or more other school districts regardless of allied system membership. Except as otherwise provided, if an allied system no longer meets the minimum requirement of three member school districts due to a reorganization involving one or more member school districts, such allied system must be dissolved and the remaining member school districts shall join other allied systems.

Creation of Common Schedule: Within one year after the formation of an allied system, the representatives of the school districts in an allied system must meet and create a common schedule that must be implemented in each member school district beginning with the school year immediately following the deadline for creating the common schedule.

Computer Hardware: A member school district that purchases computer hardware or software for the purpose of providing or maintaining distance education courses is eligible to be reimbursed up to a maximum of \$25,000 per school year for the cost of the hardware or software and associated labor costs. A member school district seeking reimbursement must file an application with NDE that must be accompanied by documentation of membership in an allied system and of the expense of the purchase.

Note: The bill includes intent language stating that nothing in the legislation should be construed as requiring the member school districts in an allied system to consolidate or merge.

LB 477	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Davis	Education	Change provisions relating to school districts maintaining the only public high school in a county

Current law (§ 79-499) provides that if the fall school district membership or the average daily membership (ADM) of an existing Class II or III school district shows less than 35 students in grades 9-12, the district must submit a plan for developing cooperative programs with other high schools, including the sharing of curriculum and certificated and noncertificated staff, to the State Committee for the Reorganization of School Districts.

LB 477 provides that a Class II or III school district maintaining the only public high school in the county may continue to operate the high school with a fall school district membership or an average daily membership (ADM) of less than 25 students in grades 9-12 IF:

- (i) The plan (mentioned above) provides a broad-based curriculum as determined by the state committee; and
- (ii) At a districtwide election held in November in the second consecutive school year that the fall school district membership for grades 9-12 is less than 25 students and for each succeeding school year unless the membership is at least 35 students for the school year, a majority of voters approve a ballot issue to continue to operate the high school for the immediately following school year.

If such ballot issue fails, the state committee must dissolve the school district and attach the territory to other school districts based on the preferences of each landowner if such preference is provided in the time and manner required by the state committee and would transfer such parcels to a school district with a boundary contiguous to the school district being dissolved.

Landowners submitting such preferences must sign a statement that the district of preference is the district which children who might reside on the property, at the time of the dissolution or in the future, would be expected to attend. For property for which a preference is not provided in the time and manner required by the state committee, the state committee must transfer the property to one or more of the school districts with boundaries contiguous to the district being dissolved in a manner that will best serve children who might reside on such property, at the time of the dissolution or in the future, and that will, to the extent possible, create compact and contiguous districts.

The bill stipulates that the new provisions would not apply to any school district if the fall school district membership or an ADM falls to less than 15 students in grades 9-12.

Special Education

LB 50	<i>Sponsor</i> Scheer	<i>Committee</i> Health	<i>One-liner</i> Change provisions relating to Medicaid covered services
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This Bill addresses issues pertinent to the statewide billing system for accessing federal Medicaid funds for special education and related services provided by school districts.

On the surface LB 50 appears to eliminate the expanded eligible Medicaid services as outlined in previous LB 276 (2014). However, in consultation with Senator Scheer, the intent is only to gain a fiscal note on state Medicaid expenditures.

LB 370	<i>Sponsor</i> Riepe	<i>Committee</i> Health	<i>One-liner</i> Provide for an amendment to the medicaid state plan relating to dyslexia treatment
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LB 370 extends “in school” Medicaid coverage to dyslexia and other reading disorders. The bill defines “dyslexia” as a reading disability that occurs when the brain does not properly recognize and process certain symbols. The bill provides that, by October 1, 2015, the state Medicaid plan would need to be amended to include this new language.

Expanding Medicaid funds to school districts for appropriate medical services is advantageous to school districts. The challenge is that dyslexia, by itself is not a handicapping condition so it would be difficult to include that within the special education services that qualify for Medicaid reimbursement. And the bill goes much further than just dyslexia. It states “other reading disorders,” which would include SLD-Specific Learning Disabilities. And the SLD count in Nebraska is currently about 15,000 students and is the largest disability group in the State, so the potential impact on Medicaid reimbursement is quite high. And when the term “other reading disorders” is used, it has the potential to go further than just dyslexia and SLD.

