

MEETING AGENDA
EDUCATION COUNCIL
of the
NEBRASKA INFORMATION TECHNOLOGY COMMISSION

Wednesday, April 17, 2013; 1:30PM CT

NET Board Room, 1800 N. 33rd Street, Lincoln, NE

Open Meetings Act (click [here](#) to download, 7 pgs, 81kb)
Meeting Materials (click [here](#) to download)

(The Council will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed. Items marked in BOLD are expected action items.)

1:30 PM	1. Call to Order, Electronic Posting, Location of Open Meeting Law Documents, Roll Call, Introductions	Co-Chair
1:35 PM	2. Consider approval of the Agenda for the April 17, 2013 meeting	Co-Chair
1:38 PM	3. Consider approval of the Minutes from the February 20, 2013 meeting	Co-Chair
1:40 PM	4. Public Comment	Co-Chair
1:45 PM	5. Discussion with the Lt. Governor	L. Heidemann
2:05 PM	6. Network Nebraska Update A. 2013-14 Participation B. 2013-14 Internet Access (projected) C. Memorandum of Agreement (DRAFT) D. Network Nebraska Advisory Group Report (3/28/2013 meeting notes) E. Report to the Public Service Commission (3/26/2013)	T. Rolfes / G. Needham
2:15 PM	7. Legislative Update A. I.T.-related legislation B. LBs 495, 497, 511, 566 hearing transcript C. NITC webpage	T. Rolfes
2:30 PM	8. Task Group Reports A. Emerging Technologies Task Group B. Services Task Group C. Governance Task Group D. Marketing Task Group	Co-Chairs & Task Group Leads
2:50 PM	9. <i>NITC Council briefings (postponed)</i>	T. Rolfes
2:50 PM	10. Subsector Updates A. State colleges B. Community colleges C. Independent colleges D. University of Nebraska E. K-12 public & private	Co-Chair & Council members
3:10 PM	11. Agenda Items for the 04/17/2013 Meeting	Co-Chair
3:15 PM	12. Consider location for the 06/19/2013 Meeting	Co-Chair
3:20 PM	13. Adjournment	Co-Chair

The NITC Education Council wishes to thank the NET staff for helping host the April 17, 2013 meeting.

NITC/Education Council Homepage: <http://www.nitc.nebraska.gov/>

Meeting Notice Posted to the NITC Web site 03-20-2013

Meeting Notice Posted to the [Nebraska Public Meeting Calendar](#) 03-20-2013

Agenda Posted to the NITC Web site 04-15-2013

**EDUCATION COUNCIL
of the
NEBRASKA INFORMATION TECHNOLOGY COMMISSION**

Wednesday, February 20, 2013; 1:30PM CT

Host site: Varner Lower Level Board Room, 3835 Holdrege Street, Lincoln, Nebraska
Remote site 1: Alliance High School, Room 405, 100 W 14th, Alliance
Remote site 2: Metro Community College, Bldg 30, Room 238, 31st & Fort Streets, Omaha
Remote site 3: ESU 9, 1117 East South Street, Hastings
Remote site 4: WSC Campus Services IVC, 750 Lindahl Dr, Wayne

MINUTES

VOTING MEMBERS/ALTERNATES PRESENT:

Mr. Ed Hoffman, Nebraska State College System, Co-Chair (Lincoln site)
Mr. Greg Maschman, Alt. for Clark Chandler, Nebraska Wesleyan University (Lincoln site)
Mr. Stephen Hamersky, Daniel J. Gross Catholic High School (Omaha site)
Mr. Leonard Hartman, Alliance Public Schools (Alliance site)
Ms. Yvette Holly, UNL-Medical Center (Omaha site)
Mr. Gary Needham, ESU 9 (Hastings site)
Ms. Mary Niemiec, University of Nebraska-Lincoln (Lincoln site)
Mr. Randy Schmailzl, Metropolitan Community College (Omaha)
Dr. Bob Uhing, Educational Service Unit 1, Wakefield (Wayne site)

LIAISONS/ALTERNATE MEMBERS PRESENT

Steven Stortz, Norfolk Lutheran School (Wayne site); Dr. Kathleen Fimple, Alt. for Dr. Marshall Hill, Coordinating Commission for Postsecondary Education (Lincoln site)

MEMBERS/LIAISONS ABSENT: Dr. Terry Haack, Bennington Public Schools; Mike Carpenter, Doane College; John Dunning, Wayne State College; Jeff Johnson, Centennial Public Schools; Dr. Mike Lucas, York Public Schools; Lyle Neal, Southeast Community College; Jeff Stanley, Conestoga Public Schools; Brenda Decker, Office of the CIO; Gary Targoff, Nebraska Educational Telecommunications Commission; Brent Gaswick, Nebraska Department of Education

CALL TO ORDER, ELECTRONIC POSTING, LOCATION OF OPEN MEETING LAW DOCUMENTS, ROLL CALL, INTRODUCTIONS

Co-Chair, Ed Hoffman, called the meeting to order at 1:35 p.m. The meeting notice was posted to the NITC and [Nebraska Public Meeting Calendar](#) web sites on January 25, 2013. The agenda was posted to the NITC Web site February 18, 2013. The Open Meeting Law was posted on the south wall. Roll call was taken. There were 9 voting members present. A quorum existed to conduct official business.

CONSIDER APPROVAL OF THE AGENDA FOR THE FEBRUARY 20, 2013 MEETING

Ms. Niemiec moved to approve the February 20, 2013 meeting agenda as presented. Dr. Uhing seconded. Uhing-Yes, Schmailzl-Yes, Niemiec-Yes, Needham-Yes, Holly-Yes, Hartman-Yes, Hamersky-Yes, Maschman-Yes, Hoffman-Yes. 9 Yes, 0 No. Motion passes.

CONSIDER APPROVAL OF THE [MINUTES](#) FROM THE JANUARY 16, 2013 MEETING

Ms. Niemiec moved to approve the January 16, 2013 meeting minutes as presented. Mr. Hamersky seconded. Gary Needham corrected his attendance site as Hastings ESU 9. Uhing-Yes, Schmailzl-Yes, Niemiec-Yes, Needham-Yes, Holly-Yes, Hartman-Yes, Hamersky-Yes, Maschman-Yes, Hoffman-Yes. 9 Yes, 0 No. Motion passes and the minutes were approved with the minor correction.

PUBLIC COMMENT

There was no public comment.

NETWORK NEBRASKA UPDATE

2013-14 Participation. Union College may be joining the network. At least half a dozen non-public entities across the state have expressed interest. Due to the lottery equipment reimbursement dollars expiring on 7/1/2013, some southeast Nebraska schools are also expressing interest in Network Nebraska participation. If wishing to commit, the Office of the CIO would like to hear from new entities by March 1 in order to properly prepare the E-rate filings.

2013-14 [Interregional Transport \(projected\)](#). A draft spreadsheet with NebraskaLink/Qwest/Charter Business DL Backbone Costs, July 1, 2013-June 30, 2014 and Unite Private Network Internet Costs July 1, 2013-June 30, 2014 was reviewed with the council. The trend has been that the costs have been decreasing with increased bandwidth.

2013-14 [Internet Access \(projected\)](#). A chart titled Statewide Internet Contract Purchases, Contract 51026 (04) was reviewed. The spreadsheet indicates the running total of internet access use. It is anticipated that internet use will increase by 75%. Due to increased demand beyond the contracted capacity, a bid may need to be released in a year rather than wait until the contract is up.

Memorandum of Agreement ([DRAFT](#)). The Office of the CIO would like the Council's input and recommendation of the draft Network Nebraska Memorandum of Agreement. The CIO will approve the final document. Once approved, all participants will need to sign a memorandum. The Authorized Agent would be the superintendent for K-12 institutions or a designee. An Authorized Agent for higher institutions has not been determined. The Office of the CIO would like input from higher education council members input. Per the agreement, the University of Nebraska Computing Services Network Technical Staff would provide specific technical support services for services that are contracted by the State of Nebraska. Entities are also free to contract with UNCSN technical support for LAN issues and pay them directly.

The MoA provides historical information about the monthly costs to entities and is a good tool for both K-12 and Higher Education. It brought the two sectors together working collaboratively. It is a document that clearly lays out expectations and is informative so that all can understand. Council members were encouraged to forward the MoA on to their sector representatives for feedback.

The document asks for two points of technical contact. For smaller schools, an ESU staff member can be counted as a contact person but it is really up to the entity to indicate the two points of contacts. It was recommended that the Governance Task Group and Network Nebraska Advisory Group review the document for their input by the April 17th meeting. Mr. Rolfes will send a follow-up email to members. The OCIO would like to have the MoA finalized, distributed and signed by July 1, 2013.

Network Nebraska Advisory Group Report (1/31/2013 meeting notes). There are vacancies on the advisory group. Rob Hanger is now part of NNAG and is a K-12 administrator from the southeast part of the state. The group still needs representation from the western part of the state.

The meeting lost its connection with the Alliance site so it re-connected to Mr. Hartman via a phone conference.

LEGISLATIVE UPDATE

I.T. related [Legislation](#). Mr. Rolfes provided a brief description of the proposed legislation as of today.

LB 195 Introduced by Speaker Adams; Appropriate funds for state government expenses

Annotation: The Governor's budget bill proposes a reinstatement of \$1.7 million per year from the Education Innovation Fund for early childhood education projects and \$3.25 million per year for distance education. Status: Referred to the Appropriations Committee

LB 262 Introduced by Senator Cook; Provide duties relating to sharing of student information

Annotation: LB 262 reinforces the sharing of student data between and among education entities and validates the FERPA guidelines for Nebraska student data.

Status: Referred to the Education Committee, Hearing on 2/5/2013

LB 366 Introduced by Senator Cook Adopt the Remedial Adult Education Innovation Act

Annotation: LB 366 appropriates \$XXX from the Education Innovation Fund for the new Remedial Adult Education Innovation Act. Status: Referred to the Education Committee, Hearing on 2/4/2013

LB 495 Introduced by Senator Sullivan; Change provisions relating to the Education Innovation Fund and early childhood grant reporting

Annotation: LB 495 provides funding for early childhood education, and eliminates other programs from the Education Innovation Fund. Status: Referred to the Education Committee

LB 497 Introduced by Senator Sullivan; Change distribution and provide for a study of the Education Innovation Fund

Annotation: LB 497 returns all of the education lottery funds to the Education Innovation Fund after 7/1/2016 and conducts a study for use of said funds. Status: Referred to the Education Committee

LB 511 Introduced by Senator Scheer; Change allocation provisions relating to the Education Innovation Fund

Annotation: LB 511 allocates the Education Innovation Fund to the NDE Educational Technology Center for use on statewide education technology projects from 2016-17 through 2019-20, with at least one-half of the funding going to grants for local school districts. Status: Referred to the Education Committee

LB 566 Introduced by Senator Karpisek; Create the Educational Technology Infrastructure Grant Program

Annotation: LB 566 appropriates all of the Education Innovation Fund to the Nebraska Department of Education starting in 2016 to carry out the Educational Technology Infrastructure Grant program to local public school systems. Status: Referred to the Education Committee

Council members asked Mr. Rolfes to check into LB 25 and LB 467. LB 467 deals with reciprocity agreements and the charging of fees connected with postsecondary distance education. If the bill passes, members predicted that it will save postsecondary institutions thousands of dollars to provide distance education.

Mr. Rolfes encouraged the council members to check out the [NITC webpage](#) for an updated list for all IT related legislation and/or register themselves for "Bill Tracker", a free service described on the Unicam website.

TASK GROUP REPORTS

[Emerging Technologies](#) Task Group, Steven Hamersky. The Work Group submitted a written report to the Council. In the report, the task group posed several questions about future technologies and use of Network Nebraska. The Task Group would like the council to discuss these issues in the near future. Mr. Rolfes reminded the Council that Network Nebraska is member-driven and self-funded when it comes to originating new services. It was suggested that perhaps Network Nebraska needs a research and development team to consider future service on the network.

Services Task Group. Gary Needham. The Task Group has not met since the last EC meeting. In the interim, Mr. Needham has been focusing on the overlap of the EC Emerging Technologies Task Group and the Network Nebraska Services Task Group overlap. After hearing the questions posed by the Emerging Technologies Task Group, he will bring the task groups together. He would also like the Council to discuss Network Nebraska Services versus Centers of Excellence Services but needs to be part of the process for requesting services.

Governance Task Group. Randy Schmailzl. The Task Group will be working with Mr. Rolfes regarding the MoA. All members were asked to review the MoA and get comments in by April 10th.

Marketing Task Group, SuAnn Witt. Ms. Witt was not available to provide a report. The Task Group has not met since the last Council meeting.

SUBSECTOR UPDATES

State Colleges. CIOs from the three state colleges met at Wayne State College. A representative from the Minnesota State Colleges was in attendance. For the past 24 months, he has been creating a shared services agreement among their state college system. In the near future, state colleges will be looking at how to best utilize their existing IT staff.

Community Colleges. Mr. Schmailzl stated that one of the topics the sector has been discussing is state authorization and accreditation. He attended the Midwest Higher Education Compact (MHEC) meeting recently. A big item of discussion was the use of MOOC (Massive Open Online Courses). Dr. Marshall Hill of the Coordinating Commission for Postsecondary Education (CPPE) is part of MHEC. Dr. Hill has sent all Nebraska institutions information about the introduction of LB 467 that was being introduced by Senator Greg Adams. Ms. Niemiec stated the University of Nebraska has been doing some research on this issue. The University is currently accredited in approximately 30+ states and are working on accreditation in the remaining other states. The University of Nebraska would be willing to organize a meeting to share information regarding state accreditation.

Independent colleges. There was no report.

University of Nebraska. Ms. Holly informed the Council that UNMC is looking at MOOC's curriculum and making changes. UNMC is considering utilizing recorded lectures for class preparation and then use class time for learning experiences but clinical hours and internships are under scrutiny. UNMC is also looking at health care reform and how this will affect business processes. MOOC can lower the cost for the students. Due to state law, some states cannot join state compacts.

K-12 Public & Private. Mr. Rolfes had sent out a BlendEd Initiative flyer as an informational item to members. Safari Montage is the vendor that has been selected for the learning object repository bid. NET and NDE have been approached and involved in discussions. LDAP single login is a feature still being sought. There is a statewide ESUCC committee that is working on the BlendEd Initiative. Technology coordinators' time is a factor when doing this outside work. Area code 308 ESU's have a structure in place for authentication. A federated identity management system would allow systems to authenticate. BlendEd recognizes that the transport component needs to be addressed, as well as security and privacy

invasion.

AGENDA ITEMS FOR THE 04/17/2013 MEETING & CONSIDER LOCATION FOR THE 04/17/2013 MEETING

The Network Nebraska Memorandum of Agreement will be an agenda item for April 17th meeting. Members were asked to send Mr. Rolfes any other agenda items.

The next meeting will be a face-to-face meeting. Ms. Niemic will check into a meeting room at the University of Nebraska-Lincoln.

ADJOURNMENT

Ms. Niemic moved to adjourn. Mr. Hartman seconded. All were in favor. Motion carried by voice vote.

The meeting was adjourned at 3:21 p.m.

Meeting minutes were taken by Lori Lopez Urdiales and reviewed by Tom Rolfes of the Office of the CIO/NITC.

Statewide Internet Contract Purchases, Contract 51026(04)										
State Form 470 #6172000093 8999?	Education Entity	Date Received by OCIO	Billed Entity Number	Premise Address	City	NN Aggregation Point	2013-14 Quantity (Mbps)	2013-14 Unit Cost (\$/Mbps/month)	2013-14 Monthly Invoice Cost	2013-14 Annual Invoice Cost
YES	Educational Service Unit 02 (NNNC)	1/25/2013	138244	2320 N. Colorado	Fremont	Omaha	1860	\$ 0.7750	\$ 1,441.50	\$ 17,298.00
YES	Educational Service Unit 05 (SNDLC)	1/8/2013	138331	900 W. Court Street	Beatrice	Omaha	600	\$ 0.7750	\$ 465.00	\$ 5,580.00
YES	Educational Service Unit 09	1/24/2013	138852	1117 E. South Street	Hastings	G.I.	600	\$ 0.7750	\$ 465.00	\$ 5,580.00
YES	Educational Service Unit 10 (GNENC)	1/25/2013	138783	76 Plaza Boulevard	Kearney	G.I.	1500	\$ 0.7750	\$ 1,162.50	\$ 13,950.00
YES	Grand Island Public Library	1/24/2013	138719	211 N. Washington Street	Grand Island	G.I.	40	\$ 0.7750	\$ 31.00	\$ 372.00
YES	Grand Island Public Schools	2/1/2013	138718	123 S. Webb Road	Grand Island	G.I.	500	\$ 0.7750	\$ 387.50	\$ 4,650.00
YES	Kearney Public Schools	1/29/2013	138779	310 W. 24th Street	Kearney	G.I.	300	\$ 0.7750	\$ 232.50	\$ 2,790.00
YES	Lexington Public Schools	1/23/2013	138789	300 S. Washington	Lexington	G.I.	300	\$ 0.7750	\$ 232.50	\$ 2,790.00
YES	Lincoln Public Schools (ESU 18)	1/9/2013	138458	5901 O Street	Lincoln	Lincoln	1000	\$ 0.7750	\$ 775.00	\$ 9,300.00
YES	McCook Public Schools	2/1/2013	138925	700 W. 7th Street	McCook	G.I.	100	\$ 0.7750	\$ 77.50	\$ 930.00
YES	North Platte Public Schools	1/22/2013	138971	301 W. F Street	North Platte	G.I.	200	\$ 0.7750	\$ 155.00	\$ 1,860.00
YES	Omaha Public Schools	2/8/2013	138320	3215 Cuming Street	Omaha	Omaha	1000	\$ 0.7750	\$ 775.00	\$ 9,300.00
NA	University of Nebraska (on behalf of colleges)		NA	901 N. 17th	Lincoln	Lincoln		\$ 2.5000	\$ -	\$ -
NA	College of St. Mary	1/25/2013	NA	7000 Mercy Rd	Omaha	Omaha	0	\$ 2.5000	\$ -	\$ -
NA	Midland University	1/25/2013	NA	820 N Irving Street	Fremont	Omaha	0	\$ 2.5000	\$ -	\$ -
						TOTAL	8000		\$ 6,200.00	\$ 74,400.00
					Aggregation-	Omaha	3460			
	Unite Private Networks	SPIN	143029868		Aggregation-	Lincoln	1000			
					Aggregation-	Grand Island	3540			
	Stuart Howerter	State Contract #51026(04)				TOTAL	8000	\$ 2.5000	\$ 20,000.00	\$ 240,000.00
	stuart.howerter@upnllc.com	\$2.80/Mbps if 2000Mbps or greater								
	402-802-9750 (office)	\$2.75/Mbps if 2500Mbps or greater								
	402-617-3544 (mobile)	\$2.70/Mbps if 3000Mbps or greater								
	4201 Southgate Blvd	\$2.65/Mbps if 3500Mbps or greater								
	Lincoln, NE 68506	\$2.60/Mbps if 4000Mbps or greater								
		\$2.55/Mbps if 4500Mbps or greater								
		\$2.50/Mbps if 5000Mbps or greater								
	http://das.nebraska.gov/materiel/purchasing/contracts/pdfs/51026(o4)awd.pdf									



Memorandum of Agreement
Signature Page

The purpose of this Agreement is to outline the services and responsibilities of the OCIO and the responsibilities and associated fees of the Participant. This Agreement helps ensure that the proper elements and commitments are in place to provide dependable telecommunications service, support, and delivery to the participants of Network Nebraska-Education and to maintain the integrity of the network.

