

AMENDMENTS TO LB519

(Amendments to E and R amendments, ER76)

Introduced by Davis, 43.

1           1. Insert the following new section:

2           Sec. 25. Section 79-1337, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           79-1337 (1) For fiscal years 2007-08 through ~~2020-21~~ ~~2015-16~~, the  
5 State Department of Education shall provide distance education incentives  
6 ~~from the Education Innovation Fund~~ to school districts and educational  
7 service units for qualified distance education courses coordinated  
8 through the ~~Distance Education Council until July 1, 2008,~~ and the  
9 Educational Service Unit Coordinating Council ~~on and after July 1, 2008,~~  
10 as provided in this section. Through fiscal year 2015-16, funding for  
11 such distance education incentives shall come from the Education  
12 Innovation Fund. For fiscal years 2016-17 through 2020-21, funding for  
13 such distance education incentives shall come from the Nebraska Education  
14 Improvement Fund.

15           (2) School districts and educational service units shall apply for  
16 incentives annually through calendar year ~~2020~~ ~~2015~~ to the department on  
17 or before August 1 on a form specified by the department. The application  
18 shall:

19           (a) For school districts, specify (i) the qualified distance  
20 education courses which were received by students in the membership of  
21 the district in the then-current school fiscal year and which were not  
22 taught by a teacher employed by the school district and (ii) for each  
23 such course (A) the number of students in the membership of the district  
24 who received the course, (B) the educational entity employing the  
25 teacher, and (C) whether the course was a two-way interactive video  
26 distance education course; and

1 (b) For school districts and educational service units, specify (i)  
2 the qualified distance education courses which were received by students  
3 in the membership of another educational entity in the then-current  
4 school fiscal year and which were taught by a teacher employed by the  
5 school district or educational service unit, (ii) for each such course  
6 for school districts, the number of students in the membership of the  
7 district who received the course, and (iii) for each such course (A) the  
8 other educational entities in which students received the course and how  
9 many students received the course at such educational entities, (B) any  
10 school district that is sparse or very sparse as such terms are defined  
11 in section 79-1003 that had at least one student in the membership who  
12 received the course, and (C) whether the course was a two-way interactive  
13 video distance education course.

14 (3) On or before September 1 of each year through calendar year 2020  
15 ~~2015~~, the department shall certify the incentives for each school  
16 district and educational service unit which shall be paid on or before  
17 October 1 of such year. The incentives for each district shall be  
18 calculated as follows:

19 (a) Each district shall receive distance education units for each  
20 qualified distance education course as follows:

21 (i) One distance education unit for each qualified distance  
22 education course received as reported pursuant to subdivision (2)(a) of  
23 this section if the course was a two-way interactive video distance  
24 education course;

25 (ii) One distance education unit for each qualified distance  
26 education course sent as reported pursuant to subdivision (2)(b) of this  
27 section if the course was not received by at least one student who was in  
28 the membership of another school district which was sparse or very  
29 sparse;

30 (iii) One distance education unit for each qualified distance  
31 education course sent as reported pursuant to subdivision (2)(b) of this

1 section if the course was received by at least one student who was in the  
2 membership of another school district which was sparse or very sparse,  
3 but the course was not a two-way interactive video distance education  
4 course; and

5 (iv) Two distance education units for each qualified distance  
6 education course sent as reported pursuant to subdivision (2)(b) of this  
7 section if the course was received by at least one student who was in the  
8 membership of another school district which was sparse or very sparse and  
9 the course was a two-way interactive video distance education course;

10 (b) The difference of the amount available for distribution in the  
11 Education Innovation Fund on the August 1 when the applications were due  
12 minus any amount to be paid to school districts pursuant to section  
13 79-1336 shall be divided by the number of distance education units to  
14 determine the incentive per distance education unit, except that the  
15 incentive per distance education unit shall not equal an amount greater  
16 than one thousand dollars; and

17 (c) The incentives for each school district shall equal the number  
18 of distance education units calculated for the school district multiplied  
19 by the incentive per distance education unit.

20 (4) If there are additional funds available for distribution after  
21 equipment reimbursements pursuant to section 79-1336 and incentives  
22 calculated pursuant to subsections (1) through (3) of this section,  
23 school districts and educational service units may qualify for additional  
24 incentives for elementary distance education courses. Such incentives  
25 shall be calculated for sending and receiving school districts and  
26 educational service units as follows:

27 (a) The per-hour incentives shall equal the funds available for  
28 distribution after equipment reimbursements pursuant to section 79-1336  
29 and incentives calculated pursuant to subsections (1) through (3) of this  
30 section divided by the sum of the hours of elementary distance education  
31 courses sent or received for each school district and educational service

1 unit submitting an application, except that the per-hour incentives shall  
2 not be greater than ten dollars; and

3 (b) The elementary distance education incentives for each school  
4 district and educational service unit shall equal the per-hour incentive  
5 multiplied by the hours of elementary distance education courses sent or  
6 received by the school district or educational service unit.

7 (5) The department may verify any or all application information  
8 using annual curriculum reports and may request such verification from  
9 the council.

10 (6) On or before October 1 of each year through calendar year 2020  
11 ~~2015~~, a school district or educational service unit may appeal the denial  
12 of incentives for any course by the department to the State Board of  
13 Education. The board shall allow a representative of the school district  
14 or educational service unit an opportunity to present information  
15 concerning the appeal to the board at the November board meeting. If the  
16 board finds that the course meets the requirements of this section, the  
17 department shall pay the district from the Education Innovation Fund as  
18 soon as practical in an amount for which the district or educational  
19 service unit should have qualified based on the incentive per distance  
20 education unit used in the original certification of incentives pursuant  
21 to this section.

22 (7) The State Board of Education shall adopt and promulgate rules  
23 and regulations to carry out this section.

24 2. On page 7, strike lines 23 through 31 and insert the following  
25 new subdivisions:

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

29 (b) Seventeen percent of the allocated funds to the Department of  
30 Education Innovative Grant Fund for competitive innovation grants  
31 pursuant to section 2 of this act;

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

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

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

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

11           3. On page 8, strike lines 1 through 5.

12           4. Renumber the remaining sections, correct internal references, and  
13 amend the repealer accordingly.