LB 443	<i>Sponsor</i> Bolz	<i>Committee</i> Education	<i>One-liner</i> Redefine support services for purposes of the Special Education Act
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LB 443 amends the definition of “support services” under the Nebraska Special Education Act.

Under the legislative proposal, support services may also include access to mental health services offered either at the school or elsewhere, including assessments, family education services, and programs designated by the Division of Behavioral Health of the Department of Health and Human Services.

LB 507	<i>Sponsor</i> Cook	<i>Committee</i> Education	<i>One-liner</i> Require certain examinations for special education teachers
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LB 507 provides that, in addition to all other requirements, a candidate for issuance of a certificate with an endorsement in special education must pass specific content-area tests as follows:

- (a) A candidate applying for a certificate as an elementary school teacher with an endorsement in special education must pass a multi-subject content examination for elementary school special education teachers consisting of the separately scored sections of (i) literacy and English language arts, (ii) mathematics, and (iii) arts and sciences; and
- (b) A candidate applying for a certificate as a secondary school teacher with an endorsement in special education must pass a multi-subject content examination for secondary special education teachers consisting of the separately scored sections of (i) literacy and English language arts, (ii) mathematics, and (iii) arts and sciences.

The bill provides an effective date of January 1, 2019.

Student Health and Welfare

LB 18	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Krist	Education	Change provisions relating to immunizations for students

LB 18 amends the existing immunization law (§ 79-217) to state that except as otherwise provided in law, on and after July 1, 2016, every student entering the seventh grade and entering the academic year following attainment of 16 years of age must have an immunization containing the U.S. Centers for Disease Control and Prevention recommended meningitis vaccines that meets the standards approved by the U.S. Public Health Service for such biological products.

LB 29	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	McCoy	Education	Change provisions relating to school health inspections

LB 29 appears to reverse some of the changes made over the years to the law relevant to health inspections for students.

The current provisions of § 79-248 require that every school district must cause children under its jurisdiction to be separately and carefully inspected, except as provided, to ascertain if a child is suffering from (1) defective sight or hearing, (2) dental defects, or (3) other conditions as prescribed by the Department of Health and Human Services (HHS).

LB 29 eliminates the third criteria relating to other conditions prescribed by HHS.

Objection/Statement: The bill provides that a parent or guardian may submit to school authorities:

- (1) a written statement signed by the parent or guardian stating that the parent/guardian objects to the child's submitting to such inspection or
- (2) a statement signed by a physician, a physician assistant, or an advanced practice registered nurse, a dentist, or an optometrist practicing in accordance with his/her respective credentialing act or other qualified provider stating that the child has undergone the required inspection on or after May 1 immediately preceding the first day of the school year during which such health inspections are conducted by the school district.

Forms: LB 29 requires each school district to provide both paper and electronic forms for such statements and make electronic forms available on the website of the school district in a printable format.

LB 211	<i>Sponsor</i> Kolowski	<i>Committee</i> Health	<i>One-liner</i> Authorize chiropractors to provide school entrance physical examinations and visual evaluations
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Under present law, a physical examination of each student must occur within six months prior to the entrance of a child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade of the local school by a physician, a physician assistant, or an advanced practice registered nurse, practicing under and in accordance with his/her respective certification act.

LB 211 would also permit a chiropractor to conduct this examination.

Under present law, a visual evaluation of each student must occur within six months prior to the entrance of a child into the beginner grade or, in the case of a transfer from out of state, to any other grade of the local school, by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist.

LB 211 would also permit a chiropractor to conduct this evaluation.

LB 303	<i>Sponsor</i> Bloomfield	<i>Committee</i> Education	<i>One-liner</i> Authorize schools to adopt a child sexual abuse policy
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LB 303 creates new sections of law and permits but does not require schools to adopt a child sexual abuse policy. However, if a school chooses to adopt a child sexual abuse policy it must adopt a policy that is age-appropriate for its students.