By signing this Memorandum of Agreement the parties agree to fulfill their respective responsibilities as described herein until at which time the Agreement is cancelled by either the Participant or OCIO.

For the Participant

Billed Entity Name: _____

Authorized Signature: _____

Date: _____

Printed Name: _____

Title: _____

Address: _____

City, ST Zip _____

E-mail Address _____

Phone: _____

For the Office of the CIO

Brenda L. Decker
Chief Information Officer
501 S. 14th, P.O. Box 95045
Lincoln, NE 68509-5045
brenda.decker@nebraska.gov
402-471-3560

Authorized Signature: _____

Date: _____



**DRAFT Memorandum of Agreement
Between
The Office of the Chief Information Officer,
State of Nebraska
d.b.a. *Network Nebraska—Education*
And
Network Nebraska—Education “Participant”**

Auto-renewable July 1, through June 30 annually

I. Agreement Overview

- a. This Agreement represents a Memorandum of Agreement (“MoA” or “Agreement”) between the Office of the Chief Information Officer (hereafter referred to as OCIO), State of Nebraska, doing business as *Network Nebraska-Education* and the Network Nebraska-Education Participant (hereafter referred to as “Participant”), as defined within N.R.S. 79-1201.01.

The Network Nebraska-Education Advisory Group (NNAG) is chartered by the Nebraska Information Technology Commission Education Council to provide strategic guidance to the State CIO and to represent participants’ interests regarding the operation of Network Nebraska-Education. Periodically, the NNAG and/or the OCIO may recommend amendments to this Agreement.

- b. This original signed Agreement is automatically renewed each year on January 1, unless cancelled, with advanced written notification, by the Participant or the OCIO as described below in Section IV.

II. Purpose

The purpose of this Agreement is to outline the services and responsibilities of the OCIO and the responsibilities and associated fees of the Participant. This Agreement helps ensure that the proper elements and commitments are in place to provide dependable telecommunications service, support, and delivery to the participants of Network Nebraska-Education and to maintain the integrity of the network.

III. Authority

- a. **N.R.S. 86-520 Chief Information Officer; duties. The Chief Information Officer shall:** (10) Establish and maintain Network Nebraska pursuant to section 86-5,100; (11) Apply in aggregate for reimbursements from the federal Universal Service Fund pursuant to section 254 of the Telecommunications Act of 1996, 47 U.S.C. 254, as such section existed on January 1, 2006, on behalf of school districts requesting to be included in such aggregated application.

- b. **N.R.S. 86-5,100 Network Nebraska; development and maintenance; access; Chief Information Officer; duties; cost.** The Chief Information Officer, in partnership with the University of Nebraska, shall develop and maintain a statewide, multipurpose, high capacity, scalable telecommunications network to be called Network Nebraska. The network shall consist of contractual arrangements with providers to meet the demand of state agencies, local governments, and educational entities as defined in section 79-1201.01. Such network shall provide access to a reliable and affordable infrastructure capable of carrying a spectrum of services and applications, including distance education, across the state. The Chief Information Officer shall provide access to each school district, each educational service unit, each community college, each state college, and the University of Nebraska at the earliest feasible date and no later than July 1, 2012. Access may be provided through educational service units or other aggregation points. Participation in Network Nebraska shall not be required for any educational entity. The Chief Information Officer shall aggregate demand for those state agencies and educational entities choosing to participate and shall reduce costs for participants whenever feasible. The Chief Information Officer shall establish a cost structure based on actual costs, including necessary administrative expenses but not including administrative travel or conference expenses, and shall charge participants according to such cost structure. The Chief Information Officer shall annually provide a detailed report of such costs to each participant and to the Legislative Fiscal Analyst. The report submitted to the Legislative Fiscal Analyst shall be submitted electronically.

- c. **N.R.S.79-1201.01 Terms, defined.** Educational entity means a school district, a private, denominational, or parochial school, an educational service unit, a community college, a state college, the University of Nebraska, or a nonprofit private postsecondary educational institution.

IV. Agreement Terms

a. **Period:**

The annual performance period of this Agreement is concurrent with the performance period of the USAC E-rate funding year, July 1 to June 30.

b. **Renewal:**

This original signed Agreement will automatically renew on January 1 of each calendar year, unless cancelled with prior written notice by the Participant or the OCIO.

c. **Cancellation:**

This Agreement can be cancelled, with prior written notice by the OCIO, for nonpayment of fees, egregious violation of network security or management, failure to uphold the basic responsibilities of the Participant as outlined in this Agreement or for any change in statutory authority or direction assigned to the OCIO. This Agreement can be cancelled, with prior written notice by the Participant, for any reason, providing that it occurs on or before the January 1 renewal date for the following performance period, July 1-June 30. The January 1 renewal date is critical because withdrawal from Network Nebraska-Education has implications for E-rate filing and funding and for the fee structure charged to the other Participants.

d. **Amendments:**

- i. Pursuant to Section V.b., Appendix 1 will be amended annually by the OCIO.
- ii. Pursuant to Section V.c., Appendix 2 will be amended annually by the OCIO.
- iii. All other amendments to this agreement will be made using the following procedures:
 1. The OCIO, in consultation with the NNAG, may propose amendments to this Agreement;
 2. Any proposed amendment will be posted at <http://www.networknebraska.net> for review by Participants;
 3. Any proposed amendment will include an effective date from the amendment;
 4. Any proposed amendment will be posted for at least 30 days prior to the January 1 automatic renewal date for the year in which the amendment is to be effective. This requirement will allow Participants to review any amendment prior to the automatic renewal pursuant to Section IV. b. and provide Participant the ability to cancel this Agreement, pursuant to Section IV.c. prior to the effective date of the amendment.

V. Responsibilities of OCIO, University of Nebraska, d.b.a. Network Nebraska-Education

a. Services:

The Chief Information Officer, in partnership with the University of Nebraska, shall develop and maintain a statewide, multipurpose, high capacity, scalable telecommunications network to be called Network Nebraska. Such network shall provide access to a reliable and affordable infrastructure capable of carrying a spectrum of services and applications, including distance education, across the state. [N.R.S. 86-5,100]

b. Costs and Billing [See Appendix 1 for Cost Structure]

- i. The Chief Information Officer shall aggregate demand for those state agencies and educational entities choosing to participate in Network Nebraska-Education and shall reduce costs for participants whenever feasible. The Chief Information Officer shall establish a cost structure based on actual costs, including necessary administrative expenses but not including administrative travel or conference expenses, and shall charge participants according to such cost structure. The Chief Information Officer shall annually provide a detailed report of such costs to each participant and to the Legislative Fiscal Analyst. [N.R.S. 86-5,100]
- ii. The OCIO will annually notify each participant the projected monthly costs of Network Nebraska-Education before the performance year begins and post updates to www.networknebraska.net .
- iii. The OCIO will bill monthly individual entities or groups of entities as requested.
- iv. The OCIO will annually file for federal E-rate on the eligible portion of the Interregional Transport (high bandwidth backbone) and Internet access and then bill the post-E-rate portion to eligible entities.

c. Service Standards: [See Appendix 2 for list of Services]

- i. Staff of the OCIO and University of Nebraska Computing Services Network (UNCSN) will respond to reported incidents of service outages within the same business day and mitigate disruptions of service related to the Interregional Transport as soon as possible. (See Section VII. Service Response Procedures) "Interregional Transport" is comprised of all transport segments, the routing circuits interconnecting Network Nebraska routers to the primary provider routers, and any of the associated routers and switches at these locations.

- ii. On Internet access purchased off of a State Master Contract bid on behalf of eligible entities, the State of Nebraska will intervene on issues of vendor performance.
- iii. On Internet access NOT purchased off of a State Master Contract bid on behalf of eligible entities, the OCIO and/or UNCSN will help the education entity where it can to resolve issues of vendor performance.
- iv. On Wide Area Network circuits purchased off of a State Master Contract bid on behalf of eligible entities, the State of Nebraska will intervene on issues of vendor performance. In order to accomplish this, telecommunications companies will provide circuit information, maintenance notifications, and general performance metrics to the OCIO and/or UNCSN for each of the sites covered under a State Master Contract.
- v. On Wide Area Network circuits NOT purchased off of a State Master Contract bid on behalf of eligible entities, the OCIO and/or UNCSN will help the education entity where it can to resolve issues of vendor performance. In order to accomplish this, Network Nebraska Participants must request that their telecommunications companies provide circuit information, maintenance notifications, and general performance metrics to the OCIO and/or UNCSN for each of the sites covered under a privately held contract.
- vi. On Local Area Network issues on the Participant side of the demarcation, the OCIO and/or UNCSN will NOT intervene as part of this Agreement.
- vii. On Local Area Network issues on the Participant side of the demarcation, the participant may contact and individually contract with UNCSN for technical assistance and support.

VI. Responsibilities of “Participant”

a. Network Integrity:

- i. Participant agrees to contract and fully fund the Chief Information Officer’s recommended Wide Area Network transport bandwidth needed to interconnect the Participant’s premise with the Network Nebraska-Education aggregation point (as listed in Appendix 3).
- ii. Participant agrees to install and maintain, on its own or as part of a consortium, appropriate network security measures, virus and malware protection, and firewalls, in order to preserve the integrity of the network, as defined by its institutional or regional network security officer.

- iii. Participant agrees to provide notice in writing, if required by guidelines established by the University of Nebraska and the Chief Information Officer for participation in Network Nebraska, to the distance education director of the Educational Service Unit Coordinating Council, the University of Nebraska, and the Chief Information Officer prior to the use of any new or additional equipment that will impact the use of Network Nebraska by such education-related political subdivision or other education-related political subdivisions [N.R.S. 86-520.01]
- iv. Participant agrees to develop and maintain a security policy that includes, but is not limited to:
 - a) Desktop and server anti-virus protection
 - b) Wireless access point security
 - c) Firewall rules for internal and external protection
 - d) For K-12 schools and libraries, Internet filtering that complies with the Children's Internet Protection Act (CIPA)
<http://www.fcc.gov/cgb/consumerfacts/cipa.html>
- v. Participant agrees to provide two-deep technical contact information for the Network Nebraska automatic notification system, which includes at minimum, contact name, e-mail address, work phone number, and a cell phone number.
- vi. Participant agrees to keep technical contact information current by notifying the UNCSN NOC by email (noc@nebraska.edu) or by manually updating it themselves in the network management tool.
- vii. Participant agrees to establish what portion of a day it wants technical contact(s) to be notified of scheduled or unscheduled outages and by what method. Choices for time of day include 24 hours by 7 days (including holidays), 6 AM to 10 PM Monday through Friday, or 8 AM to 5 PM Monday through Friday. Methods of notification include email, phone call, or text message. Participant agrees that their technical contact, if needed, will be available to work with the Network Nebraska staff to complete the restoration of their service.
- viii. Participant agrees to inform its institutional or regional network coordinator and the Network Nebraska staff of any anticipated disruption or scheduled maintenance on any IP routing devices or circuits that are being monitored by the Network Nebraska staff or that may affect the overall network. The Participant understands that if the Network Nebraska staff determines that a device or network modification adversely affects the core network to the

detriment of other participants, or threatens the stability or integrity of the core network, the Network Nebraska staff will take steps to limit the bandwidth or shut down a site, until the problem is resolved.

b. Prompt Payment

- i. Participant agrees to assume its assigned share of the Network Nebraska Participation Fee [See Appendix 1], which will be reviewed annually by the Network Nebraska--Education Advisory Group, and communicated annually by the State CIO, and to make payment within 45 days to the OCIO as billed or rebilled on the Participant's behalf.
- ii. Participant agrees to assume its assigned share of the Network Nebraska Interregional Transport Fee [See Appendix 1], which will be reviewed annually by the Network Nebraska-Education Advisory Group, and communicated annually by the Chief Information Officer, and to make prompt payment within 45 days to the OCIO as billed or rebilled on the Participant's behalf.
- iii. K-12 Participant agrees to pay the full cost of its assigned share of the Network Nebraska Interregional Transport Fee, should the federal E-rate reimbursement be denied or discontinued in any way.

c. E-rate

- i. A Participant who seeks E-rate funding agrees to have on file with the Nebraska Department of Education a continuously updated and approved Technology Plan, as required by the FCC and USAC policies, that includes clear goals and realistic strategies; a professional development strategy; an assessment of technology needs and services; and an ongoing evaluation process.
- ii. A Participant who is eligible for E-rate funding agrees to submit a signed, certified Letter of Agency and any other authorizations that may be required by the FCC to the OCIO as requested, in order to authorize the OCIO to act and file E-rate on the Interregional Transport and Internet on their behalf.

VII. Service Response Procedures [See Appendix 2 for list of Services]

a. Participant Inbound Communications concerning Network Nebraska-Education Services or infrastructure (backbone, routing, state master contract Internet, Internet2, Renovo software)

- i. Participant should immediately call 1-888-NET-NEBR (638-6327) or 402-472-7625 or e-mail to noc@nebraska.edu and give information about the problem or issue, plus the name and contact information of the person reporting the problem or issue.
- ii. Participant should indicate the urgency of the problem or issue and ask for a UNCSN trouble ticket number.
- iii. Participant may inform their regional or institutional technology representative.
- iv. UNCSN will resolve the trouble ticket and inform the originator of the ticket about the resolution.

b. Participant Inbound Communications concerning other non-Network Nebraska—services or infrastructure (WAN, non-state master contract Internet, DNS issues, etc...)

- i. Participant should attempt to contact its institutional or ESU technical support person, utilizing their Helpdesk procedures.
- ii. If no response, Participant may call 1-888-NET-NEBR (638-6327) or 402-472-7625 or e-mail to noc@nebraska.edu and give information about the problem or issue, plus the name and contact information of the person reporting the problem or issue.
- iii. Participant should indicate the urgency of the problem or issue and ask for a UNCSN trouble ticket number.
- iv. UNCSN staff will then route the trouble ticket to the most appropriate institutional or ESU technical support person, using the contact information on file.
- v. Institutional or ESU technical support person will be responsible for resolving the trouble ticket and informing the originator of the ticket about the resolution.

- c. **Network Nebraska Outbound Communications to Participant concerning scheduled and unscheduled outages**
- i. UNCSN staff or OCIO staff will utilize an automatic notification system to inform Network Nebraska—Participants with the greatest amount of lead time possible using the least intrusive mode of communication to match the event.
 - ii. If a scheduled maintenance event is to occur, notification will come via e-mail and will be posted on the portal of the network management system
 - iii. If an unscheduled outage occurs, notification may come by desk phone, cell phone or text message. It will also be posted on the network management system portal and will be kept updated as work proceeds.

