

LEGISLATIVE BILL 1284

Approved by the Governor April 16, 2024

Introduced by Walz, 15; McKinney, 11; McDonnell, 5; Blood, 3; Vargas, 7; Dungan, 26.

A BILL FOR AN ACT relating to education; to amend section 38-3113, Reissue Revised Statutes of Nebraska, sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150, 79-8,151, 79-2607, 79-3301, and 85-3004, Revised Statutes Cumulative Supplement, 2022, and sections 79-8,114, 79-1021, 85-3103, 85-3105, and 85-3112, Revised Statutes Supplement, 2023; to define and redefine terms; to develop a pilot program to make menstrual products available to schools as prescribed; to create a Dyslexia Research Grant Program; to make changes to the Psychology Practice Act and the Nebraska Teacher Recruitment and Retention Act; to change provisions relating to the eligible uses of the Education Future Fund; to terminate loan repayment assistance and provide grants to teachers under the Teach in Nebraska Today Act; to provide powers and duties to the State Department of Education, the State Board of Education, and the Commissioner of Education; to provide for the creation and support of a professional learning system and regional coaches relating to instruction in reading; to require the State Department of Education to establish a statewide computer science and technology education expansion program under the Computer Science and Technology Education Act; to create the Computer Science and Technology Education Fund; to add an additional eligible program of study offered by the University of Nebraska under the Nebraska Career Scholarship Act; to change provisions relating to the Attracting Excellence to Teaching Program and eligible uses for the Excellence in Teaching Cash Fund; to state intent regarding appropriations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

Section 1. (1) Beginning in school year 2025-26 and subject to available appropriations, the State Department of Education shall develop a pilot program to make menstrual products, including both pads and tampons, available to each school district. Priority shall be given to each school district:

(a) That classifies as a needs improvement school under the accountability system developed by the State Board of Education pursuant to section 79-760.06; or

(b) In which forty percent of the students are poverty students as defined in section 79-1003.

(2) For school year 2025-26, a school district that receives free menstrual products pursuant to subsection (1) of this section shall ensure that free menstrual products, including both pads and tampons, are available in school bathrooms.

(3) A school board or board of education may adopt a policy relating to the requirements of this section.

(4) The State Department of Education shall submit a report electronically to the Clerk of the Legislature and the Education Committee of the Legislature relating to the pilot program for free menstrual products pursuant to this section on or before December 1, 2026.

(5) It is the intent of the Legislature to appropriate an amount not to exceed two hundred fifty thousand dollars from the Education Future Fund for fiscal year 2025-26 to the State Department of Education to carry out this section.

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

Sec. 2. (1) For purposes of this section:

(a) Department means the State Department of Education; and

(b) Eligible applicant means a privately owned business based in Nebraska that is in the process of researching artificial-intelligence-based writing assistance that can be used to assist individuals with dyslexia.

(2) The Dyslexia Research Grant Program is created and shall be administered by the department.

(3)(a) An eligible applicant may apply to the department for a grant under the Dyslexia Research Grant Program. The department shall prescribe the application form that is to be completed when applying for a grant under the Dyslexia Research Grant Program. The grant shall be conditioned on compliance with this section.

(b) Except as provided in subdivision (c) of this subsection, the department may award a grant to any eligible applicant.

(c) The total amount of all grants awarded under the Dyslexia Research Grant Program shall not be more than five hundred thousand dollars. It is the intent of the Legislature that grants awarded pursuant to this section shall be funded from the Education Future Fund.

(4) All grant money received under the Dyslexia Research Grant Program shall be used only for the purpose of researching the use of artificial-

intelligence-based writing assistance by individuals with dyslexia. Such research shall be focused on using aggregate writing analytics to identify writing errors and patterns that can be used by teachers to develop a comprehensive literacy plan for students with dyslexia.

(5)(a) If any grant money received under the Dyslexia Research Grant Program is used in violation of subsection (4) of this section, the department shall notify the Attorney General of such violation.

(b) The Attorney General shall bring a civil action in any court of competent jurisdiction to recoup any money spent in violation of subsection (4) of this section. Any money collected in such civil action shall be remitted to the State Treasurer for credit to the Education Future Fund.