A child sexual abuse policy must include, at a minimum, defining child sexual abuse as any sexually oriented act, practice, contact, or interaction in which the child is or has been used for the sexual stimulation of a parent, the child, or other person and recognizing child sexual abuse warning signs, both from the victim and the perpetrator.

The bill does require NDE, by July 1, 2016, to develop a model child sexual abuse policy to assist schools in developing policies regarding child sexual abuse if schools elect to adopt such a policy.

Publishing: If a child sexual abuse policy is adopted by a school, the policy must be published in any school handbook, manual, or similar publication that sets forth the rules, procedures, and other policies of the school. The policy must also be presented to students in the form of an age-appropriate educational program or school assembly.

Training: If a child sexual abuse policy is adopted by a school, the school must provide child sexual abuse training to staff deemed appropriate by the school administration. In the interests of efficiency and economy, the child sexual abuse policy training may also be provided by any school district or combination of school districts, an ESU, or any combination of ESUs.

Duty to Report: LB 303 states that nothing in the legislation or in a school's child sexual abuse policy may be construed to affect the duty of school personnel or any other individual to make a mandatory report as provided under the duty to report provisions of Section 28-711.

LB 335	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Mello	Health	Create and provide duties for the Intergenerational Poverty Task Force

LB 335 creates the Intergenerational Poverty Task Force. The committee would consist of the following voting members:

- (a) Chair, Health and Human Services Committee;
- (b) Chair, Appropriations Committee; and
- (c) Three at-large members of the Legislature.

The Commissioner of Education, among other agency leaders, would be a nonvoting, ex officio member of the task force.

Other members of the task force would be nonvoting members appointed through an application and selection process, representing (a) advocacy groups that focus on childhood poverty issues and education issues, (b) academic experts in childhood poverty or education, service providers, (c) service providers, (d) educational institutions, (e) workforce development agencies, and (f) experts in early childhood education.

The task force would:

1. Share, examine, and analyze data and information regarding intergenerational poverty in the state with a primary focus on data and information regarding children who are at risk of continuing the cycle of poverty unless outside intervention is made and develop effective and efficient plans, programs, and recommendations to help children escape the cycle of poverty;
2. Encourage participation and input from academic experts, advocacy groups, nonprofit corporations, local governments, and faith based institutions in exploring strategies and solutions to help children who are victims of intergenerational poverty escape the cycle of poverty;
3. Study, evaluate, and report on the status and effectiveness of policies, procedures, and programs implemented by other states and by nongovernmental entities that address the needs of and that provide services to children affected by intergenerational poverty;
4. Identify policies, procedures, and programs, including any lack of interagency data sharing, lack of policy coordination, or current federal requirements, that are impeding

efforts to help children in the state affected by intergenerational poverty escape the cycle of poverty and recommend changes to those policies and procedures;

5. Create a long-range strategic plan containing:
 - a. Measurable goals and benchmarks, including future action needed to attain those goals and benchmarks, for decreasing the incidence of intergenerational poverty among the state's children and increasing the number of the state's children who escape the cycle of poverty; and
 - b. Recommended data-supported changes to policies, procedures, and programs to address the needs of children affected by intergenerational poverty and to help those children escape the cycle of poverty, including the steps that will be required to make the recommended changes and whether further action is required by the Legislature or the federal government.

LB 335 permits the task force to:

1. Request and receive from any state or local governmental entity or institution information relating to poverty in the state, including reports, audits, data, projections, and statistics; and
2. Appoint special committees to advise and assist the task force.

By November 1st of each year, the task force must submit a report to the Governor and to the Legislature, which must:

1. Include the long-range strategic plan required under the bill;
2. Describe how the task force fulfilled its statutory purposes and duties during the time period covered by the report;
3. Describe policies, procedures, and programs that have been implemented or modified to help break the cycle of poverty for children affected or at risk of being affected by intergenerational poverty; and
4. Contain recommendations on how the state should act to address issues relating to breaking the cycle of poverty for children affected or at risk of being affected by intergenerational poverty.