APPENDIX 1: Cost Structure (annually updated – last update January 24, 2013)

<u>Performance Year</u>	<u>Network Nebraska Participation Fee</u>	<u>Entity Number</u>
2007-08	\$200.00/month/entity	94 entities
2008-09	\$197.80/month/entity	182 entities
2009-10	\$192.47/month/entity	232 entities
2010-11	\$195.13/month/entity	228 entities
2011-12	\$190.21/month/entity	244 entities
2012-13	\$203.48/month/entity	252 entities
2013-14	To be announced	TBD

<u>Performance Year</u>	<u>Network Nebraska Interregional Transport Fee</u>	<u>Entity Number</u>
2007-08	\$ 0.00/month/entity	94 entities
2008-09	\$ 93.35/month/entity (\$34.21/month/E-rate entity)	182 entities
2009-10	\$ 92.72/month/entity (\$34.48/month/E-rate entity)	232 entities
2010-11	\$115.78/month/entity (\$36.45/month/E-rate entity)	228 entities
2011-12	\$101.09/month/entity (\$31.69/month/E-rate entity)	244 entities
2012-13	\$ 61.28/month/entity (\$18.67/month/E-rate entity)	252 entities
2013-14	To be announced	TBD

<u>Performance Year</u>	<u>Network Nebraska Statewide Internet Access</u>	<u>Entity Number</u>
2012-13	\$ 2.55/Mbps/month (\$.7905/Mbps/month/E-rate entity)	15 entities
2013-14	\$ 2.50/Mbps/month (\$.7750/Mbps/month/E-rate entity)	15 entities

See www.networknebraska.net for posted updates to this Appendix.

APPENDIX 2: Network Nebraska Service Offerings

Benefits/Services Existing as of January 2013

- **Student Learning Opportunities**
 - Enterprise MCU bridge service for Network Nebraska-Education Participants
 - High quality exchange of Nebraska K-12 and college video distance learning classes
 - High bandwidth Internet2 access to over 50,000 education partners and content providers
 - Internet2 programming and virtual museum trips from across the U.S./world

- **Connectivity/Transport**
 - Intranet Ethernet connectivity to all 250+ Network Nebraska participants and Nebraska Department of Education
 - Interregional (high bandwidth backbone) Transport between Grand Island, Lincoln, Omaha, and Scottsbluff
 - Access to commodity Internet1 service (state contract purchase)
 - Internet2 SEGP access/routing
 - Limited co-location rack space at Grand Island, Lincoln and Omaha core locations on a space available basis and charged per individual participant group using an established cost sheet.
 - Core router and core infrastructure cost avoidance through State and University of Nebraska partnerships

- **Network Management/ Monitoring**
 - 24/7 network monitoring and call center
 - Toll-free Network Nebraska number, 1-888-NET-NEBR (638-6327)
 - Automated Notification System services
 - Web portal for authorized access to network management tools
 - Network abuse and nefarious activity monitoring
 - Bandwidth measuring and assistance
 - Level 1 network troubleshooting and support on Network Nebraska - Education backbone, core network devices and State Contract and University of Nebraska contracts for Internet access
 - Level 2 network troubleshooting and support on wide area networking and other participant routing and DNS issues
 - Level 2 video/scheduling troubleshooting and support
 - Traffic shaping of Network Nebraska Internet bandwidth
 - Onsite and/or remote technician assistance, upon request

- **Administrative/E-rate**
 - RFP development and State Master Contract negotiations
 - E-rate filing on the K-12 eligible portion of the Interregional Transport
 - E-rate filing on the K-12 eligible portion of the statewide Internet access

- Sponsored Education Group Participation (SEGP) Membership
- Establishing the yearly eligibility list for LB1208 Distance Education Incentive Dollars and Equipment Reimbursements
- Management of the statewide purchase contracts for statewide scheduling, WAN services, Internet access, Cisco equipment, and videoconferencing equipment.
- E-rate archiving of bid documents, invoices, correspondence
- Continual Management of Consortium Letters of Agency to maintain E-rate eligibility
- Continual management of the Form 479 CIPA compliance to maintain E-rate eligibility
- OCIO Financial Solutions Services for budget development and vendor service orders
- State Billing services for Network Nebraska Participation Fee, Interregional Transport, and statewide Internet access
- Network Nebraska website (www.networknebraska.net) development, ongoing support and reporting.
- Staff support for the Network Nebraska-Education Advisory Group
- Informational presentations about Network Nebraska, upon request

APPENDIX 3: Wide Area Network (WAN) Circuit Minimums

As part of the network requirements to be eligible to qualify for the Neb. Rev. Stat. 79-1336 and 79-1337 distance education incentives, the State CIO established in 2006 a Wide Area Network (WAN) circuit bandwidth minimum for public school districts and Educational Service Units (ESUs) in order to be considered as having “access” to a Network Nebraska-Education aggregation point.

<u>Entity Type</u>	<u>WAN bandwidth</u>
Nebraska K-12 public school districts, ESUs	30Mbps or greater

Education entities not competing for Neb. Rev. Stat. 79-1336 and 79-1337 distance education incentives are also required to meet or exceed a minimum Ethernet bandwidth to connect to any Network Nebraska-Education aggregation point.

<u>Entity Type</u>	<u>WAN bandwidth</u>
Nebraska K-12 nonpublic schools	10Mbps or greater
Nebraska higher education	10Mbps or greater
Nebraska public libraries	10Mbps or greater

Network Nebraska Meeting Notes

<http://nitc.nebraska.gov/NNAG/meetings/>

Thursday, March 28, 2013 - 1-3PM CT (Video Conference)

Please contact John Stritt, jstritt@esu10.org or 308-865-5664 x281 to arrange your IVC site.

Agenda Items:

1. Welcome - Roll Call and Introductions and Agenda Additions (visitors)

K12 Attendance:

ESU 01 (Wakefield): Bob Uhing

ESU 02 (Fremont): Mike Danahy

ESU 10 (Kearney): John Stritt

ESU 16 (North Platte): Scott Jones

ESU 18 (Lincoln): Kirk Langer

Not present: Betty Getzfred, Rob Hanger, rural administrator

Higher Ed Attendance:

U of N: Debbie Schroeder (Kearney)

State Colleges: John Dunning (Wayne)

Community Colleges: Lyle Neal (Milford)

Independent Colleges: Jason Degn (Omaha)

Independent Colleges: Mike Carpenter (Lincoln)

Not present: Gene Beardslee, Michael Ruhrdanz, Tom Peters

CAP/staff Liaisons present:

Leona Roach, Brad Weakly, Tom Rolfes, SuAnn Witt (Lincoln-Varner)

Guests present:

Caroline Winchester, Chadron Public Schools

John Stritt had members at each of the sites introduce themselves. Roll call found 10 members present at 8 sites.

2. January 31 Meeting Notes

http://nitc.nebraska.gov/NNAG/meetings/documents/20130131/NNAGmeetingnotes_20130131.pdf

John Stritt reviewed the meeting notes from 1/31/2013.

3. K12 rural administration representative update (**John Stritt**)

Ms. Caroline Winchester, superintendent at Chadron Public Schools, introduced herself. She has been a superintendent for 17 years, beginning at Wolbach Public Schools. Caroline has been working with a Panhandle group to explore the possibility of conducting legislative hearings over videoconferencing. Senator Shields has drafted a letter to the legislative executive committee to that effect, and to request three IVC hearings, but none of those were extended.

Bob Uhing moved, and Scott Jones seconded, to approve Caroline Winchester as the NNAG member to

represent rural K-12 administrators. Vote 10-0, motion passes.

4. Reports impacting NNAG discussion

- **Network Nebraska Summer Plans (Rick Golden)**

- Rick Golden was not present to give his report.

- **[Backbone update](#) (Brad Weakly)**

- Brad updated the group about the backbone. The statewide backbone will be increased to 2Gbps on 4 links that allows a total of 6Gbps throughput over the backbone to Omaha. More bandwidth balancing will be needed in 2013-14. UNCSN has already started preliminary design work with ESU 9 schools. Edge device replacement is also needed in several places. Hastings to G.I. design and construction may be finished by June.

- **Intrusion Prevention Services (Brad Weakly)**

- Brad and Ben Mientka have been doing some testing on IDS-IPS equipment to be used on Network Nebraska, if requested by the education entities.

- **Caching Server Options (Brad Weakly)**

- Brad also provided an update on caching servers such as Akamai and Apple to help make more efficient use of the bandwidth on the network. Kirk Langer asked about the placement of caching servers. Brad responded that the placement of a caching server at Nebraska Hall could overrun the transport links if additional traffic shaping and policing is not incorporated. Caching servers placed locally may be the best scenario.

- **Internet 2 (Mike Ruhrdanz)**

- Michael Ruhrdanz was not present for the meeting.

- **2013-14 NN Backbone [Projected Costs](#) (Tom Rolfes)**

- History and projected bandwidth **(Tom Rolfes)**

- [PSC presentation 3/26/2013](#)
- [2010-15 Internet Projections](#) for K-12

- Tom Rolfes provided an overview of the 2013-14 Network Nebraska backbone and projected costs for K-12 and higher education. He also informed the NNAG members that his Public Service Commission presentation of 3/26/2013 was linked to the agenda. The presentation, update of Network Nebraska and LB 1208, was well received. John Stritt asked what next steps could be taken to inform the PSC about the infrastructure needs of K-12 and libraries. Tom responded with two options: 1) SuAnn Witt has just been approved as the K-12 representative on the NUSF Advisory Board with the PSC; and 2) the Network Nebraska infrastructure report will be shared with the PSC in early May. It will list every school district and college campus and their transport capacity. Tom also shared the Internet projection chart that showed 2014-15 K-12 Internet as possibly exceeding 10Gbps, if trends continue in a linear fashion. John Dunning, Wayne State, suggested that when the 802.11ac standards are approved for long-range wireless, that Internet demand may grow even faster.

- Legislative updates - **(Tom Rolfes)**

- [Ed Tech related Legislation](#)
- [Hearing notes](#) from LBs 495, 496, 497, 511, 566 on 3/19/2013
- Tom provided a brief overview of the recent education technology bills before the legislature.

- Membership updates for 7/1/2013 - **(Tom Rolfes)**
 - Adding Dorchester, Falls City, Johnson County Central, Milford, Waverly Public Schools, and Union College
 - New provider and network routing for ESU 4, 6, 9, 15, 16 schools
 - Tom provided a quick update on the 6 new members joining Network Nebraska on 7/1/2013.

5. Final Reading and action on Memorandum of Agreement

- [Marked up copy](#)
- [Final draft copy](#)
- **After brief discussion, John Dunning moved, and Mike Danahy seconded, to recommend approval of the MoA to the Network Nebraska executive sponsors for implementation prior to 7/1/2013. Vote 11-0. Motion passes.**

6. NNAG Committees Review

- Committee membership guidelines
 - At least one NNAG member from K12 and Post-secondary
 - A liaison member tied to the committee topic
 - Other interested member(s) from K-20 community.

John Stritt went through each NNAG committee and asked for volunteers to serve on each subcommittee. The revised roster of subcommittee members are as follows:

- Projected NNAG Subcommittees (*Chair of subcommittee):
 - Governance (Co-Chairs Deb Schroeder & John Stritt)
 - Budget-Scott Jones, Jason Degn, John Stritt, Tom Peters, Ron Cone, Tom Rolfes (data gatherer)
 - Memorandum of Agreement
 - Membership of NNAG
 - Collaborating with outside groups (e.g. PSC, legislature)-SuAnn Witt
 - Emerging (Disruptive) Technologies (John Dunning & Mike Danahy)
 - IPv6
 - Firewalls
 - Identity Management
 - Classroom flipping, BYOD
 - Big Data Transport
 - NN Application Services (Bob Uhing & Mike Carpenter & Kirk Langer)
 - Internet2-Mike Ruhrdanz
 - Traffic Shaping
 - Business Continuity/Disaster Recovery
 - Content Caching
 - Shared Services
 - BlendEd
 - Legislative Update
 - LMS/CMS
 - Single Sign-on
 - Marketing (SuAnn Witt)
 - NN Web site-John Stritt, Tom Rolfes
 - Survey-Lyle Neal, Caroline Winchester

- Participation Profile-Mike Danahy, SuAnn Witt

7. Committee Updates:

- Governance (Review of [2012-13 Participation Fee Budget](#) - Tom Rolfes)
Tom and Leona Roach provided a brief overview of the structure of the NN Participation Fee Budget and things to look forward to for 2013-14.
- Emerging Technologies-No update
- NN Application Services-No update
- BlendEd-No update
- Marketing-No update

8. Other committee Reports:

- Community College (Tom Peters and Lyle Neal)-SCC is adopting digital videoconferencing gear to replace their analog equipment.
- State College (Gene Beardslee and John Dunning)-State colleges are looking at closing the northern loop of the state backbone for state college connectivity.
- Private College (Jason Degn and Mike Carpenter)-Midland U has a new director of I.T., Shane Perrien. Jason and Mike are going to reach out to Shane and welcome him to the independent college CIOs.
- ESUCC (Bob Uhing)-The ESUCC has decided to purchase Safari Montage as the learning object repository (LOR), and the plan is to have it in place by September 2013. 24/7 access is \$50/building. LMS Angel is migrating toward Blackboard; with support for Blackboard, Angel, Moodle, Sakai.
- DEC (Scott Jones)-The Distance education Council has been discussing BlendEd, movement to more mobile devices, distance learning summer boot camp on July 29, NETA Playground demonstrations will be held at NETA on April 25-26.
 - Bridge use in Nebraska-More discussion has been held with using bridges to conduct recurring videoconferences without using Renovo.
- NOC (Mike Danahy)-Primary discussions have been held about implementing LDAP directory services over Network Nebraska.

9. Other

- E-rate update-Tom recapped the successful E-rate filings on March 13-15, 2013.
- 6 new members-Tom mentioned the 6 new members that will be joining the Network on 7/1/2013.
- Grand Island Public Library-John Stritt will contact Steve Fosselman about the monthly Network Nebraska fees starting 7/1/2013.

10. Next meeting – May ?? John Stritt will send out a Doodle poll to query members for the best date and time in mid-May.

Meeting notes were recorded by Tom Rolfes, Office of the CIO/NITC, and reviewed by Debbie Schroeder and John Stritt.

Distance Learning (LB 1208) Network Nebraska - CAP Update

Project Leads

Tom Rolfes

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Office of the CIO and NITC
501 S. 14th Street, P.O. Box 95045
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tom.rolfes@nebraska.gov
402-471-7969 (voice)

Rick Golden

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402-472-7626 (voice)

Executive Sponsors of Network Nebraska:

<http://www.networknebraska.net/> (Network Nebraska website)

Brenda Decker, Chief Information Officer, State of Nebraska
Chair of the Collaborative Aggregation Partnership (CAP—OCIO, NET, UNCSN, PSC, NDE,
NITC)

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Walter Weir, Chief Information Officer, University of Nebraska
Chair of the NITC Technical Panel

wweir@nebraska.edu
402-472-2862

Co-Chairs of the Network Nebraska-Education Advisory Group (NNAG):

<http://nitc.nebraska.gov/NNAG/index.html> (NNAG Website)

John Stritt, Distance Learning Director
Educational Service Unit 10
jstritt@esu10.org
308-865-5664 x281

Debbie Schroeder, Asst Vice-Chancellor
UN-K Information Technology Services
schroederd@unk.edu
308-865-8950

Other Key Staff:

SuAnn Witt, E-rate and Infrastructure Specialist, Nebraska Department of Education
suann.witt@nebraska.gov
402-471-2085

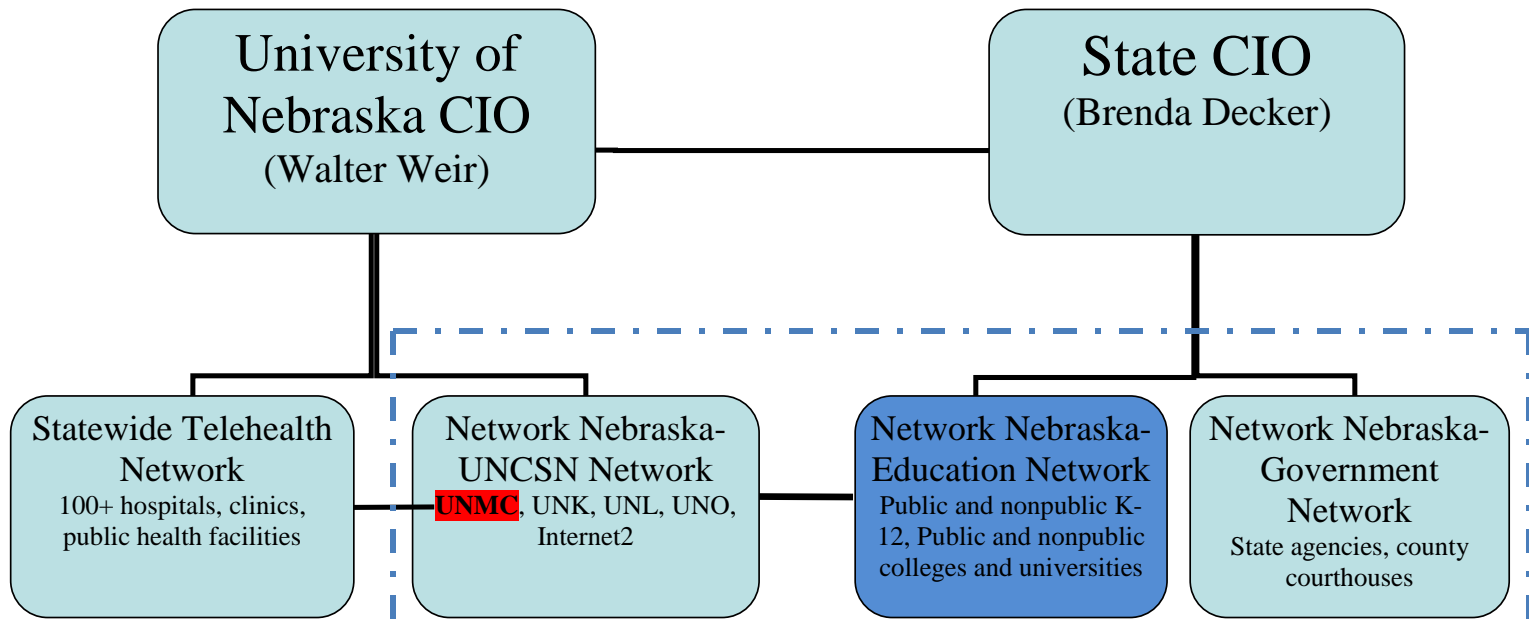
<http://www.education.ne.gov/Neat/DistanceEducation.html> (lottery fund incentive program)

Gordon Roethemeyer, Distance Learning Coordinator, ESU Coordinating Council
groethem@esucc.org
308-865-5664 x294

<http://nvis.esucc.org/> (clearinghouse of distance education courses and virtual field trips)



- (N.R.S. 86-5,100) The Chief Information Officer, in partnership with the University of Nebraska, shall develop and maintain a statewide, multipurpose, high capacity, scalable telecommunications network to be called **Network Nebraska**. The network shall consist of contractual arrangements with providers to meet the demand of state agencies, local governments, and educational entities as defined in section 79-1201.01. *(LB 1208—2006 Session)* (“Network Nebraska” is shown inside the dotted lines)



Network Nebraska—Education Participant Report (Part 1- PUBLIC Entities) July 1, 2013 (proj.)