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

Sec. 3. Section 38-3113, Reissue Revised Statutes of Nebraska, is amended to read:

38-3113 Nothing in the Psychology Practice Act shall be construed to prevent:

(1) The teaching of psychology, the conduct of psychological research, or the provision of psychological services or consultation to organizations or institutions if such teaching, research, or service does not involve the delivery or supervision of direct psychological services to individuals or groups of individuals who are themselves, rather than a third party, the intended beneficiaries of such services, without regard to the source or extent of payment for services rendered. Nothing in the act shall prevent the provision of expert testimony by psychologists who are otherwise exempted by the act. Persons holding a doctoral degree in psychology from an institution of higher education may use the title psychologist in conjunction with the activities permitted by this subdivision;

(2) Members of other recognized professions that are licensed, certified, or regulated under the laws of this state from rendering services consistent with their professional training and code of ethics and within the scope of practice as set out in the statutes regulating their professional practice if they do not represent themselves to be psychologists;

(3) Duly recognized members of the clergy from functioning in their ministerial capacity if they do not represent themselves to be psychologists or their services as psychological;

(4) Persons who are certified as school psychologists by the State Board of Education from using the title school psychologist and practicing psychology as defined in the Psychology Practice Act if (a) such practice is restricted to regular employment within a setting under the jurisdiction of the State Board of Education. Such individuals shall be employees of the educational setting and not independent contractors providing psychological services to educational settings, ÷ or (b) employed through a service agency with special education programs and rates approved by the State Department of Education; or

(5) Any of the following persons from engaging in activities defined as the practice of psychology if they do not represent themselves by the title psychologist, if they do not use terms other than psychological trainee, psychological intern, psychological resident, or psychological assistant to refer to themselves, and if they perform their activities under the supervision and responsibility of a psychologist in accordance with the rules and regulations adopted and promulgated under the Psychology Practice Act:

(a) A matriculated graduate student in psychology whose activities constitute a part of the course of study for a graduate degree in psychology at an institution of higher education;

(b) An individual pursuing postdoctoral training or experience in psychology, including persons seeking to fulfill the requirements for licensure under the act; or

(c) An individual with a master's degree in clinical, counseling, or educational psychology or an educational specialist degree in school psychology who administers and scores and may develop interpretations of psychological testing under the supervision of a psychologist. Such individuals shall be deemed to be conducting their duties as an extension of the legal and professional authority of the supervising psychologist and shall not independently provide interpretive information or treatment recommendations to clients or other health care professionals prior to obtaining appropriate supervision. The department, with the recommendation of the board, may adopt and promulgate rules and regulations governing the conduct and supervision of persons referred to in this subdivision, including the number of such persons that may be supervised by a licensed psychologist. Persons who have carried out the duties described in this subdivision as part of their employment in institutions accredited by the Department of Health and Human Services, the State Department of Education, or the Department of Correctional Services for a period of two years prior to September 1, 1994, may use the title psychologist associate in the context of their employment in such settings. Use of the title shall be restricted to duties described in this subdivision, and the title shall be used in its entirety. Partial or abbreviated use of the title and use of the title beyond what is specifically authorized in this subdivision shall constitute the unlicensed practice of psychology.

Sec. 4. Section 79-8,114, Revised Statutes Supplement, 2023, is amended to read:

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

(2) A teacher is eligible to apply for:

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

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

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

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

(A) Obtains an endorsement in special education, mathematics, science, technology, or dual credit; and

(B)(I) For an application submitted prior to the operative date of this section, signs ~~(B) Signs~~ a contract to complete a school year of full-time employment as a teacher at a Nebraska school in school year 2024-25, 2025-26, or 2026-27; or -

(II) For an application submitted on or after the operative date of this section, signs a contract to complete a school year of full-time employment as a teacher to teach in such endorsement area at a Nebraska school in school year 2024-25, 2025-26, or 2026-27.

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

Sec. 5. Section 79-8,146, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,146 Sections 79-8,146 to 79-8,153 and section 9 of this act shall be known and may be cited as the Teach in Nebraska Today Act.