LB 572	<i>Sponsor</i> Davis	<i>Committee</i> Education	<i>One-liner</i> Provide duties for the state school security director relating to cyberbullying and digital citizenship issues
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In 2014 the Legislature passed LB 923, which, in part, created the position of state school security director. The state school security director is responsible for providing leadership and support for safety and security for the public schools. Duties of the director currently include:

- (1) Collecting safety and security plans;
- (2) Recommending minimum standards for school security;
- (3) Conducting an assessment of the security of each public school building;
- (4) Identifying deficiencies in school security based on the minimum standards adopted by the State Board of Education;
- (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 suicide awareness and prevention training in public schools;
- (8) Establishing tornado preparedness standards; and
- (9) Responding to inquiries and requests for assistance relating to school security from private, denominational, and parochial schools.

LB 572 adds a tenth duty for the director. Under the bill, the director must recommend curricular and extracurricular materials to assist school districts in preventing and responding to cyberbullying and digital citizenship issues.

Tax Credits

LB 26	<i>Sponsor</i> Krist	<i>Committee</i> Revenue	<i>One-liner</i> Adopt the Choice for the Advancement of Nebraska Children in Education Act and provide for tax credits
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LB 26 represents the most recent attempt by Senator Krist to establish a tax credit for contributions to private schools. Similar past legislative proposals were offered by Senator Krist in 2011 (LB 50) and LB 14 (2013).

The bill creates a tax credit for contributions to qualified private schools to be used for “education scholarships,” a financial grant-in-aid to be used to pay all or part of the tuition and fees for attending a qualified school.

The legislation provides intent that, “It is in the best interests of the State of Nebraska and its

citizens to encourage individuals and businesses to support organizations that financially assist parents and legal guardians to enroll their children in privately operated elementary and secondary schools, and such encouragement can be accomplished through limited tax credits.”

The aggregate amount of tax credits may not exceed \$10 million for calendar year 2016.

LB 71	<i>Sponsor</i>	<i>Committee</i>	<i>One-liner</i>
	Schumacher	Revenue	Adopt the Agricultural Property Tax Credit Act

LB 71 creates the Agricultural Property Tax Credit Act. The purpose of the Act is to provide property tax relief for agricultural land and horticultural land. The property tax relief will be made to owners of agricultural land and horticultural land in the form of a property tax credit.

The bill would impose a tax of 7% on the “excessive sales price” of agricultural land and horticultural land that is sold within Nebraska. The tax would be due from the purchaser of the agricultural land and horticultural land and would be collected by the register of deeds of the county in which the agricultural land and horticultural land is located at the time the deed for such property is presented for recordation. All funds collected would be remitted to the Agricultural Property Tax Relief Fund, created under the legislation.

“Excessive sales price” is defined in the bill as the amount obtained by taking the sales price of the agricultural land and horticultural land and subtracting the “inflation-adjusted value” of such land. “Inflation-adjusted value” is defined as the actual value of the agricultural land and horticultural land as determined and used by the county assessor in the year 1993 adjusted by the cumulative percentage change in the Consumer Price Index for All Urban Consumers published by the Federal Bureau of Labor Statistics from January 1, 1993, to the date of sale of such agricultural land and horticultural land.

The relief granted under the Act would be in the form of a property tax credit that appears on the property tax statement for all agricultural land and horticultural land.

To determine the amount of the property tax credit for each parcel of agricultural land and horticultural land, the county treasurer would multiply the amount disbursed to the county by the ratio of the real property valuation of the parcel of agricultural land and horticultural land to the total real property valuation of all agricultural land and horticultural land in the county. The amount determined would constitute the property tax credit for such parcel.

The amount disbursed to each county would be equal to the balance of the Agricultural Property Tax Relief Fund multiplied by the ratio of the real property valuation of all agricultural land and horticultural land in the county to the real property valuation of all agricultural land and horticultural land in the state.