Neb. Rev. Stat. 86-5,100 (excerpt) Network Nebraska; development and maintenance; access; Chief Information Officer; duties; cost; report.

The Chief Information Officer shall provide access to each school district, each educational service unit, each community college, each state college, and the University of Nebraska at the earliest feasible date and no later than July 1, 2012. Access may be provided through educational service units or other aggregation points. Participation in Network Nebraska shall not be required for any educational entity.*

*Note “Access” was defined by the Chief Information Officer as the ability to connect via Ethernet to one of the Network Nebraska—Education core aggregation points.

SUMMARY: Network Nebraska—Education PUBLIC K-20 Participants, as of 7/1/2013:

224 of 252* public school districts (*unified districts as separate entities)	(89%)
15 of 17 Educational Service Units	(88%)
8 of 8 community colleges (including 2 tribal colleges)	(100%)
3 of 3 state colleges	(100%)
1 of 1 University of Nebraska	(100%)

Network Nebraska—Education Participant Report (Part 2- NON-PUBLIC Entities) July 1, 2013

Neb. Rev. Stat. 86-5,100 (excerpt) Network Nebraska; development and maintenance; access; Chief Information Officer; duties; cost; report.

*The network shall consist of contractual arrangements with providers to meet the demand of state agencies, local governments, **and educational entities** as defined in section [79-1201.01](#).*

Neb. Rev.Stat. 79-1201.01 (excerpt) Terms, defined.

*3) **Educational entity** means a school district, a private, denominational, or parochial school, an educational service unit, a community college, a state college, the University of Nebraska, or a nonprofit private postsecondary educational institution;*

SUMMARY: Network Nebraska—Education NON-PUBLIC K-20 Participants, as of 7/1/2013:

4 of 213 private, denominational or parochial schools	(2%)
7 of 14 nonprofit private postsecondary educational institutions	(50%)

Appendices available upon request from the Office of the CIO, 402-471-7969, tom.rolfes@nebraska.gov :

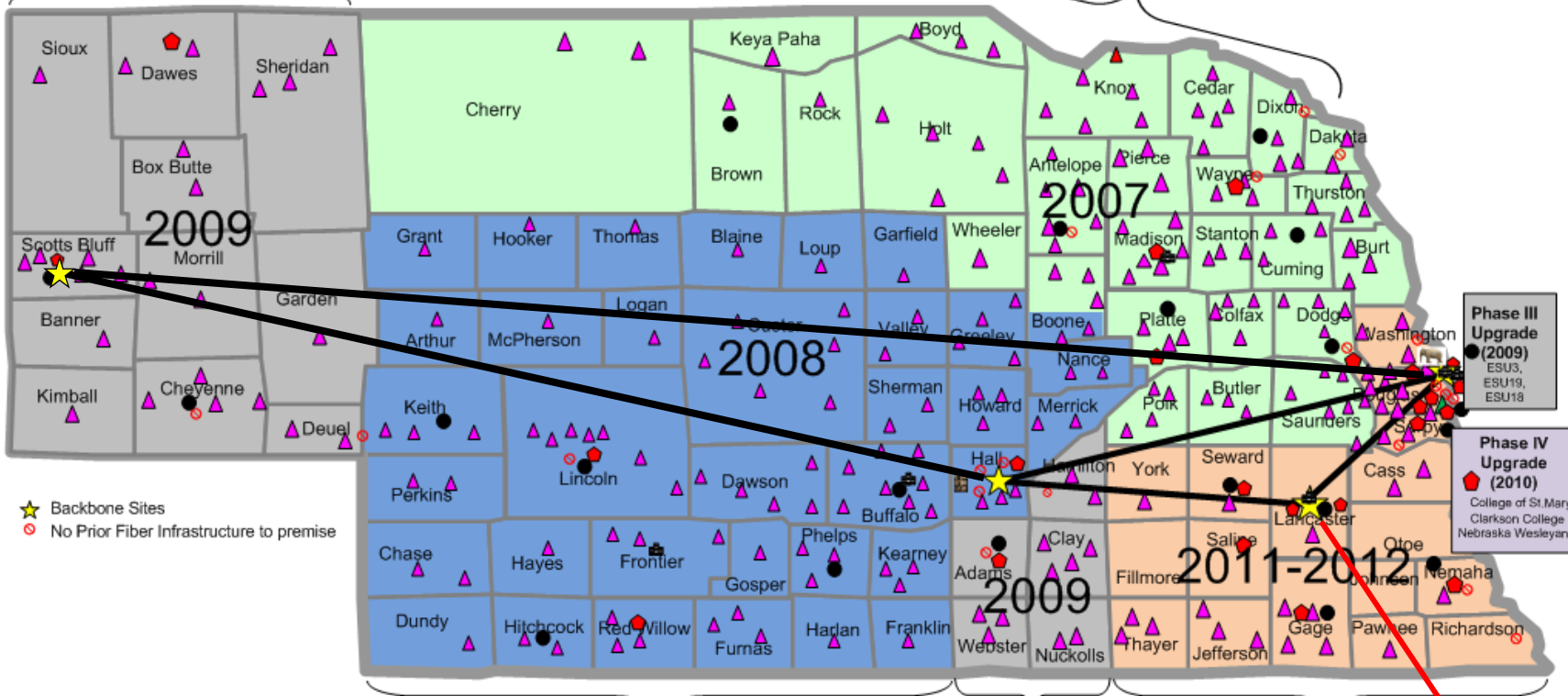
Appendix A—PUBLIC K-12 Entity Participant List (districts and ESUs)
 Appendix B—PUBLIC Higher Education Entity Participant List
 Appendix C—PUBLIC K-12 Non-Participant List (districts and ESUs)
 Appendix D—PUBLIC Higher Education Non-Participant list

Appendix E—NON-PUBLIC K-12 Participant List
 Appendix F—NON-PUBLIC Higher Education Participant List
 Appendix G—NON-PUBLIC K-12 Non-Participant list
 Appendix H—NON-PUBLIC Higher Education Non-Participant list

Network Nebraska-Education Map by Year

Phase III Upgrade
Panhandle Region: 23 high school districts, 2 ESU offices, 1 college campus

Phase I Upgrade
Green Shading of Northeast Region: 87 high school districts, 5 ESUs, & 2 college campuses



★ Backbone Sites
○ No Prior Fiber Infrastructure to premise

Phase III Upgrade (2009)
ESU3, ESU19, ESU18

Phase IV Upgrade (2010)
College of St. Mary
Clarkson College
Nebraska Wesleyan

Phase II Upgrade
Central Region: 78 high school districts, 5 ESUs, 8 colleges

Phase III Upgrade
Southeast Region: 30 high schools, 4 ESUs, 7 college campuses

Phase V Upgrade
Southeast Region: 18 school districts, 3 ESUs, 4 college campuses, 1 Library, 1 Zoo

Phase I – Green Shading on Counties
North Central/NorthEast Regions 2007

- ▲ 87 School Districts
- 5 ESU Offices (1, 2, 7, 8, & 17)
- ◆ 2 College campuses
- NU (UNO, UNL, UNMC, UNK)

Phase II – Blue Shading on Counties
South Central Regions 2008

- ▲ 78 School districts
- 4 ESU Offices (10, 11, 15, & 16)
- ◆ 7 College campuses
- 1 NU (NCTA)

Phase III – Gray Shading on Counties
Western/SouthEast Regions in 2009

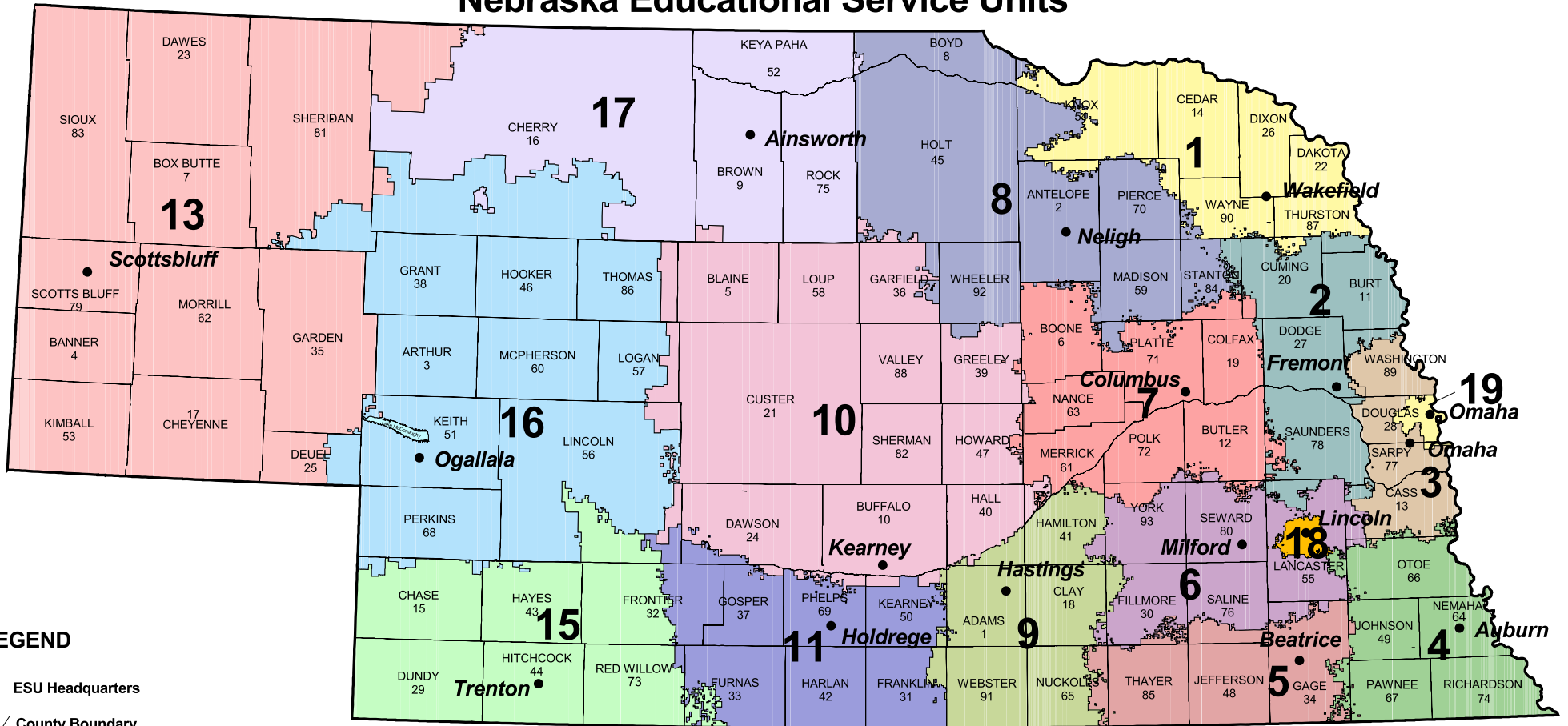
- ▲ 42 School districts
- 6 ESU Offices (3, 9, 13, 14, 18, & 19)
- ◆ 8 College campuses

Salmon Shading on Southeast Region (2011-2012)

- ▲ 18 School districts
- 3 ESU Offices (4, 5, & 6)
- ◆ 4 College campuses
- Henry Doorly Zoo
- Grand Island Public Library

Internet2
(K.C. GigaPop)

Nebraska Educational Service Units



LEGEND

● ESU Headquarters

∧ County Boundary

Educational Service Units and Headquarters

- ESU 1, Wakefield
- ESU 2, Fremont
- ESU 3, Omaha
- ESU 4, Auburn
- ESU 5, Beatrice
- ESU 6, Milford
- ESU 7, Columbus
- ESU 8, Neligh
- ESU 9, Hastings
- ESU 10, Kearney
- ESU 11, Holdrege
- ESU 13, Scottsbluff
- ESU 15, Trenton
- ESU 16, Ogallala
- ESU 17, Ainsworth
- ESU 18, Lincoln
- ESU 19, Omaha

COUNTY	NUMBER	COUNTY	NUMBER	COUNTY	NUMBER	COUNTY	NUMBER	COUNTY	NUMBER
Adams	1	Custer	21	Hamilton	41	Merrick	61	Sheridan	81
Antelope	2	Dakota	22	Harlan	42	Morrill	62	Sherman	82
Arthur	3	Dawes	23	Hayes	43	Nance	63	Sioux	83
Banner	4	Dawson	24	Hitchcock	44	Nemaha	64	Stanton	84
Blaine	5	Deuel	25	Holt	45	Nuckolls	65	Thayer	85
Boone	6	Dixon	26	Hooker	46	Otoe	66	Thomas	86
Box Butte	7	Dodge	27	Howard	47	Pawnee	67	Thurston	87
Boyd	8	Douglas	28	Jefferson	48	Perkins	68	Valley	88
Brown	9	Dundy	29	Johnson	49	Phelps	69	Washington	89
Buffalo	10	Fillmore	30	Kearney	50	Pierce	70	Wayne	90
Burt	11	Franklin	31	Keith	51	Platte	71	Webster	91
Butler	12	Frontier	32	Keya Paha	52	Polk	72	Wheeler	92
Cass	13	Furnas	33	Kimball	53	Red Willow	73	York	93
Cedar	14	Gage	34	Knox	54	Richardson	74		
Chase	15	Garden	35	Lincoln	55	Rock	75		
Cherry	16	Garfield	36	Lincoln	56	Saline	76		
Cheyenne	17	Gosper	37	Logan	57	Sarpy	77		
Clay	18	Grant	38	Loup	58	Saunders	78		
Colfax	19	Greeley	39	Madison	59	Scotts Bluff	79		
Cuming	20	Hall	40	McPherson	60	Seward	80		



Nebraska Department of Education

Information Source:
 ESU Boundaries - School Districts - County Clerks
 Counties, Towns - TIGER Line Files 1995
 Prepared by: Michelle Stephens
 Nebraska Department of Education
 Education Support Services
 Phone: (402) 471-2487
 E-mail: michelle.stephens@nde.ne.gov
 GIS Process, ArcView 3.2, ESRI,
 August 2007

Network Nebraska Backbone Funding (2012-13)

Total Cost/Month = \$ 15,259.15

Total Cost/Year = \$183,109.80

Annual K-12 Eligible Cost (proj.)	\$ 171,200.22
Form 471 E-rate Filing (proj.)	-- \$ 118,128.15
Total Annual non-discount share	\$ 53,072.07

NEBRASKALINK TRANSPORT
1,700 Mbps (+1,700)
 RFP3886
\$2,200.00/month
 Contract 51441(04)
 Account 116084
 FRN: 2365245
 Form 470:
 760920000998090

NEBRASKALINK TRANSPORT
1,700Mbps (+1,500)
 RFP3827
\$2,200.00/month
 Contract 51022(04)
 Account 116081
 FRN: 2364933
 Form 470:
 306300000939101

UNITE PRIVATE NETWORKS INTERNET
4,900Mbps (+2658)
 RFP 3827
\$12,495.00/month
 Contract 51026(04)
 Account 2400
 FRN: 2364549
 Form 470:
 617200000938999

SCOTTSBLUFF
 NN-Panhandle Station
 Router MX240

NEBRASKALINK TRANSPORT
1,700 Mbps (+1,700)
 RFP3827
\$2,150.00/month
 Contract 51022(04)
 Account 116082
 FRN: 2364819
 Form 470:
 306300000939101

GRAND ISLAND
 NN-College Park
 Router MX480

CENTURYLINK AGGREGATION
1000Mbps (±0)
 RFP2297-Sect 7
\$ 0.00/month
 Contract 31063 O4
 Account 75259719
 FRN: 2224974
 Form 470:
 466290000641062

CHARTER BUSINESS AGGREGATION
300Mbps (±0)
 2009 OCIO RFP
\$2,347.55/month
 Contract
 201001071186943
 Account
 8356150040414092
 FRN: 2365158
 Form 470:
 786550000795973

NEBRASKALINK TRANSPORT
1,700 Mbps (+800)
 RFP3827
\$3,600.00/month
 Contract 51022(04)
 Account 116083
 FRN: 2364704
 Form 470:
 306300000939101