Sec. 6. Section 79-8,147, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,147 For purposes of the Teach in Nebraska Today Act:

(1) Default has the same meaning as in 20 U.S.C. 1085, as such section existed on January 1, 2022;

(2) Department means the State Department of Education;

(3) Grant means a grant for beginning or continuing service as a classroom teacher under the Teach in Nebraska Today Act;

(4) (3) Program means the Teach in Nebraska Today Program created in section 79-8,148; and

(5) (4) Teaching full-time means (a) teaching an average of at least four hours per contract day performing instructional duties as a full-time employee of an approved or accredited public, private, denominational, or parochial school in this state or (b) teaching an average of at least four hours per contract day performing dual-credit instructional duties for students of approved or accredited public, private, denominational, or parochial schools in this state while employed full-time at an accredited public or private nonprofit college or university in this state.

Sec. 7. Section 79-8,148, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,148 The Teach in Nebraska Today Program is created. The department shall administer the program. The purpose of the program is to attract individuals to the teaching profession who have expressed an interest in teaching and to support the employment of those individuals as classroom teachers by providing student loan repayment assistance or grants for service as a classroom teacher in this state.

Sec. 8. Section 79-8,149, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,149 (1) Prior to the operative date of this section, student Student loan repayment assistance under the program shall be available to an individual who applies for the assistance and who:

(a) Is a resident of the State of Nebraska; and

(b) Is teaching full-time or has a contract to teach full-time at the time of application for the program.

(2) The amount of repayment assistance awarded to an eligible applicant pursuant to this section shall be limited to five thousand dollars per year. An eligible applicant may be awarded repayment assistance for applications approved prior to the operative date of this section for up to five years. The five years of awards are not required to be consecutive but shall not extend beyond eight years in total.

(3) If the funds available for repayment assistance in any year are insufficient to provide assistance to all eligible applicants described in subsection (1) of this section, the department shall establish priorities for awarding repayment assistance with renewal applications given priority over initial applications. For initial applications, priority shall be given to applicants who demonstrate financial need.

(4) An eligible applicant may receive repayment assistance under the program for the repayment of a student loan received through any lender which was incurred in the applicant's own name for his or her own educational expenses at any accredited public or private nonprofit college or university in this state or any other state. If the loan is not a state or federal guaranteed student loan, the note or other writing governing the terms of the loan must

require the loan proceeds to be used for expenses incurred by the applicant to attend an accredited public or private nonprofit college or university in this state or any other state.

(5) No additional applications for repayment assistance shall be approved after the operative date of this section.

Sec. 9. (1) Beginning on the operative date of this section, a grant under the program shall be available to an individual who applies for the grant and who:

(a) Is a resident of the State of Nebraska;

(b) Is teaching full-time or has a contract to teach full-time at the time of the application for the program;

(c) Has taught in Nebraska five years or less at the time of the application or renewal; and

(d) Has an individual income that is less than fifty-five thousand dollars per year.

(2) The amount of a grant awarded to an eligible applicant pursuant to this section shall be limited to five thousand dollars per year. An eligible applicant may be awarded a grant for up to five years.

(3) If the funds available for grants in any year are insufficient to provide grants to all eligible applicants described in subsection (1) of this section, the department shall establish priorities to award grants with renewal applications given priority over initial applications. For initial applications, priority shall be given to applicants who demonstrate financial need.

Sec. 10. Section 79-8,150, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,150 (1) Applications for student loan repayment assistance must be submitted no later than June 10, 2023, and no later than June 10 of each year thereafter, on a form developed by the department. The department shall determine whether to approve or deny each application and shall notify each applicant of such determination no later than September 10, 2023, and no later than September 10 of each year thereafter. Repayment assistance awarded under the program shall be paid, in whole or in part as provided in section 79-8,151, no later than November 10, 2023, and no later than November 10 of each year thereafter for an application approved prior to the operative date of this section. No new applications for loan repayment assistance shall be approved after the operative date of this section.

(2) Applications for a grant must be submitted no later than July 10, 2024, and no later than July 10 of each year thereafter, on a form and in a manner prescribed by the department. The department shall determine whether to approve or deny each application and shall notify each applicant of such determination no later than October 10, 2024, and no later than October 10 of each year thereafter. Grants awarded under the program shall be paid directly to the applicant no later than December 10, 2024, and no later than December 10 of each year thereafter.