By September 15th each year, the Property Tax Administrator would determine the amount to be disbursed to each county and certify the amounts to the State Treasurer and to each county. The disbursements to the counties would occur in two equal payments, the first on

or before January 31st and the second on or before April 1st. After retaining 1% of the receipts for costs, the county treasurer would allocate the remaining receipts to each taxing unit levying taxes on agricultural land and horticultural land in the tax district in which the agricultural land and horticultural land is located in the same proportion that the levy of such taxing unit bears to the total levy on agricultural land and horticultural land of all the taxing units in the tax district in which the agricultural land and horticultural land is located.

Teacher Loan Forgiveness

LB 438	<i>Sponsor</i> Morfeld	<i>Committee</i> Revenue	<i>One-liner</i> Change distribution of sales and use tax revenue and create and provide for a fund
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LB 438 creates the Excellence in Education Trust Fund. The fund would consist of money credited to the fund and any other money appropriated or transferred to the fund by the Legislature.

The purpose of the fund would be to provide a source of revenue that can be used to stabilize the total amount of state aid paid to public schools under the Tax Equity and Educational Opportunities Support Act (TEEOSA) and to develop innovative educational grant programs for primary and secondary public schools.

Whenever the Legislature determines it necessary to provide additional funding to public schools under TEEOSA, the funds can be transferred from the Trust Fund to the TEEOSA Fund, and distributed as equalization aid.

Beginning January 1, 2016, the bill allots 10% of proceeds of the sales and use taxes derived from online purchases toward the new trust fund.

LB 527	<i>Sponsor</i> Sullivan	<i>Committee</i> Education	<i>One-liner</i> Change provisions relating to teachers' loan programs
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Attracting Excellence to Teaching Program

Increases the amount of loan forgiveness under the Attracting Excellence to Teaching Program to \$3,000 per year as prescribed and \$6,000 per year if:

- the borrower teaches full-time in a school district that is in a local system classified as very sparse,
- teaches in a school building in which at least 40% of the students are poverty students, or

- teaches in an accredited private school or ESU or an approved private school in Nebraska in which at least 40% of the enrolled students qualified for free lunches.

Enhancing Excellence in Teaching Program

Under the current provisions of this program, an eligible student must:

- (a) Agree to complete an eligible graduate program at an eligible institution and to complete the major on which the applicant's eligibility is based as determined by NDE; 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 and maintain certification.

The bill increases the amount eligible students may apply on an annual basis for loans from \$175 to \$250 per credit hour.

Beginning on July 1, 2016, borrowers would be eligible, as stipulated, for loan forgiveness in an amount equal to \$1,500.

However, if the borrower (i) teaches full-time in a school district that is in a local system classified as very sparse, (ii) teaches in a school building in which at least 40% of the students are poverty students, or (iii) teaches in an accredited private school or ESU or an approved private school in Nebraska in which at least 40% of the enrolled students qualified for free lunches, payments would be forgiven each year in an amount equal to \$1,500 for the first year and \$3,000 for each year thereafter.

Transportation

LB 248	<i>Sponsor</i> Sullivan	<i>Committee</i> Transportation	<i>One-liner</i> Prohibit use of interactive wireless devices by school bus drivers as prescribed
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LB 248 provides that, except for an emergency, the operator of a school bus (including any school bus that transports students by direct contract with the students or their parents and not owned by or under contract with a school district or nonpublic school) may not, whenever the vehicle is in motion, use any type of interactive wireless communication device. This bill would not apply to any dispatch communication device.



2657 44th Ave. • Columbus, NE 68601
402.564.5753 • FAX 402.563.1121
www.esu7.org
Larriane Polk, Administrator

TO: Member Schools Served by ESU 7
FROM: Larriane Polk, ESU 7 Administrator
DATE: February 18, 2015
SUBJECT: Approval of Levy/Core Services Plan and Cost Estimates 2015-2016

The Levy/Core Services plan and cost estimates were reviewed with the ESU 7 Administrator Association on January 28, 2015 and approved by the ESU 7 Board on February 16, 2015. The Advisory Committee has recommended schools approve the plan and budget as presented. Each member school is requested to complete this form to document participation in the decision as to which Levy/Core Services will be provided and how dollars will be spent.