LINCOLN
 NN-Nebraska Hall
 Router MX960

OMAHA
 NN-1623 Farnam
 Router MX480

OMAHA
 NN-UNMC
 Router MX480

OMAHA
 NN-PKI
 Router MX480

CENTURYLINK AGGREGATION
300Mbps (-500)
 RFP1752-Sect 7
\$2,761.60/month
 Contract 31060 O4
 Account 75227644
 FRN: 2369241
 Form 470:
 434390000631174

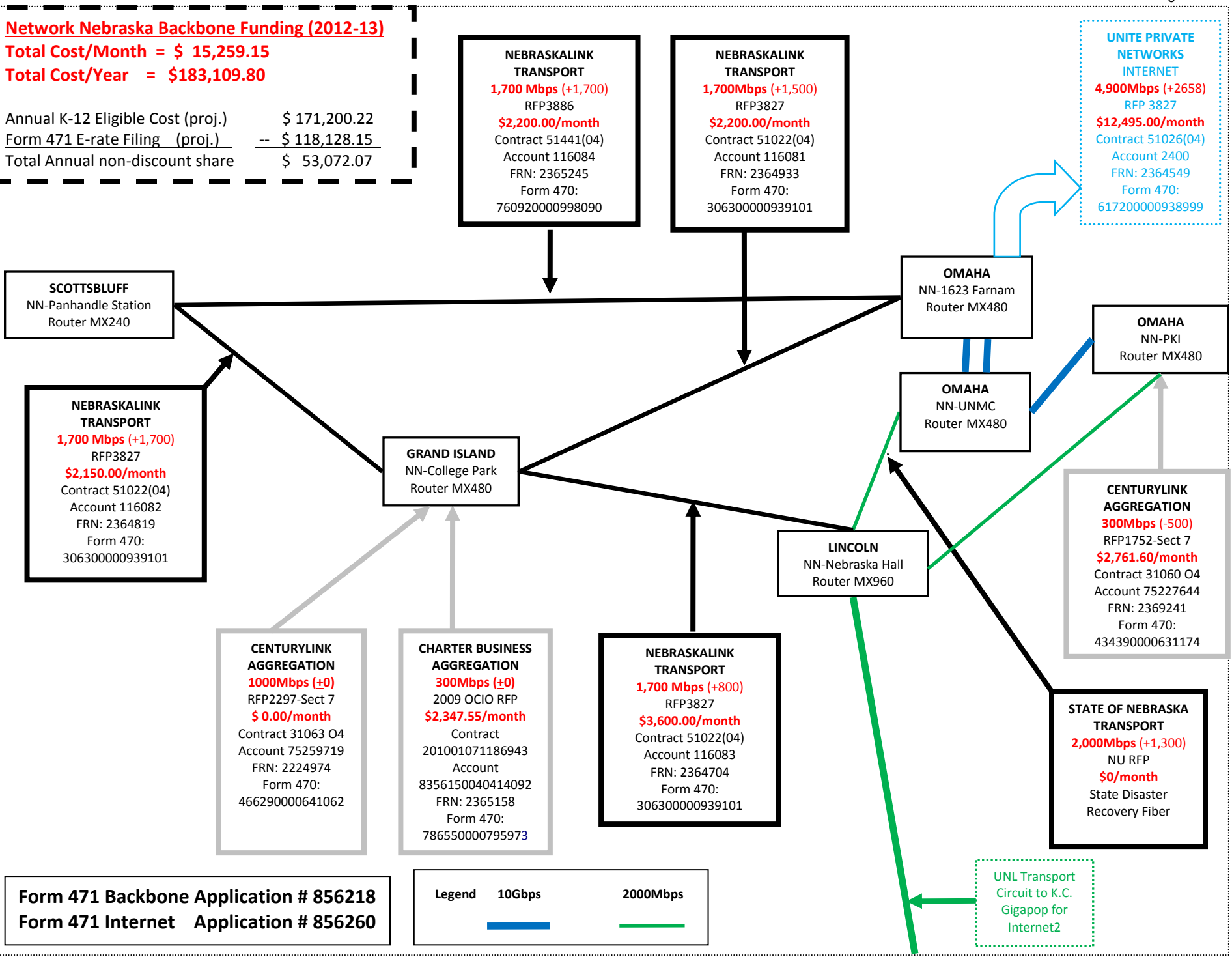
STATE OF NEBRASKA TRANSPORT
2,000Mbps (+1,300)
 NU RFP
\$0/month
 State Disaster Recovery Fiber

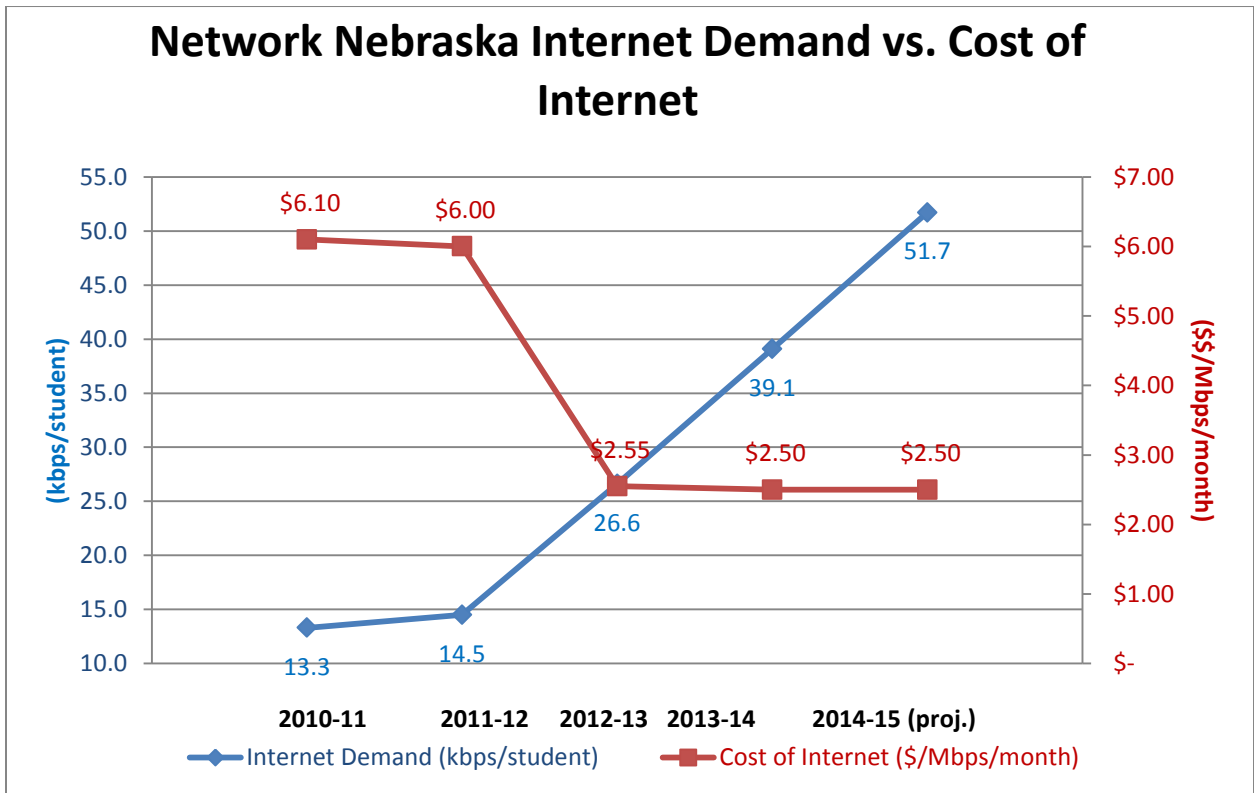
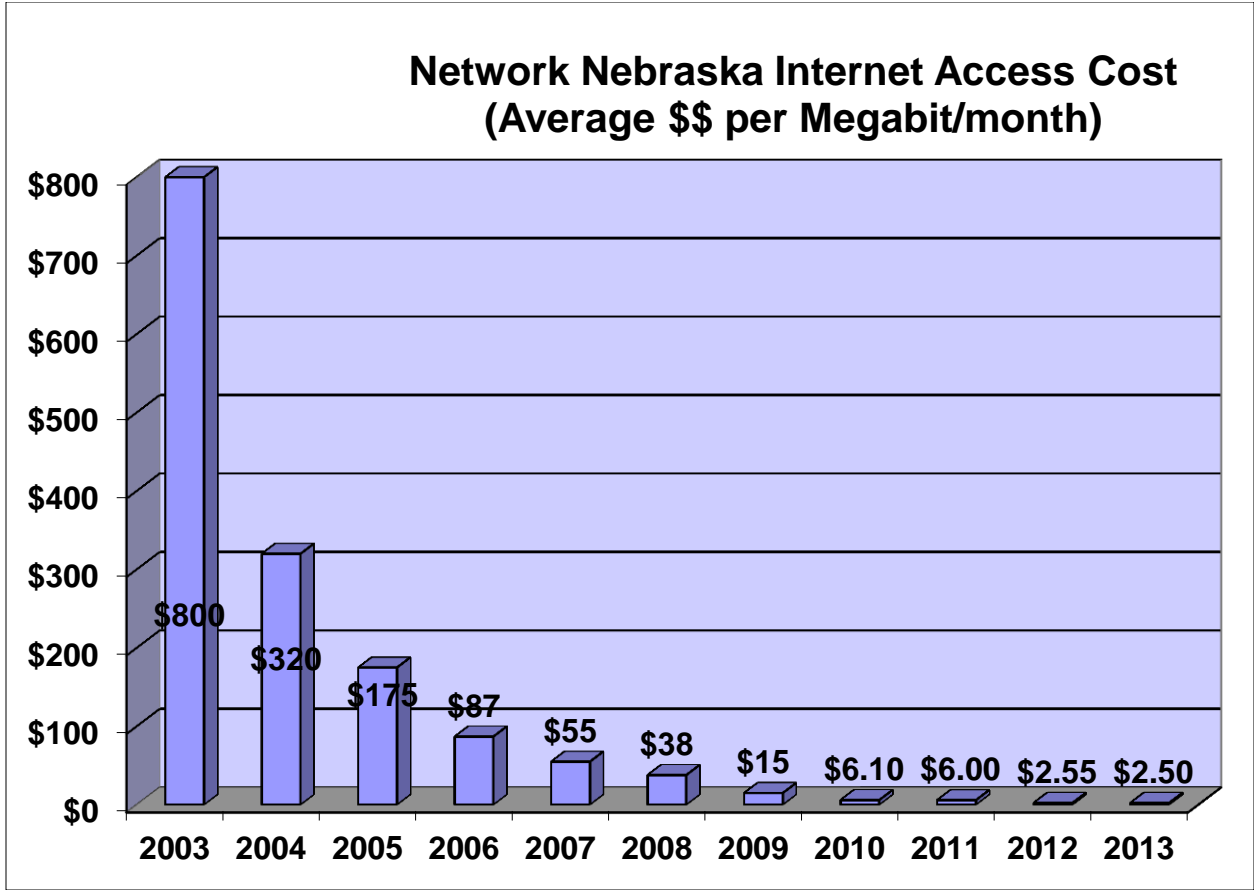
Form 471 Backbone Application # 856218
Form 471 Internet Application # 856260

Legend **10Gbps** **2000Mbps**

— (Blue line) — (Green line)

UNL Transport Circuit to K.C. Gigapop for Internet2





Network Nebraska-Education

APPENDIX 1: Cost Structure (annually reviewed and updated)

<u>Performance Year</u>	<u>Network Nebraska Participation Fee</u>	<u>Number of Entities</u>
2007-08	\$200.00/month/entity	94 entities
2008-09	\$197.80/month/entity	182 entities
2009-10	\$192.47/month/entity	232 entities
2010-11	\$195.13/month/entity	228 entities
2011-12	\$190.21/month/entity	244 entities
2012-13	\$203.48/month/entity	252 entities
2013-14	<i>To be announced</i>	<i>258 entities</i>

<u>Performance Year</u>	<u>Network Nebraska Interregional Transport Fee</u>	<u>Number of Entities</u>
2007-08	\$ 0.00/month/entity (no backbone until 2008-09)	94 entities
2008-09	\$ 93.35/month/entity (\$34.21/month/E-rate entity)	182 entities
2009-10	\$ 92.72/month/entity (\$34.48/month/E-rate entity)	232 entities
2010-11	\$115.78/month/entity (\$36.45/month/E-rate entity)	228 entities
2011-12	\$101.09/month/entity (\$31.69/month/E-rate entity)	244 entities
2012-13	\$ 61.28/month/entity (\$18.67/month/E-rate entity)	252 entities
2013-14	\$ 54.21/month/entity (\$16.81/month/E-rate entity)	258 entities

<u>Performance Year</u>	<u>Network Nebraska Commodity Internet Cost</u>	<u>Amount Purchased</u>
2007-08	\$38.00/Mbps/month (\$11.78/Mbps/Month for E-rate entity)	N/A
2008-09	\$25.00/Mbps/month (\$7.750/Mbps/Month for E-rate entity)	0.3Gbps
2009-10	\$15.00/Mbps/month (\$4.650/Mbps/Month for E-rate entity)	1.1Gbps
2010-11	\$ 6.10/Mbps/month (\$1.860/Mbps/Month for E-rate entity)	1.9Gbps
2011-12	\$ 6.00/Mbps/month (\$1.860/Mbps/Month for E-rate entity)	2.2Gbps
2012-13	\$ 2.55/Mbps/month (\$.7905/Mbps/Month for E-rate entity)	4.3Gbps
2013-14	\$ 2.50/Mbps/month (\$.7775/Mbps/Month for E-rate entity)	8.0Gbps

Procurement and E-rate Procedures related to Network Nebraska-Education (K-12)

Type of Service	Description of Service	RFP performed by:	E-rate filing by:	Provider invoice sent to:	Providers involved:
"last mile"	Circuits that interconnect school buildings and the district aggregation point (e.g. 1.5Mbps, 10Mbps)	Local school district or ESU	Local school district and/or assisted by the ESU	Local school district	Local provider, wireless company, or school district fiber
"middle mile"	High bandwidth, wide area network, fiber and copper circuits connecting the school district aggregation point to the Network Nebraska aggregation point (e.g. 40Mbps, 100Mbps)	State Purchasing or ESU or local school district	Local school district and/or assisted by the ESU	Local school district or consortium (in the case of ESU 13 or ESUs 15/16)	All Nebraska telecommunications companies
Statewide backbone	High bandwidth transport or aggregation circuits interconnecting the 5 Network Nebraska aggregation points at Omaha, Lincoln, Grand Island, Scottsbluff (e.g. 400Mbps, 2,000Mbps)	State Purchasing	State Office of the CIO; average statewide E-rate discount 69%	State Office of the CIO; average statewide E-rate discount 69%	NebraskaLink for 2012-2016, Charter for 2011-2014, CenturyLink for 2007-2012
Statewide Internet	Aggregated demand from all K-12 entities rolled into a single, statewide purchase (e.g. 8 Gbps, 10 Gbps)	State Purchasing	State Office of the CIO; average statewide E-rate discount 69%	State Office of the CIO; average statewide E-rate discount 69%	Unite Private Networks for 2012-2015, Windstream for 2010-2012, CenturyLink for 2007-2010

Compiled by Tom Rolfes, Nebraska Information Technology Commission, tom.rolfes@nebraska.gov, 402-471-7969

Appendix A—Part 1 PUBLIC K-12 Entity Participant List, as of 7/1/2013:

#	Entity	ESU
001	Allen Consolidated School	1
002	Bloomfield Community School	1
003	Coleridge Community School	1
004	Creighton Community School	1
005	Crofton Community School	1
006	Emerson-Hubbard Community School	1
007	Hartington Public School	1
008	Homer Community School	1
009	Laurel-Concord Public School	1
010	Nebraska Unified Dist. #1—Verdigre	1
011	Newcastle Public School	1
012	Niobrara Public School	1
013	Pender Public School	1
014	Ponca Public School	1
015	Randolph Public School	1
016	Santee Community School	1
017	South Sioux City Community Schools	1
018	Umo Ho Nation Public School	1
019	Wakefield Community School	1
020	Walthill Public School	1
021	Wausa Public School	1
022	Wayne Public Schools	1
023	Winnebago Public School	1
024	Winside Public School	1
025	Wynot Public School	1
026	Ashland-Greenwood Public Schools	2
027	Bancroft-Rosalie Public Schools	2
028	Cedar Bluffs Public Schools	2
029	Fremont Public Schools	2
030	Logan View Public Schools	2
031	Lyons-Decatur NE Public School	2
032	Mead Public School	2
033	North Bend Central Public School	2
034	Oakland-Craig Public School	2
035	Raymond Central Public School	2
036	Scribner-Snyder Public School	2
037	Tekamah-Herman Public School	2
038	Wahoo Public Schools	2
039	West Point-Beemer Public School	2
040	Wisner-Pilger Public Schools	2
041	Yutan Public Schools	2
042	Douglas County West Community School	3
043	Louisville Public Schools	3
044	Springfield Platteview Community Schools	3
045	Weeping Water Public Schools	3
046	District OR 1-Palmyra/Bennet	4

