

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1240

Introduced by Albrecht, 17.

Read first time January 20, 2022

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to appropriate federal
- 2 funds to the State Department of Education; and to declare an
- 3 emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) There is hereby appropriated (a) \$30,000,000 from
2 Federal Funds for FY2021-22 and (b) \$30,000,000 from Federal Funds for
3 FY2022-23 to the State Department of Education, for Program 25, for the
4 purposes described in subsection (2) of this section. The Federal Funds
5 appropriated in this section are from the funds allocated to the State of
6 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant
7 to the federal American Rescue Plan Act of 2021, Public Law 117-2,
8 Subtitle M, Sec. 9901.

9 (2)(a) There is included in the appropriation to this program for
10 FY2021-22 \$30,000,000 Federal Funds estimate for state aid, which shall
11 only be used for such purpose. There is included in the appropriation to
12 this program for FY2022-23 \$30,000,000 Federal Funds estimate for state
13 aid, which shall only be used for such purpose.

14 (b) There is included in the amount shown as aid for FY2021-22
15 \$30,000,000 Federal Funds estimate to provide family-directed education
16 recovery accounts for low-income children and families impacted by the
17 COVID-19 public health emergency. There is included in the amount shown
18 as aid for FY2022-23 \$30,000,000 Federal Funds estimate for family-
19 directed education recovery accounts for low-income children and families
20 impacted by the COVID-19 public health emergency.

21 (c) The State Department of Education shall contract with an
22 organization, or other capable vendor, by July 1, 2022, to administer a
23 three-year pilot program, for school years 2022-23, 2023-24, and 2024-25,
24 to provide family-directed education recovery accounts. The amount of
25 funding available for any school year shall be no more than \$20,000,000.
26 The department shall establish the application and application process
27 with the selected organization or vendor. The administrative costs of the
28 selected organization or vendor shall not exceed ten percent of the
29 amount of funding provided in a school year.

30 (d) A child shall be eligible to participate if the child (i) is a
31 Nebraska resident, (ii) attends a public, nonpublic, or exempt school in

1 grades kindergarten through 12, and (iii) has a family income that would
2 qualify for the federal free-lunch program. The total amount of an award
3 for a child shall not exceed \$2,000 for each school year of the program.
4 If there are not sufficient funds to award to all applicants, then first
5 priority shall be for a child with demonstrated academic deficiency in
6 mathematics, science, or language arts. The next priority shall be for a
7 child who has a sibling already receiving funding. The remaining
8 applications shall be funded on a first come, first served basis.

9 (e) Funds shall be used to address the learning loss resulting from
10 the COVID-19 public health emergency by paying for eligible educational
11 services. Eligible educational services include, but are not limited to,
12 private school tuition, tutoring, digital-learning subscriptions, exempt
13 school curriculum, and other K-12 educational services. Funds shall be
14 paid, upon written direction provided by a parent or guardian, to the
15 entity providing eligible educational services to the child. Funds may
16 not be used to purchase computing devices or equipment. Funding shall
17 continue with an eligible child from the time of the award for the
18 duration of the pilot program.

19 (f) By August 1 after the end of each school year of the pilot
20 program and by August 1 one year after the pilot program has ended, the
21 department shall collect available student performance data in
22 mathematics, science, and language arts and report, in the aggregate,
23 such data to the Governor and the Legislature. Such report shall be
24 submitted electronically.

25 (g) It is the intent of the Legislature that funding for family-
26 directed education recovery accounts continue until FY2025-26.

27 (h) Any administrative expenditures related to the use of Federal
28 Funds estimate appropriated pursuant to this section shall be expended
29 through the Federal Fund appropriation for administrative costs to the
30 Military Department, Agency 31, Program 191.

31 Sec. 2. Since an emergency exists, this act takes effect when

1 passed and approved according to law.