To complete this form:

1. Fill in the necessary blanks.
2. Select **APPROVE** or **DISAPPROVE**.
3. Sign the form below and scan/email it to mhilger@esu7.org by March 13, 2015.

**Forms not returned by March 13, 2015 will be counted as affirmative votes for the proposed plan.*

Thank you for your prompt attention to this request as your information will help ESU 7 make decisions regarding staff assignments and budget allocations for the 2015-2016 fiscal year.



School District Name	Class Designation

The above mentioned school district has reviewed the proposed Levy/Core Services plan and cost estimates as recommended by the ESU 7 Board and Superintendent Advisory Committee for the 2015-2016 budget year. The choice below indicates the district's acceptance of this plan:

APPROVE **DISAPPROVE**

Signature of Superintendent/Building Administrator or Designated Board Representative	Date

		Staff Development Onsite Allotment		
	Minimum Onsite/Month	Barb	Dave	Marci
Boone Central	1			Boone Central
Central City	2	Central City		
Clarkson	1			Clarkson
Columbus	4			
Cross County	1			Cross County
David City	2		David City	
East Butler	1	East Butler		
Fullerton	1	Fullerton		
High Plains	2			High Plains
Howells/Dodge	1	Howells/Dodge		
Humphrey	1		Humphrey	
Lakeview	1			Lakeview
Leigh	1		Leigh	
Osceola	1		Osceola	
Palmer	1		Palmer	
Schuyler	3	Schuyler		
Shelby-Rising City	1			Shelby-Rising City
St. Edward	1		St. Edward	
Twin River	1	Twin River		
	Minimum O/M	9	7	7



2657 44th Ave. • Columbus, NE 68601
402.564.5753 • FAX 402.563.1121
www.esu7.org
Larianne Polk, Administrator

TO: Member Schools Served by ESU 7
FROM: Larianne Polk, ESU 7 Administrator
DATE: February 18, 2015
SUBJECT: Attached approval packet of Levy/Core Services Plan

Enclosed with this memo are three documents containing the ESU 7 proposal for Levy/Core Services for the 2015-2016 term.

Please review the enclosed information and return the Approval of Levy/Core Services Plan to our office by March 13, 2015. If you have questions about the enclosed documents, please give me a call at 402-564-5753. Your immediate attention to this information is appreciated.

*Enc: - Approval of Levy/Core Services Plan
- ESU 7 Levy/Core Budget Estimate 2015-2016
- Levy/Core Professional Services Plan 2015-2016*

ESU 7 Levy/Core Professional Services Plan 2015-2016
Professional Development as determined from Continuous Improvement Plans,
Accreditation, and Implementation of Standards
Including Local Goals/Needs, Research/Best Practices, State Board, Legislative Mandates/Priorities