047	Falls City Public Schools	4
048	Johnson Brock Public Schools	4
049	Johnson County Central Schools	4
050	Lewiston Consolidated Schools	4
051	Nebraska City Public Schools	4
052	Pawnee City Public Schools	4
053	Sterling Public Schools	4
054	Beatrice Public Schools	5
055	Bruning-Davenport Unified System	5
056	Deshler Public Schools	5
057	Diller-Odell Public Schools	5
058	Fairbury Public Schools	5
059	Freeman Public Schools	5
060	Meridian Public Schools	5
061	Southern School District 1	5
062	Thayer Central Community Schools	5
063	Tri County Public Schools	5
064	Centennial Public Schools	6
065	Dorchester Public Schools	6
066	Heartland Community Schools	6
067	Milford Public Schools	6
068	Norris School District 160	6
069	Waverly School District 145	6
070	Boone Central Schools	7
071	Cedar Rapids Public Schools	7
072	Central City Public Schools	7
073	Clarkson Public Schools	7
074	Columbus Public Schools	7
075	Cross County Public School	7
076	David City Public School	7
077	East Butler Public School	7
078	Fullerton Public Schools	7
079	High Plains Community School	7
080	Howells-Dodge Consolidated Schools	7
081	Humphrey Public Schools	7
082	Lakeview Community Schools	7
083	Leigh Community School	7
084	Osceola Public Schools	7
085	Palmer Public Schools	7
086	Schuyler Community Schools	7
087	Shelby-Rising City Public Schools	7
088	St. Edward Public Schools	7
089	Twin River Public Schools	7
090	Battle Creek Public School	8
091	Chambers Public School	8
092	Elgin Public School	8
093	Elkhorn Valley Public School	8
094	Ewing Public School	8
095	Lynch Public School	8
096	Madison Public School	8

097	Nebraska Unified Dist. #1—Clearwater	8
098	Nebraska Unified Dist. #1—Orchard	8
099	Neligh-Oakdale Public School	8
100	Newman Grove Public School	8
101	Norfolk Public Schools	8
102	O'Neill Public School	8
103	Osmond Community School	8
104	Pierce Public School	8
105	Plainview Public School	8
106	Stanton Community School	8
107	Stuart Public School	8
108	West Boyd Public Schools-Spencer	8
109	West Holt Public School	8
110	Wheeler Central Public School	8
111	Adams Central Public Schools	9
112	Aurora Public Schools	9
113	Blue Hill Public Schools	9
114	Doniphan-Trumbull Public Schools	9
115	Giltner Public Schools	9
116	Hampton Public Schools	9
117	Harvard Public Schools	9
118	Hastings Public Schools	9
119	Kenesaw Public Schools	9
120	Red Cloud Community Schools	9
121	Silver Lake Public Schools	9
122	So Central Unified: Lawrence/Nelson Sec School	9
123	So Central Unified: Sandy Creek High School	9
124	Superior Public Schools	9
125	Sutton Public Schools	9
126	Amherst Public Schools	10
127	Anselmo-Merna Public Schools	10
128	Ansley Public Schools	10
129	Arcadia Public Schools	10
130	Arnold Public Schools	10
131	Broken Bow Public Schools	10
132	Burwell Jr-Sr Public Schools	10
133	Callaway Public Schools	10
134	Centura Secondary School	10
135	Cozad Public Schools	10
136	Elba Secondary School	10
137	Elm Creek Public Schools	10
138	Gibbon Public Schools	10
139	Gothenburg Secondary School	10
140	Grand Island Public Schools	10
141	Greeley-Wolbach Sr High School	10
142	Kearney Public Schools	10
143	Lexington Public Schools	10
144	Litchfield Public Schools	10
145	Loup City Public Schools	10
146	Loup County Public Schools	10

147	North Loup-Scotia Public Schools	10
148	Northwest High School (Grand Island)	10
149	Ord Jr-Sr Public Schools	10
150	Overton Public Schools	10
151	Pleasanton Public Schools	10
152	Ravenna Public Schools	10
153	Sandhills Public Schools (Dunning HS)	10
154	Sargent Public Schools	10
155	Shelton Public Schools	10
156	Spalding Secondary School	10
157	St Paul Public Schools	10
158	Sumner/Eddyville/Miller Public Schools	10
159	Wood River Rural Public Schools	10
160	Alma Public Schools	11
161	Arapahoe Public Schools	11
162	Axtell Public Schools	11
163	Bertrand Public Schools	11
164	Cambridge Public Schools	11
165	Elwood Public Schools	11
166	Franklin Secondary School	11
167	Holdrege Public Schools	11
168	Loomis Secondary School	11
169	Minden Public Schools	11
170	Southern Valley Jr/Sr High	11
171	Wilcox-Hildreth Public Schools	11
172	Alliance Public Schools	13
173	Banner County Public Schools	13
174	Bayard Public Schools	13
175	Bridgeport Public Schools	13
176	Chadron Public Schools	13
177	Crawford Public Schools	13
178	Creek Valley High School (Chappell)	13
179	Garden County Schools	13
180	Gering Public Schools	13
181	Gordon-Rushville High School (Gordon)	13
182	Hay Springs Public Schools	13
183	Hemingford Public Schools	13
184	Kimball Public Schools	13
185	Leyton Public Schools	13
186	Minatare Public Schools	13
187	Mitchell Public Schools	13
188	Morrill Public Schools	13
189	Potter-Dix Public Schools	13
190	Scottsbluff Public Schools	13
191	Sidney Public Schools	13
192	Sioux County Public Schools	13
193	Chase County Public Schools	15
194	Dundy County Public Schools	15
195	Eustis-Farnam Public Schools	15
196	Hayes Center Secondary School	15

197	Hitchcock County Jr/Sr High	15
198	Maywood Public Schools	15
199	McCook Senior Public Schools	15
200	Medicine Valley Jr-Sr High School	15
201	Southwest High School-Indianola	15
202	Wauneta-Palisade Public Schools	15
203	Arthur County Public Schools	16
204	Brady Public Schools	16
205	Hershey Public Schools	16
206	Hyannis Area Schools [District 11 Area Schools]	16
207	Maxwell Public Schools	16
208	McPherson County Public Schools	16
209	Mullen Public Schools	16
210	North Platte Public Schools	16
211	Ogallala Public Schools	16
212	Paxton Public Schools	16
213	Perkins County High School	16
214	Stapleton Public Schools	16
215	Sutherland Public Schools	16
216	Thedford Public Schools	16
217	Wallace Public Schools	16
218	Ainsworth Community Schools	17
219	Cody-Kilgore Unified Schools	17
220	Keya Paha County Schools	17
221	Rock County Public School	17
222	Valentine Community Schools	17
223	Lincoln Public Schools	18
224	Omaha Public Schools	19

<u>#</u>	<u>Entity</u>	<u>Location</u>
001	ESU 01	Wakefield
002	ESU 02	Fremont
003	ESU 03	La Vista
004	ESU 05	Beatrice
005	ESU 07	Columbus
006	ESU 08	Neligh
007	ESU 09	Hastings
008	ESU 10	Kearney
009	ESU 11	Holdrege
010	ESU 13	Scottsbluff
011	ESU 15	Trenton
012	ESU 16	Ogallala
013	ESU 17	Ainsworth
014	ESU 18	Lincoln
015	ESU 19	Omaha

Appendix B—Part 1 PUBLIC Higher Education Entity Participant List, as of 7/1/2013:

<u>#</u>	<u>Entity</u>	<u>Location</u>
Community Colleges		
001	Central Community College	Grand Island
002	Mid-Plains Community College	North Platte
003	Little Priest Tribal College	Winnebago
004	Metro Community College	Omaha
005	Nebraska Indian Community College	Macy
006	Northeast Community College	Norfolk
007	Southeast Community College	Lincoln
008	Western Community College	Scottsbluff
State Colleges		
001	Chadron State College	Chadron
002	Peru State College	Peru
003	Wayne State College	Wayne
University of Nebraska		
001	University of Nebraska Computing Services	Lincoln

Appendix C—Part 1 PUBLIC K-12 Non-Participant List, as of 7/1/2013:

#	Entity	ESU
001	Arlington Public Schools	3
002	Bellevue Public Schools	3
003	Bennington Public Schools	3
004	Blair Community Schools	3
005	Conestoga Public Schools	3
006	Elkhorn Public Schools	3
007	Elmwood Murdock Public Schools	3
008	Fort Calhoun Community Schools	3
009	Gretna Public Schools	3
010	Millard Public Schools	3
011	Papillion-LaVista Public Schools	3
012	Plattsmouth Public Schools	3
013	Ralston Public Schools	3
014	Westside Community Schools	3
015	Auburn Public Schools	4
016	Humboldt-Table Rock-Steinauer Schools	4
017	Syracuse-Dunbar-Avoca Public Schools	4
018	Crete Public Schools	6
019	Exeter-Milligan Public Schools	6
020	Fillmore Central Public Schools	6
021	Friend Public Schools	6
022	Malcolm Public Schools	6
023	McCool Junction Public Schools	6
024	Seward Public Schools	6
025	Shickley Public Schools	6
026	Wilber-Clatonia Public Schools	6
027	York Public Schools	6
028	South Platte Public Schools	16

#	Entity	Location
001	Educational Service Unit 4	Auburn
002	Educational Service Unit 6	Milford

Appendix D—PUBLIC Higher Education Non-Participant list (7/1/2013)

#	Entity	Location
	100% Participation	

Appendix E—Part 2 NON-PUBLIC K-12 Participant List, as of 7/1/2013:

<u>#</u>	<u>Entity</u>	<u>Location</u>
001	Holy Family High School	Lindsay
002	Holy Family Elementary	Lindsay
003	Pope John XXIII High School	Elgin
004	St. Boniface Elementary School	Elgin

Appendix F—Part 2 NON-PUBLIC Higher Education Participant List, as of 7/1/2013:

#	Entity	Location
001	Clarkson College	Omaha
002	College of St. Mary	Omaha
003	Creighton University	Omaha
004	Doane College	Crete
005	Midland University	Fremont
006	Nebraska Wesleyan University	Lincoln
007	Union College	Lincoln

Appendix G—Part 2 NON-PUBLIC K-12 Non-Participant list, as of 7/1/2013:

#	Entity	Location
001	All Saints Catholic School	Omaha
002	Alleluia! Kindergarten	Omaha
003	Aquinas High School	David City
004	Aquinas Middle School	David City
005	Archbishop Bergan Elementary	Fremont
006	Archbishop Bergan High School	Fremont
007	Archbishop Bergan Middle School	Fremont
008	Assumption-Guadalupe Catholic Elementary	Omaha
009	Berniklau Ed Solutions Team	Lincoln
010	Bishop Neumann High School	Wahoo
011	Bishop Neumann High School	Wahoo
012	Blair Christian Academy	Blair
013	Blessed Sacrament Elem School	Lincoln
014	Boys Town High School	Boys Town
015	Brownell Talbot High School	Omaha
016	Brownell Talbot Middle School	Omaha
017	Brownell Talbot Primary School	Omaha
018	Cathedral of the Risen Christ Elementary	Lincoln
019	Cedar Catholic High School	Hartington
020	Central Catholic High School	Grand Island
021	Central Catholic Middle School	Grand Island
022	Child View Montessori	Lincoln
023	Children's Circle Montessori	Lincoln
024	Children's Room	Omaha
025	Christ Elementary School	Lincoln
026	Christ Lutheran Elementary School	Norfolk
027	Christ Lutheran Elementary School	Juniata
028	Christ The King Catholic School	Omaha
029	College View Academy High School	Lincoln
030	College View Academy Elementary	Lincoln
031	Columbus Christian Elementary	Columbus
032	Columbus Sda School	Columbus
033	Community Christian Elementary	Scottsbluff
034	Community Christian Jr High	Scottsbluff
035	Concordia Academy	Omaha
036	Concordia Jr/Sr High School	Omaha
037	Cornerstone Christian Elementary School	Bellevue
038	Cornerstone Christian High School	Bellevue
039	Creighton Preparatory School	Omaha
040	Daniel J Gross Catholic High	Bellevue
041	Deshler Lutheran Elem School	Deshler
042	Duchesne Academy	Omaha
043	East Catholic Elementary School	Hartington
044	Emma Kopecky Elem Day School	Omaha
045	Emmanuel Lutheran Elem School	York
046	Faith Christian Elem/Kearney	Kearney
047	Faith Lutheran School	Lincoln
048	Friedel Jewish Academy	Omaha
049	George Stone Elementary S D A	Lincoln
050	Gethsemane Lutheran Elementary	Omaha

051	Good Shepherd Elementary School	Omaha
052	Good Shepherd Lutheran Elem	Lincoln
053	Grace Lutheran Elementary School	Geneva
054	Grand Island Christian School	Grand Island
055	Guardian Angels Elementary School	West Point
056	Hampton Lutheran Elem School	Hampton
057	Heartland Lutheran High School	Grand Island
058	Holy Cross Catholic School	Omaha
059	Holy Ghost Elementary School	Omaha
060	Holy Name Elementary School	Omaha
061	Holy Trinity Elementary School	Hartington
062	Howells Community Catholic School	Howells
063	Immanuel Lutheran Elem School	Hadar
064	Immanuel Lutheran Elem School	Columbus
065	Jesus Our Savior Lutheran School	Winnebago
066	Kearney Catholic High School	Kearney
067	Kearney Catholic Middle School	Kearney
068	Keystone Christian Elementary	Norfolk
069	Keystone Christian Jr High School	Norfolk
070	Legacy Primary School	Omaha
071	Lifegate Christian School	Omaha
072	Lincoln Christian Elem School	Lincoln
073	Lincoln Christian JR-SR High	Lincoln
074	Lincoln Lutheran High School	Lincoln
075	Lincoln Lutheran Middle School	Lincoln
076	Lincoln Montessori School	Lincoln
077	Lourdes Central High School	Nebraska City
078	Lourdes Central Middle School	Nebraska City
079	Lourdes Primary School	Nebraska City
080	Lutheran High Northeast	Norfolk
081	Madonna School	Omaha
082	Marian High School	Omaha
083	Mary Our Queen Elem School	Omaha
084	McDaid Elementary School	North Platte
085	Mercy High School	Omaha
086	Messiah Lutheran Elementary School	Lincoln
087	Montessori Learning Center Of Dundee	Omaha
088	Montessori Parent's Co-Op	Omaha
089	Mt Calvary Lutheran Elem School	Omaha
090	Mt Michael Benedictine H S	Elkhorn
091	N H Wegner School	Boys Town
092	Nebraska Christian Jr High School	Central City
093	Nebraska Christian Elementary	Central City
094	Nebraska Christian High	Central City
095	Nebraska Evangelical Lutheran High	Waco
096	New Hope Christian Elem School	Cairo
097	Norfolk Catholic High School	Norfolk
098	North American Martyrs School	Lincoln
099	Omaha Christian Middle School	Omaha
100	Omaha Christian Elementary	Omaha
101	Omaha Christian High School	Omaha
102	Omaha Memorial School Of S D A	Omaha
103	Omaha Street School	Omaha

104	Our Lady Of Lourdes Elem School	Omaha
105	Our Redeemer Lutheran Elem School	Staplehurst
106	Park Avenue Christian Elem	Norfolk
107	Park Avenue Christian Jr High	Norfolk
108	Parkview Christian Elementary	Lincoln
109	Parkview Christian Middle School	Lincoln
110	Parkview Christian Secondary	Lincoln
111	Phoenix Academy Elem Day School	Omaha
112	Phoenix Academy MS Day School	Omaha
113	Pius X High School	Lincoln
114	Platte Valley Christian Academy	North Platte
115	Platte Valley Elementary	Grand Island
116	Polk Co Christian Elem School	Osceola
117	Prairie Hill Learning Center	Roca
118	Prairie View S D A School	Chadron
119	Primrose School Of Legacy	Omaha
120	Roncalli Catholic High School	Omaha
121	Sacred Heart Elem School	Lincoln
122	Sacred Heart Elementary	Norfolk
123	Sacred Heart Elementary School	Omaha
124	Sacred Heart Elementary School	Falls City
125	Sacred Heart Secondary School	Falls City
126	Scotus Central Catholic	Columbus
127	Skutt Catholic High School	Omaha
128	Spalding Academy Elem School	Spalding
129	Spalding Academy High School	Spalding
130	St Agnes Academy	Alliance
131	St Agnes Elementary School	Scottsbluff
132	St Andrew Elementary School	Tecumseh
133	St Anthony Elementary School	Columbus
134	St Augustine Elementary School	Winnebago
135	St Bernadette Elementary School	Omaha
136	St Bernard Elementary School	Omaha
137	St Bonaventure Elem School	Columbus
138	St Cecilia Cathedral Elem	Omaha
139	St Cecilia High School	Hastings
140	St Cecilia Middle School	Hastings
141	St Columbkille Elementary School	Papillion
142	St Francis Elementary School	Humphrey
143	St Francis High School	Humphrey
144	St Gerald Elementary School	Ralston
145	St Isidore Elementary School	Columbus
146	St James Elementary School	Crete
147	St James-Seton Elementary School	Omaha
148	St Joan Of Arc Elementary School	Omaha
149	St John Lutheran Elem School	Battle Creek
150	St John Lutheran Elem School	Seward
151	St John Nepomucene Elem School	Weston
152	St John Neumann Elementary School	Clarkson
153	St John The Baptist Elementary	Plattsmouth
154	St John's Elementary School	Lincoln
155	St Joseph Elementary School	Beatrice
156	St Joseph's Catholic School	Lincoln

157	St Joseph's Elementary School	Atkinson
158	St Leonard's Elementary School	Madison
159	St Ludger Elementary School	Creighton
160	St Luke Elementary School	Ogallala
161	St Margaret Mary Elem School	Omaha
162	St Mark Elementary School	Lincoln
163	St Mary Elementary School	Bellevue
164	St Mary's Elementary School	O'Neill
165	St Mary's Elementary School	Lincoln
166	St Mary's Elementary School	David City
167	St Mary's High School	O'Neill
168	St Matthew The Evangelist School	Bellevue
169	St Michael Catholic School	Lincoln
170	St Michael Elementary School	So Sioux City
171	St Michael Elementary School	Hastings
172	St Michael's Elementary School	Albion
173	St Patrick's Catholic Elem School	Elkhorn
174	St Patrick's Elementary School	Lincoln
175	St Patrick's JR-SR High School	North Platte
176	St Paul Lutheran Elem School	West Point
177	St Paul's Lutheran Elem School	Utica
178	St Peter's Catholic School	Lincoln
179	St Philip Neri Elem School	Omaha
180	St Pius X / St Leo Elementary	Omaha
181	St Robert Bellarmine Elem	Omaha
182	St Rose Of Lima Elem School	Crofton
183	St Stanislaus Elem School	Omaha
184	St Stephen The Martyr School	Omaha
185	St Teresa Elementary School	Lincoln
186	St Thomas More Elem School	Omaha
187	St Vincent De Paul Elementary	Omaha
188	St Vincent Depaul Catholic School	Seward
189	St Wenceslaus Elem School	Dodge
190	St Wenceslaus Elementary School	Wahoo
191	St Wenceslaus School	Omaha
192	Sts Peter & Paul Elem School	Omaha
193	Sutton Christian School	Sutton
194	The Jesuit Academy	Omaha
195	Trinity Kindergarten Program	Lincoln
196	Trinity Lutheran Elem School West	Fremont
197	Trinity Lutheran Elem School East	Fremont
198	Trinity Lutheran Elem School	Hoskins
199	Trinity Lutheran Elem School	Grand Island
200	Trinity Lutheran Grade School	Waco
201	Trinity Tiny Tot's Pre-Kdg	Hoskins
202	Trunk Butte Christian Academy	Chadron
203	Valley View Sda Christian School	Scottsbluff
204	Villa Marie School	Waverly
205	West Catholic Elementary School	Fordyce
206	West Point Central Catholic HS	West Point
207	Word Of Life Christian School	O'Neill
208	Zion Lutheran Elementary School	Pierce
209	Zion St John Lutheran School	Wisner

Appendix H—Part 2 NON-PUBLIC Higher Education Non-Participant list, as of 7/1/2013:

#	Entity	Location
001	Bellevue University	Bellevue
002	Bryan College of Health Sciences	Lincoln
003	Concordia University	Seward
004	Grace University	Omaha
005	Hastings College	Hastings
006	Nebraska Methodist College	Omaha
007	York College	York

What is LB 1208?--now codified in Nebraska Statutes, as cited below.