Sec. 11. Section 79-8,151, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,151 (1) For applications approved prior to the operative date of this section, student loan repayment assistance awarded under the program may be applied to the principal amount of the loan and to interest that accrues. The repayment assistance shall be paid in one of the following three ways as directed by the applicant on his or her application:

(a) Directly to the lender or loan servicer that holds the outstanding balance of the student loan in one lump-sum payment;

(b) Directly to the lender or loan servicer that holds the outstanding balance of the student loan in monthly payments. Such monthly payments shall be made:

(i) In twelve equal payments; or

(ii) If requested by the applicant, in smaller amounts over a longer period of time, not to exceed twenty-four months. In such case, payments shall be equal for the first twelve months or until such time as the applicant's payment amount is recalculated by the lender or loan servicer and then, if adjusted, shall be equal for the next twelve-month period. Any unpaid funds at the end of twenty-four months may be requested to be paid in a lump-sum payment to the lender or loan servicer or shall be considered forfeited by the applicant. Applicants who are awarded repayment assistance in more than one year may have their awards divided across no more than one hundred twenty monthly payments under the program; or

(c) Directly to the applicant for the purpose of making the applicant's student loan payments. This subdivision shall only be available if the applicant is not in default on any student loan at the time of application. Any individual receiving repayment assistance under this subdivision must provide documentation that the full award was used for student loan payments when (i) applying for repayment assistance under the program in subsequent years and (ii) claiming an adjustment to federal adjusted gross income pursuant to section 77-2716. Such documentation shall be provided using a form prescribed by the department.

(2) The department may contract with a third-party vendor to administer the repayment assistance provided pursuant to the program.

Sec. 12. Section 79-1021, Revised Statutes Supplement, 2023, is amended to read:

79-1021 (1) The Education Future Fund is created. The fund shall be administered by the department and shall consist of money transferred to the

fund by the Legislature. Transfers may be made from the Education Future Fund to the Computer Science and Technology Education Fund at the direction of the Legislature. Any money in the Education Future Fund fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) The fund shall be used only for the following purposes, in order of priority:

(a) To fully fund equalization aid under the Tax Equity and Educational Opportunities Support Act;

(b) To fund reimbursements related to special education under section 79-1142;

(c) To fund foundation aid under the Tax Equity and Educational Opportunities Support Act;

(d) To increase funding for school districts in a way that results in direct property tax relief, which means a dollar-for-dollar replacement of property taxes by a state funding source;

(e) To provide funding for a grant program created by the Legislature to address teacher turnover rates and keep existing teachers in classrooms;

(f) To provide funding to increase career and technical educational classroom opportunities for students, including, but not limited to, computer science education. Such funding must provide students with the academic and technical skills, knowledge, and training necessary to succeed in future careers;

(g) To provide funding for a grant program created by the Legislature to provide students the opportunity to have a mentor who will continuously engage with the student directly to aid in the student's professional growth and give ongoing support and encouragement to the student;

(h) To provide funding for extraordinary increases in special education expenditures to allow school districts with large, unexpected special education expenditures to more easily meet the needs of all students; ~~and~~

(i) To provide funding to help recruit teachers throughout the state by utilizing apprenticeships through a teacher apprenticeship program and an alternative certification process; ~~-~~

(j) To provide funding to develop and implement a professional learning system to help provide sustained professional learning and training regarding evidence-based reading instruction and for a grant program relating to dyslexia research; and

(k) To provide funding for a pilot project administered by the State Department of Education to provide menstrual products to school districts.

(3)(a) The State Treasurer shall transfer one billion dollars from the General Fund to the Education Future Fund in fiscal year 2023-24, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(b) The State Treasurer shall transfer two hundred fifty million dollars from the General Fund to the Education Future Fund in fiscal year 2024-25, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(c) It is the intent of the Legislature that two hundred fifty million dollars be transferred from the General Fund to the Education Future Fund in fiscal year 2025-26 and each fiscal year thereafter.

Sec. 13. Section 79-2607, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-2607 (1) For purposes of this section:

(a) Evidence-based reading instruction means instruction in reading that is in alignment with scientifically based reading research and does not include the three-cueing system model of reading instruction; and

(b) Three-cueing system model of reading instruction is an approach to foundational skills instruction that involves the use of three different types of instructional cues which include semantic, syntactic, and graphophonic.

(2)(a) The State Department of Education shall develop and implement a professional learning system to help provide sustained professional learning and training regarding evidence-based reading instruction for teachers who teach children from four years of age through third grade at an approved or accredited school and teachers employed by an early childhood education program approved by the State Board of Education. The professional learning system shall include information and tips for teachers related to helping children and families work with local family literacy centers to strengthen home and family literacy programs and better instruct children in reading.