002.05A Staff development, which shall include access to staff development related to improving the achievement of students in poverty and students with diverse backgrounds		002.05C Instructional materials services.	002.05B Technology, including distance education services
Organizational Development	Curriculum Development and Standards Support	Instruction	Technology Training and Support
Continuous Improvement process for analyzing data, selecting goals, implementation of strategies, verifying results, implementing CIP cycle-Frameworks or Advanc_ED for accreditation	Instructional Models -support for Danielson, Marzano, Hunter and district developed models of instruction, Basic ITIP, Classroom Management	Media Services - digital resource and access, training for access, research process support, integration of resources to curriculum (WorldBook, Cengage Learning, Visual Thesaurus)	Internet Access - ESU 7 will provide support for a school's direct connection to an Internet service provider of their choice.
Instructional Strategies - including Blended Learning Instructional strategies	Curriculum Revision & Alignment develop, align -vertical and horizontal - and revise curriculum based on standards revisions and all content areas district needs	Use of online Research Tools to support Digital Literacy and Digital Citizenship (NoodleTools)	Distance Learning - DL equipment training, equipment troubleshooting, coordinating course exchange, financial support of enrichment activities
Response to Intervention support	Distance Learning - best practices for distance and blended instruction, enrichment activities to support instruction	Online Content accessed through LOR for students and teachers - Safari Montage	Technical Helpdesk Support (Backups, Client Computers, iOS, T General / Other, Lab Computers, Web Filtering, Email Listservs, Network, Wireless, Servers, Anti-Virus, User Administration)
Leadership Capacity Building: Principal Cluster, Leadership Retreat	Assessment Literacy & Development Develop understanding of and create formative, summative assessments and utilize C4L for instruction		Email Service - ESU 7 will provide an Email server for school accounts under the esu7.org domain name. A email filtering service is also included in this service.
Technology Integration - Provide schools with trainings on how to integrate technology in the classroom as a tool-dependent on the needs and requests of the district-(GAPE, iPads, computers, use of technology in the classroom, technology as a tool), Clarity Surveys (Setting up collections and assisting in data analysis), school technology integration visits, summer workshops at ESU7 determined by data from districts and Clarity survey results, assisting schools in determining direction with technology hardware and software planning, technology curriculum revision/development, TIS program and meetings, support and train on Blended Learning, co-teaching/teaching with technology.	NWEA Training/Support: A variety of trainings customized to individual needs of the school. Initial trainings provided for new schools beginning the process with reports overviews. For experienced MAP schools, a more in-depth process consisting of goal setting and looking at trends.	Support of Blended Learning Environment through resources, platform (LMS), training, instruction	LAN Manager Program - ESU 7 will host up to four LAN Manager meetings a year as part of the program. Each meeting will focus on a variety of news and trainings on current topics. In addition, each LAN Manager will serve as the school's point of contact to escalate technology issues to ESU 7 for support.
	Principal/Teacher Evaluation Develop and implement a growth model of evaluation cohesive to the state framework		Offsite Backup Service - Offsite storage solution offered to schools for a price.
			Identity Management
			E-Rate Filing Consultation and support of RFP/470 process

STAFFING NEEDS*, **

Certified/Professional	Clerical
4.00 FTE Professional Development	.76 FTE Professional Development
1.00 FTE Network Operations	3.11 FTE Network Operations
0.26 FTE Distance Learning	0.07 FTE Distance Learning
0.5 FTE Media	1.51 FTE Media
5.76 FTE PROFESSIONAL TOTAL	5.45 FTE CLERICAL TOTAL

Funding sources: General Levy 1.5 cents and Cash Reserve Fund if necessary

*Full Time Equivalencies are calculated on a 245 day contract/work agreement basis.

** FTE's as assigned may vary according to (1) Federal Grant time logged throughout the year, (2) other changes in need

Rule 84 references:

001.05 The Role and Mission of the Educational Service Units. Section 79-1204 R.R.S. states, in part, that Educational Service Units shall:
001.05A Act primarily as service agencies in providing core services and services identified and requested by member school districts;
001.05B Provide for economy, efficiency, and cost-effectiveness in the cooperative delivery of educational services;
001.05C Provide educational services through leadership, research, and development in elementary and secondary education;
001.05D Act in a cooperative and supportive role with the State Department of Education and school districts in development and implementation of long-range plans, strategies, and goals for the enhancement of educational opportunities in elementary and secondary education; and
001.05E Serve, when appropriate and as funds become available, as a repository, clearinghouse, and administrator of federal, state, and private funds on behalf of school districts which choose to participate in special programs, projects, or grants in order to enhance the quality of education in Nebraska schools.
002.05 Core services shall mean services that are provided by educational service units to all member school districts and that are in the following service areas in order of priority:
002.05A Staff development, which shall include access to staff development related to improving the achievement of students in poverty and students with diverse backgrounds;
002.05B Technology, including distance education services; and
002.05C Instructional materials services.