LB 1208 was co-introduced on January 18, 2006 by Senators Raikes, Pederson, Baker, and Stuhr. This bill embodied many of the recommendations contained in the final report of the Distance Education Enhancement Task Force, which met from July to December, 2005. (listed under Education Committee reports; 20MB, 103 pgs).

http://nebraskalegislature.gov/pdf/reports/committee/education/LB689_2005.pdf

LB 1208 was heard in the Education Committee on 2/13/06 and was voted out of committee on a 7-1 vote. Thirteen persons testified in favor and one person testified as neutral. On 4/13/06, LB 1208 and LB 1208A were passed by the Legislature and were then signed into law by the Governor (Search 'Final 1208' under the 99th Session; 72 pgs).

http://nebraskalegislature.gov/bills/search_past.php

The distance education improvement plan was centered on three general principles. First, the plan recognized the responsibility of school districts, ESUs, and public postsecondary education institutions to make decisions related to participation in distance education. Second, the plan encouraged and incentivized the exchange of distance education courses using a statewide network, known as Network Nebraska. Third, the plan provided for statewide coordination through a new entity, the Distance Education Council (renamed ESU Coordinating Council, 7/1/08).

An overview of the significant provisions of the distance education improvement plan follows, with language lifted from the Nebraska Revised Statutes:

Policy

- The Chief Information Officer (CIO) shall provide access to each school district, ESU, community college, state college, and the University of Nebraska at the earliest feasible date and no later than July 1, 2012. The network shall...meet the demand of state agencies, local governments, and educational entities, as defined in 79-1201.01(3). [Neb.Rev.Stat. 86-5,100]
- The CIO shall may (LB1071--2010) bid for such equipment and software and shall allow education entities¹ to participate in such statewide leasing or purchasing contracts. [Neb.Rev.Stat. 86-520.01]
- Interlocal agreements forming distance education consortia shall terminate on June 30, 2007. On July 1, 2007, educational service units shall assume responsibility for distance education services that are, on the effective date of this act, being provided to member school districts through a distance education consortium. [Neb.Rev.Stat. 79-1331—Repealed LB 1071, 2010]
- On or before December 31, 2006, each distance education consortium shall hold a meeting of the superintendents of all participating school districts to choose an educational service unit to be the successor in interest for the assets and liabilities of the distance education consortium by a majority vote of the superintendents present at the meeting. All assets and liabilities, including staff and contracts with service providers, shall be transferred to such educational service unit on July 1, 2007. [Neb.Rev.Stat. 79-1331—Repealed LB 1071, 2010]
- The (Distance Education) council (renamed ESU Coordinating Council, 7/1/08) shall not approve purchases of the council in excess of \$10,000 without approval of the Technical Panel of the NITC that the purchases are in compliance with any applicable commission standards. [Neb.Rev.Stat. 79-1249--Repealed LB 1071, 2010]
- Information technology purchases made with state funds or local tax receipts by education-related political subdivisions shall meet or exceed any applicable technical standards established by the commission [Neb.Rev.Stat. 86-520.01].
- The State Board of Education shall promulgate rules related to equipment reimbursement and section distance education incentives. [Neb.Rev.Stat. 79-1337].
- For school year 2009-10 and each school year thereafter, a school board of a school district shall not establish an alternating biennial secondary course offering in any subject area for which the State Board of Education has adopted content standards pursuant to section 79-760.01. [Neb.Rev.Stat. 79-704]
- Each educational service unit shall provide access for all school districts within the geographical area served by the unit to telecomputing resources, which shall include the capacity to receive and transmit distance education courses on at least a regional basis beginning on or before August 1, 2007, through the installation of necessary equipment at each educational service unit location or through interlocal agreements with other educational

service units and shall provide support for training users to meet their specific telecomputing and distance education needs. [Neb.Rev.Stat. 79-1233]

Funding

- School districts and ESUs will be eligible to receive equipment reimbursements of up to \$20,000 from the Education Innovation Fund (NDE) beginning the first year of access to Network Nebraska and ending in 2013 for hardware and software (and installation) purchases made after July 14, 2006. School districts would be required to send or receive the equivalent of at least two synchronous video courses each year for four years or risk forfeiture of funds. [Neb.Rev.Stat. 79-1336]
- For fiscal years 2007-08 through 2015-16, NDE shall provide distance education incentives from the Education Innovation Fund to school districts and ESUs for qualified distance education courses. Each unit of distance learning would be worth up to \$1,000 and be paid one year in arrears. [Neb.Rev.Stat. 79-1337]
 - The formula for incentives will be based on ONE unit for SENDING a synchronous video or an internet-based distance education course;
 - ONE unit for RECEIVING a synchronous video course; and
 - ONE extra unit for SENDING a synchronous video course that reaches a sparse or very sparse school district.
- A technology allowance will be added to the Tax Equity and Educational Opportunities Support Act for school district access and transport charges equal to 85% of the difference between local system costs and the federal reimbursements from the E-rate program. [Neb.Rev.Stat. 79-1007.14]
- A technology allowance will be added to the minimum allocation in the ESU infrastructure funding formula for access and transport charges equal to 85% of the difference between ESU costs and federal reimbursements from the E-rate program. [Neb.Rev.Stat. 79-1241.03(2a)]
- Funding of approximately \$185,000 per year is provided to the Distance Education Council (renamed ESU Coordinating Council, 7/1/08) from the Legislature (through NDE) to carry out its responsibilities of distance education scheduling and training, maintaining an event clearinghouse, and administration of a learning management system. [Neb.Rev.Stat. 79-1245, 79-1247]
- Funding of approximately \$1,432,000 is provided to the Distance Education Council (renamed ESU Coordinating Council, 7/1/08) from the Legislature (through NDE) for a scheduling system for distance education courses and related maintenance, which shall only be used for such purpose. [LB1208A, 1999]
- Receipts for courses shared with other school districts will be excluded from accountable receipts in the local budget limitation and from the state aid formula. [Neb.Rev.Stat. 79-1028.01 (2b)]
- The Attracting Excellence to Teaching Program Act Fund would be funded from FY 2006-07 (\$250,000) to FY 2007-2008 (\$500,000) to FY 2008-2009 (\$750,000) to FY 2009-10 (\$1,000,000) with level funding at \$1,000,000 through FY2015-16. [Neb.Rev.Stat. 9-812]

Coordination

- The (Distance Education) Council (renamed ESU Coordinating Council, 7/1/08) shall be composed of one administrator or his or her designee from each ESU. Coordination will include brokering of courses, scheduling and prioritization of courses, assessment of distance education needs, administration of learning management systems, and evaluation of distance education services. [Neb.Rev.Stat. 79-1248, 79-1249]
- The Distance Education Council will be required to have representation on either the NITC Education Council, the Technical Panel, or the NITC, or the governor shall appoint one member to the NITC. [Neb.Rev.Stat. 86-515(1)]

¹Education Entity (N.R.S. 79-1201.01): (3) Educational entity means a school district, a private, denominational, or parochial school, an educational service unit, a community college, a state college, the University of Nebraska, or a nonprofit private postsecondary educational institution...

More information about LB 1208, the implementation plan, and implications for education entities can be obtained by contacting Tom Rolfes at the Office of the Chief Information Officer, 402-471-7969, or tom.rolfes@nebraska.gov.

Education Technology Legislation 103rd Legislative Session, 2013

LB 25 Introduced by Senator Hadley; Change provisions relating to the cigarette tax and the tobacco products tax

Annotation: LB 25 proposes the updating of the provisions related to the Municipal Infrastructure Redevelopment Fund Act and the Information Technology Infrastructure Fund.

Status: Referred to the Revenue Committee, [Hearing on 1/24/2013](#)

LB 195 Introduced by Speaker Adams; Appropriate funds for state government expenses

Annotation: The Governor's budget bill proposes a reinstatement of \$1.7 million per year from the Education Innovation Fund for early childhood education projects and \$3.25 million per year for distance education.

Status: Referred to the Appropriations Committee, [Hearing on 2/25/2013](#)

[p. 25] There is included in the amount shown for this program (158, Nebraska Dept of Education) \$1,665,962 General Funds provided as state aid for FY2013-14 and \$1,665,962 General Funds provided as state aid for FY2014-15 for early childhood education projects.

[p. 27] There is included in the amount shown for this program (171, Nebraska Dept of Education) \$1,700,000 Cash (lottery) Funds provided as state aid for FY2013-14 and \$1,700,000 Cash (lottery) Funds provided as state aid for FY2014-15 for early childhood education projects.

[p. 27] There is included in the amount shown for this program (171, Nebraska Department of Education) \$3,250,000 Cash (lottery) Funds provided as state aid for FY2013-14 for distance education equipment and incentives and \$3,250,000 Cash (lottery) Funds provided as state aid for FY2014-15 for distance education incentives.

LB 262 Introduced by Senator Cook; Provide duties relating to sharing of student information

Annotation: LB 262 reinforces the sharing of student data between and among education entities.

Status: Referred to the Education Committee, [Hearing on 2/5/2013, AM 138 adopted, Final Reading passed 43-0-6, Approved by the Governor.](#)

[p. 3] 4) The Legislature finds and declares that the sharing of student data, records, and information among school districts, educational service units, learning communities, and the State Department of Education, to the fullest extent practicable and permitted by law, is vital to advancing education in this state. Whenever applicable law permits the sharing of such student data, records, and information, each school district, educational service unit, and learning community shall comply unless otherwise prohibited by law. The State Board of Education shall adopt and promulgate rules and regulations providing for and requiring the uniform sharing of student data, records, and information among school districts, educational service units, learning communities, and the department.

LB 366 Introduced by Senator Cook Adopt the Remedial Adult Education Innovation Act

Annotation: LB 366 appropriates \$XXX from the Education Innovation Fund for the new Remedial Adult Education Innovation Act.

Status: Referred to the Education Committee, [Hearing on 2/4/2013, Senator Cook Priority Bill, on General File with AM785.](#)

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[pp. 3-4] Sec.4. It is the intent of the Legislature to appropriate \$XXX each fiscal year from the Education Innovation Fund to the State Department of Education. The department shall use such funds to provide reimbursement of expenses to programs which will effectively assist citizens to achieve adequate education levels and allow community colleges to carry out the purposes of the Remedial Adult Education Innovation Act by increasing the capacity of community colleges to deliver high-quality remedial adult education.

LB 467 Introduced by Senator Avery; Provide for interstate reciprocity agreements under the Postsecondary Institution Act

Annotation: LB 467 allows the Coordinating Commission for Postsecondary Education to administer interstate reciprocity agreements for postsecondary distance education.

Status: Referred to the Education Committee, **Hearing on 3/5/2013**

[p. 2] The (Postsecondary Education) commission has the following powers and duties: (5) To enter into interstate reciprocity agreements regarding the provision of postsecondary distance education, to administer such agreements, to approve or disapprove applications to participate in such agreements from postsecondary institutions that have their principal place of business in Nebraska, and to accept or reject authorizations granted by another state to deliver postsecondary distance education pursuant to such agreements;

LB 495 Introduced by Senator Sullivan; Change provisions relating to the Education Innovation Fund and early childhood grant reporting

Annotation: LB 495 provides funding for early childhood education, and eliminates other programs, from the Education Innovation Fund.

Status: Referred to the Education Committee, **Hearing on 3/19/2013, Speaker Priority Bill, On Final Reading with AM921 and AM804 adopted.**

[pp. 7-8] (c) For fiscal year 2013-14, the Education Innovation Fund shall be allocated as follows: ~~(iii) the next allocation shall be used by the State Department of Education for the integrated early childhood, elementary, secondary, and postsecondary student information system in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (iv) the next allocation shall fund the Center for Student Leadership and Extended Learning Act in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (v) the next allocation shall be used by the department to fund the multicultural education program created under section 79-720 in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (vi) the next allocation shall be used by the department to employ persons to investigate and prosecute alleged violations as provided in section 79-868 in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025;~~ (iv) the next one million seven hundred fifty thousand dollars shall be allocated to early childhood education grants awarded by the State Department of Education pursuant to section 79-1103; (v) the next one million dollars shall be transferred to the Early Childhood Education Endowment Cash Fund;

[pp. 9-10] (d) For fiscal year 2014-15, the Education Innovation Fund shall be allocated as follows: ~~(iii) the next allocation shall be used by the State Department of Education for the integrated early childhood, elementary, secondary, and postsecondary student information system in an aggregated amount up to the amount used in the prior fiscal year~~

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~~for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (iv) the next allocation shall fund the Center for Student Leadership and Extended Learning Act in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (v) the next allocation shall be used by the department to fund the multicultural education program created under section 79-720 in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (vi) the next allocation shall be used by the department to employ persons to investigate and prosecute alleged violations as provided in section 79-868 in an aggregated amount up to the amount used in the prior fiscal year for such purposes increased by the basic allowable growth rate pursuant to section 79-1025; (iii) the next one million eight hundred fifty thousand dollars shall be allocated to early childhood education grants awarded by the State Department of Education pursuant to section 79-1103; (iv) the next one million dollars shall be transferred to the Early Childhood Education Endowment Cash Fund;~~

LB 497 Introduced by Senator Sullivan; Change distribution and provide for a study of the Education Innovation Fund

Annotation: LB 497 returns all of the education lottery funds to the Education Innovation Fund after 7/1/2016 and conducts a study for use of said funds.

Status: Referred to the Education Committee, [Hearing on 3/19/2013, Senator Sullivan Priority Bill, On Select File with AM694 adopted.](#)

[p.3] (ii) beginning July 1, 2016, forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Education Innovation Fund;

[pp. 12-13] Sec. 2. The Education Committee of the Legislature shall conduct a study of potential uses of the funds dedicated to education from proceeds of the lottery conducted pursuant to the State Lottery Act. The committee shall submit a report on the findings and any recommendations to the Clerk of the Legislature on or before December 31, 2013. Factors the study shall consider, but not be limited to, include: (1) The educational priorities of the state; (2) What types of educational activities are suited to being funded by state lottery funds as opposed to state general funds; (3) Whether state lottery funds should be used for significant projects requiring temporary funding or to sustain ongoing activities; and (4) Whether periodic reviews of the use of lottery funds for education should be scheduled.

LB 511 Introduced by Senator Scheer; Change allocation provisions relating to the Education Innovation Fund

Annotation: LB 511 allocates the Education Innovation Fund to the NDE Educational Technology Center for use on statewide education technology projects from 2016-17 through 2019-20, with at least one-half of the funding going to grants for local school districts.