(b) Approved or accredited elementary schools and early childhood education programs approved by the State Board of Education shall ensure that teachers who teach children from four years of age through third grade are aware of the professional learning system and are adequately trained regarding evidence-based reading instruction to effectively instruct students in reading.

(3) The State Department of Education shall work with educational service units to provide regional coaches to approved or accredited elementary schools to provide assistance and job-embedded training relating to evidence-based reading instruction to teachers who teach students in kindergarten through third grade.

(4) On or before September 30 of each year, the Commissioner of Education shall file a report electronically with the Clerk of the Legislature relating to the status and use of the professional learning system implemented pursuant to this section.

(5) It is the intent of the Legislature to appropriate two million dollars

from the Education Future Fund for each fiscal year beginning with fiscal year 2024-25 through fiscal year 2026-27 to the State Department of Education to provide regional coaches and job-embedded training relating to evidence-based reading instruction pursuant to subsection (2) or (3) of this section.

(6) (1) The State Department of Education may provide technical assistance as needed to assist school boards in carrying out the Nebraska Reading Improvement Act.

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

Sec. 14. Section 79-3301, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-3301 Sections 79-3301 to 79-3305 and sections 15 and 16 of this act shall be known and may be cited as the Computer Science and Technology Education Act.

Sec. 15. (1) The State Department of Education shall establish a statewide computer science education expansion program to recruit, train, and support teachers in computer science and technology education. Such program shall include:

(a) Training for teachers seeking supplemental computer science certification;

(b) Training designed to support the integration of computer science and technology education into the instructional programs of elementary, middle, and high schools;

(c) Support for schools and teachers in the development of computer science instructional plans that are consistent with the academic content standards for computer science and technology education adopted by the State Board of Education; and

(d) Incentive and stipend payments for teachers who meet training, certification, and teaching requirements as established by the State Board of Education.

(2) The State Department of Education shall employ or contract with computer science specialists to develop and deliver computer science educator training. Such training shall be provided in a manner so that every teacher in this state has reasonable access to the training.

(3) The State Department of Education shall annually submit a report electronically to the Governor and the Clerk of the Legislature relating to the statewide computer science education expansion program. Such report shall include:

(a) The number of training opportunities held and the format of such training;

(b) The number of teachers who received training;

(c) To the extent such information is available, the number of teachers that became certified or received an endorsement in computer science and technology education or began teaching a class in computer science and technology education within three calendar months following completion of training provided pursuant to this section; and

(d) The costs associated with such training for the fiscal year covered by the report.

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

Sec. 16. (1) The Computer Science and Technology Education Fund is created. The fund shall be administered by the State Department of Education and consist of money transferred by the Legislature, federal funds, and gifts, grants, bequests, or other contributions or donations from public or private entities that have been accepted by the State Board of Education. The fund shall be used to provide computer science and technology training, support, and incentive and stipend payments pursuant to section 15 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Any interest earned by the fund shall accrue to the fund.

(2)(a) It is the intent of the Legislature to transfer one million dollars for fiscal year 2024-25 and one million dollars for fiscal year 2025-26 from the Education Future Fund to the Computer Science and Technology Education Fund to provide computer science and technology education training, support, and incentive and stipend payments pursuant to section 15 of this act.

(b) It is the intent of the Legislature to transfer an additional five hundred thousand dollars for fiscal year 2024-25 and each fiscal year thereafter from the Education Future Fund to the Computer Science and Technology Education Fund contingent upon the receipt of matching private funds of such amount. The State Department of Education shall provide written notification to the State Treasurer relating to the receipt of private funds that would trigger a state match.

Sec. 17. Section 85-3004, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-3004 (1)(a) The Board of Regents of the University of Nebraska shall award a Nebraska Career Scholarship to any eligible university student who is enrolled in an eligible program of study in an amount not to exceed:

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

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

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

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

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

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

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

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

(iii) Beginning with academic year 2024-25, a program of study in special education.

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

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

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

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

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

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

(c) The total number of students retained in the program from the immediately prior academic year to the current academic year and a comparison of the retention rates between scholarship recipients and nonscholarship students;

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

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

(f) The number of graduates from the immediately prior academic year who obtained employment in a major-related field in the state within four months after graduation and the average starting salary for such graduates.

Sec. 18. Section 85-3103, Revised Statutes Supplement, 2023, is amended to read:

85-3103 The Attracting Excellence to Teaching Program is created. For purposes of the Attracting Excellence to Teaching Program:

(1) Commission means the Coordinating Commission for Postsecondary Education;

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

(3) Eligible student means an individual who (a) is a full-time student, (b) is enrolled in an eligible institution in an undergraduate or a graduate teacher education program working toward his or her initial certificate to teach in Nebraska, (c) if enrolled at a state-funded eligible institution, is a resident student as described in section 85-502 or, if enrolled in a privately funded eligible institution, would be deemed a resident student if enrolled in a state-funded eligible institution, and (d) is a student majoring in a shortage area;

(4) Full-time student means, in the aggregate, the equivalent of a student who in a twelve-month period is enrolled in twenty-four semester credit hours for undergraduate students or eighteen semester credit hours for graduate

students of classroom, laboratory, clinical, practicum, or independent study course work;

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

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

(7) Student-teaching semester means a semester of full-time enrollment for clinical practice which provides initial preparation for a student enrolled in an eligible institution and pursuing a certificate to teach that includes a culminating supervised experience to demonstrate competence in the professional teaching role for which such student is applying; and

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

Sec. 19. Section 85-3105, Revised Statutes Supplement, 2023, is amended to read:

85-3105 (1) The commission shall administer the Attracting Excellence to Teaching Program either directly or by contracting with public or private entities.

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

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

(b) Agree to complete a teacher education program at an eligible institution and to complete the major on which the applicant's eligibility is based; and

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

(3) An eligible student ~~Eligible students~~ may apply on an annual basis for ~~a loan~~ loans in an amount of not more than three thousand dollars per year, except that an eligible student who is enrolling for a student-teaching semester may apply for an additional loan of up to three thousand dollars for the student-teaching semester and receive up to a total of six thousand dollars for the year. Loans awarded to individual students shall not exceed a cumulative period exceeding five consecutive years. Loans shall only be awarded through an eligible institution. Loans shall be funded pursuant to section 85-3112.

Sec. 20. Section 85-3112, Revised Statutes Supplement, 2023, is amended to read:

85-3112 (1) The Excellence in Teaching Cash Fund is created. The fund shall consist of transfers by the Legislature, transfers pursuant to section 79-3501, and loan repayments, penalties, and interest payments received in the course of administering the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program.

(2)(a) For all fiscal years beginning on and after July 1, 2024, the commission shall allocate on an annual basis up to two hundred fifty thousand dollars of the funds transferred pursuant to section 79-3501 for grants to teachers pursuant to the Career-Readiness and Dual-Credit Education Grant Program.

(b) For all fiscal years beginning on and after July 1, 2024, the commission shall allocate on an annual basis up to five hundred thousand dollars of the funds transferred pursuant to section 79-3501 exclusively for loans to any eligible student who is enrolling in a student-teaching semester during the award year pursuant to the Attracting Excellence to Teaching Program. The funds shall be distributed to all eligible institutions according to the distribution formula as determined by rule and regulation. The eligible institutions shall act as agents of the commission in the distribution of the funds to any eligible student for a student-teaching semester ~~for grants and loans to students enrolled in a teacher education program for student-teaching semesters.~~

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

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

Sec. 21. Sections 18, 19, 20, and 22 of this act become operative on July 1, 2024. Sections 1, 2, 3, 12, 13, 14, 15, 16, 17, and 23 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective

date.

Sec. 22. Original sections 85-3103, 85-3105, and 85-3112, Revised Statutes Supplement, 2023, are repealed.

Sec. 23. Original section 38-3113, Reissue Revised Statutes of Nebraska, sections 79-2607, 79-3301, and 85-3004, Revised Statutes Cumulative Supplement, 2022, and section 79-1021, Revised Statutes Supplement, 2023, are repealed.

Sec. 24. Original sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150, and 79-8,151, Revised Statutes Cumulative Supplement, 2022, and section 79-8,114, Revised Statutes Supplement, 2023, are repealed.

Sec. 25. Since an emergency exists, this act takes effect when passed and approved according to law.