Status: Referred to the Education Committee, [Hearing on 3/19/2013](#)

[pp. 11-12] (h) For fiscal year 2016-17 through fiscal year 2019-20, the Education Innovation Fund shall be allocated to the Educational Technology Center established pursuant to section 79-1303. The center shall create a plan with partners, including but not limited to, the Educational Service Unit Coordinating Council, the Nebraska Educational Telecommunications Commission, Network Nebraska, and representatives from school districts. The plan shall include the development of an educational content or learning object repository system, learning management system deployment or enhancement, professional development and educational content development, and directory services to allow common access to such systems. Systems may be sponsored by such partners and shall be hosted on Network Nebraska and made available to Network Nebraska participants. The State Department of Education shall also develop a local technology grant to enhance school district technology adoption and integration, reserving at least one-half of the funds in the Education Innovation Fund for such grants. (i) For fiscal year 2020-21 and Version: 4/15/2013

each fiscal year thereafter, the Education Innovation Fund shall be allocated, after administrative expenses, for education purposes as provided by the Legislature.

LB 566 Introduced by Senator Karpisek; Create the Educational Technology Infrastructure Grant Program

Annotation: LB 566 appropriates all of the Education Innovation Fund to the Nebraska Department of Education to carry out the Educational Technology Infrastructure Grant program to local public school systems.

Status: Referred to the Education Committee, **Hearing on 3/19/2013**

[p. 11] (h) For fiscal year 2016-17 and each fiscal year thereafter, the Education Innovation Fund shall be allocated, distributed, after administrative expenses, ~~for education purposes as provided by the Legislature.~~ to local systems as defined in section 79-1003 as grants pursuant to the Education Technology Infrastructure Grant Program pursuant to section 2 of this act.

[pp. 12-13] Sec. 2. (1) The Education Technology Infrastructure Grant Program is created. For school fiscal year 2016-17 and each school fiscal year thereafter, the State Department of Education shall distribute amounts from the Education Innovation Fund pursuant to section 9-812 to local systems as defined in section 79-1003 for purposes of subsection (2) of this section annually on or before October 15. The funds shall be distributed pursuant to this section based on a pro rata share of the eligible costs submitted in grant applications pursuant to such subsection. (2) Local systems may apply to the department, on a form provided by the department, for base funds and matching funds to be spent on approved education technology infrastructure plans. The department by rules and regulations shall establish a procedure for publicizing and applying for such grants, granting or denying such applications, notification of the decision on each application, and awarding of grants. A local system receiving a grant shall receive one-tenth of one percent of the funds available for the program as base funds plus a pro rata share of the remainder of such funds. Each eligible local system shall receive matching funds up to ten percent of the pro rata share of eligible costs submitted in the grant application. To be eligible for a grant under this section, a local system shall: (a) Include in its application an approved education technology infrastructure plan identifying needs for transitioning into a digital learning environment, including servers, network management systems, wireless and wired distribution of digital information, and digital devices; (b) Demonstrate in its application how it will provide funds from other sources for the approved education technology infrastructure plan greater than or equal to fifty percent of the matching funds received pursuant to this subsection; and (c) If a local system does not provide the necessary funds from other sources pursuant to subdivision (2)(b) of this section, the local system shall remit to the department an amount equal to the amount of matching funds received pursuant to this section. Local systems not complying with the requirements of this subdivision shall not be eligible for a grant from the Education Technology Infrastructure Grant Program in the following year. (3) Each local system receiving a grant under this section shall provide an accounting of the funds received pursuant to the grant, the funds required by subdivision (2)(b) of this section, and the total cost of the program on or before August 1 of the year following the receipt of such grant in a manner prescribed by the department, not to exceed one report per year.

NOTE: 79-1003 (27) Local system means a learning community for purposes of calculation of state aid for the second full school fiscal year after becoming a learning community and each school fiscal year thereafter, a unified system, a Class VI district and the associated Class I districts, or a Class II, III, IV, or V district and any affiliated Class I districts or portions of Class I districts. The membership, expenditures, and resources of Class I districts that are affiliated with multiple high school districts will be attributed to local systems based on the percent of the Class I valuation that is affiliated with each high school district.

This listing of legislation and excerpts was compiled by Tom Rolfes, Nebraska Information Technology Commission, tom.rolfes@nebraska.gov, 402-471-7969.

The full text of all legislative bills is available by searching from: <http://www.nebraskalegislature.gov/bills/>

Updates to this legislation can be followed using the Nebraska.gov eBill Book bill tracker system <http://www.nebraska.gov/billtracker/> or by viewing the NITC I.T. Legislation website: <http://www.nitc.nebraska.gov/itc/sg/legislation.html> .

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Education Committee
March 19, 2013

[LB495 LB496 LB497 LB511 LB566]

The Committee on Education met at 1:30 p.m. on Tuesday, March 19, 2013, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB566, LB511, LB495, LB496, and LB497. Senators present: Kate Sullivan, Chairperson; Jim Scheer, Vice Chairperson; Bill Avery; Tanya Cook; Al Davis; Ken Haar; Rick Kolowski; and Les Seiler. Senators absent: None.

SENATOR SULLIVAN: Good afternoon, everyone, and welcome to the Education Committee. It is 1:30, so I think we'll get started. I don't think so either. I think maybe now I...does she turn the mikes on? Do you turn the mikes on?

MANDY MIZERSKI: They're on.

SENATOR SULLIVAN: Okay. All right, very good. Good afternoon, everyone. I'm Kate Sullivan of Cedar Rapids. I'm Chair of the committee. I would like to also introduce you to those committee members that are already here, and hopefully the rest of us...the rest of the committee will be joining us soon. To my far left is Senator Ken Haar, District 21, of Malcolm. To his right is Senator Tanya Cook of District 13 in Omaha, and to her right is Senator Les Seiler, representing District 33, Hastings. To my far right is Senator Rick Kolowski, representing District 31 in Omaha, and to my immediate right is my Vice Chair of the committee, Senator Jim Scheer, representing District 19 in the Norfolk area. To my immediate left, who just arrived, is Tammy Barry. She's the legal counsel for the Education Committee. And to my far right, at the end of the aisle there, is Mandy Mizerski, and she's our committee clerk. We have two pages helping us today: Phoebe Gydesen of Lexington, who is a student at UNL; and Sean Miller, who is a student at the Doane, Lincoln campus. Today on our agenda we have five bills that we'll be hearing: LB566; LB511; LB495; LB496; and LB497. If you are planning to testify I ask that you pick up one of the green sheets that are on the tables at either entrance to the committee hearing room. It's a green sign-in sheet. I ask that you fill that out in its

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entirety, spelling your information clearly and legibly so we can make sure that we have an accurate record. If you do not wish to testify but would like your name entered into the official record as being present at the hearing, there is a form on the tables to do that as well. As I said, please fill out that green sheet in its entirety and bring that with you when you come up to the table to testify and give it to the committee clerk. If you do not choose to testify...but you may submit your comments in writing and have them read into the official record, but we would like some indication of that in advance. If you have handouts for the committee please have 12 copies, and the pages will hand out those to the committee members. When you come up to testify, please speak clearly into the microphone, telling us your name and spelling both your first and last names, again, so that we have an accurate record. I would ask that you please turn off cell phones, pagers, and anything else that makes a beeping sound. And if you have to have some conversations among yourselves, so as not to distract the committee or testifiers, please take those conversations out into the hallway. We will be using the light system for the testifiers, the five-minute light. So when you reach about the four-minute area, that...the amber light will come on. That should be the warning to kind of wrap up your comments. And then, when the red light is on, you need to be done with your comments. Just having joined us is Senator Al Davis from Hyannis. And I think that is all I need to tell you at this point. So with that we will begin with our first bill, Senator Karpisek. Welcome, Senator. [LB566]

SENATOR KARPISEK: Thank you, Senator Sullivan. [LB566]

SENATOR SULLIVAN: Yes. [LB566]

SENATOR KARPISEK: Can I adjust your mike, or is... [LB566]

SENATOR SCHEER: No, you have to stand up for (inaudible). (Laughter) [LB566]

SENATOR KARPISEK: Senator Dubas has a long speech about that. [LB566]

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SENATOR SULLIVAN: I realize that. (Laugh) [LB566]

SENATOR KARPISEK: For the record, my name is Russ Karpisek, R-u-s-s K-a-r-p-i-s-e-k. I represent the 32nd Legislative District, and I am from Wilber. LB566 would begin to provide financial support for technology infrastructure that school districts require, education innovations to increase student achievement while continuing the original intent of the education innovation grant through a fiscally responsible process monitored by the Department of Education. In 1993 the state established the Education Innovation Fund. Just three years later the law was amended to allow grants to also cover the cost of telecommunication equipment needed to reach education innovation goals. Since that time the issue of technology infrastructure is still integral to the success of education innovation. Most recently, we are looking at opportunities for classrooms across the state to be connected via the Web, which would offer courses across the state that were once limited to a small number of classrooms in a small number of schools. Digital textbooks could make it possible for students to have textbooks that are updated with new information as it is made available, rather than on a seven- or eight-year textbook adoption recycling...or cycle. And virtual labs could make it possible for students to conduct experiments and take part in activities that would be far too costly to provide in any other method. The ability to implement and effectively utilize each of these innovations and many more is directly related to the ability of schools to provide the technological infrastructure to support them. Imagine a time when you have sat and waited for your computer while it spun and waiting for the Internet connection to speed up sufficiently to run the program that you're running or send a message that you needed to send. Imagine a middle school class filled with 27 students where periodically, during the class period, the work of the class stopped, waiting for the network connection to catch up, and they were asked to wait quietly as it did. I think you can imagine why, without sufficient infrastructure, the technological advances that we hope will revolutionize learning can't take place. LB566, beginning in the 2016-17 school fiscal year, the Department of Education would disperse from the Education Innovation

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Fund grants to districts for approved education technology infrastructure plans. The department would establish the rules, regulations, and procedures for the granting process. I have people behind me that understand this far better than I, but I would be glad to answer any questions. [LB566]

SENATOR SULLIVAN: Okay, thank you, Senator. [LB566]

SENATOR KARPISEK: Thank you. [LB566]

SENATOR SULLIVAN: Any questions for Senator Karpisek? [LB566]

SENATOR KARPISEK: Thank you. [LB566]

SENATOR SULLIVAN: Okay. (Laugh) [LB566]

SENATOR KARPISEK: They know me. [LB566]

_____: Oh, look. You're (inaudible) late for committee, aren't you? [LB566]

SENATOR SULLIVAN: As the testifier is coming up, I will say our last member of the Education Committee to join us, at my far left, is Senator Bill Avery of Lincoln. Welcome. [LB566]

MATTHEW BLOMSTEDT: Thank you. Good afternoon. And I was going to say congratulations on the last day of hearings, if that seems appropriate. I'm Matt Blomstedt, first name Matt, M-a-t-t; last name is B-l-o-m-s-t-e-d-t. And I am the executive director of the ESU Coordinating Council, representing all 17 of the ESUs across the state. First of all, I wanted to thank Senator Karpisek for introducing a bill that would address technology needs within school districts across the state. It's certainly been among the challenges, as we've looked at the investment in technology for certain

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aspects of improving education, improving systems, and ultimately making sure school districts have the resources capable of carrying out some of the demands, I think, in the recent education environment. I am also going to be testifying on Senator Scheer's bill next, so I'm not going to hit all of the highlights. But I do want to talk about the need to really think about how we really make strategic investments in education. And I also support LB566 in the sense that I anticipate that I'll also support Senator Sullivan's bill, LB497, looking at a study of the uses of these types of funds. I think it starts to highlight where can we really make a difference on investment in education and what types of investments could be made, so I really appreciate the committee's willingness to look at these issues. I appreciate Senator Karpisek's willingness to introduce a bill that looks at K-12 needs relative to technology. And I think we're basically at a point in time that it's kind of a pivotal point in time relative to education, what types of things need to be there. Let's continue to make investments in those arenas and find ways to do that. So we look forward to participating in the study, ultimately, of this, but certainly want this type of concept considered in the study, so. [LB566]

SENATOR SULLIVAN: Thank you, Mr. Blomstedt. In this legislation, as proposed, the NDE would develop the rules and regulations. But I guess I'd like your thoughts on, you know, technology infrastructure. It can be a wide-open area, and certainly ever changing. I mean, it's almost like you do one thing today, and by tomorrow or the next week it's outdated. So any thoughts on how you set priorities and even goals in terms of education and technology? [LB566]

MATTHEW BLOMSTEDT: Yeah. I think one of the things you have to begin to look at is the dynamic of infrastructure, kind of laying that as a foundation for the activities that are going to come forward. I mean, five years ago we weren't anticipating things like iPads and devices like that relative to the educational environment. [LB566]

SENATOR SULLIVAN: Um-hum. [LB566]

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MATTHEW BLOMSTEDT: And it's going to be changing that landscape. So I think we really--and I'm talking not just from a state level, from an ESU level, from a school district level--have to think about making those foundational investments in things that are going to carry the day and not, kind of, I like to refer to it as, the bright, shiny object piece. We can't be stuck in this notion of, oh, this is the latest, greatest thing that we're going to have to invest in. I think we have to be really intentional about building systems that are going to support whatever may come along in the future. And I do think it's worthy of mentioning the work of Network Nebraska in laying out a strong Internet bandwidth, I mean, and bandwidth for school districts. I think, if you're looking at the federal level, going, there's a lot going on in what I'll talk a little bit about later, about blended education, and we're really anticipating multiple modes of educational resources to be available to students. We're also looking at the need to just simply support devices that come into educational environments. And I think anybody that's dealing with wireless networks and things along those lines realize that those access points are becoming more and more critical. And so how are they going to be appropriately used in an educational environment is part of the other thing. Network security: I was watching the, you know, Sunday talk shows, and they were talking about, you know, this notion of network...or wars, basically, cyber attacks and wars and actually that becoming part of the environment that we're having to deal with on the national security. So when my security or network folks talk about, hey, you want to see something, I can tap into your computer right now, it's amazing the types of things we have to be prepared for in an educational environment that...and I can't tell you what all those investments may be, but it's really critical that we maintain that very well. [LB566]

SENATOR SULLIVAN: Thank you. Any other questions for Mr. Blomstedt? Thank you. Welcome. [LB566]

KIRK LANGER: Thank you. Good afternoon. My name is Kirk, K-i-r-k, Langer, L-a-n-g-e-r. I am the director of technology for Lincoln Public Schools here in Lincoln, Nebraska, and I'm here also speaking to some degree as a member of the Nebraska

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Information Technology Commission's technical panel, as well as the Network Nebraska advisory group to the Office of the CIO. And I wanted to thank you for the opportunity to come speak with you today about LB566. I am a proponent of the bill. I think that, whenever we're looking at laying out money for something, it is a reasonable thing for our lawmakers to ask us, what have you done with the money we've given you previously? LB452, back in 1994, provided revenue with a very simple sort of statement along with it, and that was, the ESU shall provide access to the Internet. And at that point, the Internet wasn't anything close to what it is today. It was much different. It has become a vibrant, very commercialized, and also very highly educational environment that it provisions services of all different kinds. And at the time that we started, back in 1994, with that rather modest idea that ESUs shall provide access to the Internet and derived revenue to go along with that, at that time, to give you an idea of have we been good stewards, we had six megabits of access to the Internet for our school district. We now, today, have 1,000 megabits of access to the Internet. At that time, we paid \$210 for each of those megabits. We now pay \$2.55 per megabit. That's not just a matter of commodotization. What that reflects is a very careful, very thoughtful approach to providing something in the way of leadership from Network Nebraska and the members that comprise that--Walter Weir, Brenda Decker--who looked at it and said, we have to find a way to get the...to stretch these dollars that we have as absolutely far as we can, and they've done that. In real metrics, what does that mean? Well, that means that, right now, we have 150 times the bandwidth. We are paying only one one-hundredth of the cost that we paid for each one of those megabits. So for what is essentially cost neutral, we have significantly upped our availability and capacity. That is, from my perspective, showing good stewardship for the money that we had available. But now that...when you have that kind of access at a state level and a regional and at the Internet level, the natural thing you want to do is kick the tires and take it somewhere. You want the services that can ride on that. You want to be providing your students access to what some people refer to as the "cloud" and the services associated with that. And the state sort of decides we want to make good use of this. And so what started with a state assessment that was, to some degree, a bit of a...well, NeSA, in delivering it by way of

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the electronic version, was a bit of an experiment at the outset. But now it is an expectation. In going forward, that is the way that we do business: We do it in an on-line fashion. Nebraska, I'm happy to say, is ahead of the curve against many other states who haven't had that kind of leadership at the Department of Education that we've enjoyed. So with that in mind, state assessment, though, comes and brings with it, that is a service being provided over the state infrastructure, the Network Nebraska infrastructure we talked about. What that means though is that there has to be a consequent amount of bandwidth available and a consequent amount of infrastructure at the local level. That comes in the way of, increasingly, devices for students to use; it comes in the access to a wired network and in access to a wireless network. And all of those things don't sort of run themselves. There have to be...there has to be the human capital that takes good care of it and makes sure that it's available. I've had so many teachers say to me, we like the idea of the wireless network, we like the idea of paperless and so on, we don't seem to have enough devices, and we're worried when things don't work quite as well as they should. Before, when we were going to take a test, if something wasn't right we got another test booklet. It has to be just that transparent or our learners are placed in a position where they may not perform as well as they otherwise would, simply because the technology has let them down. So this isn't merely an investment in things; it's ultimately an investment in the people who will use those things. So I'm a strong proponent of LB566 because I see it as the next logical step. It puts us in a position to say, it isn't just the network, it is the services that are going to be provided in the network. And in order to truly deliver those, it's going to require an infrastructure at the local level that is commensurate with the one that we've put together at the state level and that the state wants to lead us in taking full advantage of on behalf of our learners. [LB566]

SENATOR SULLIVAN: Thank you much, Mr. Langer. [LB566]

KIRK LANGER: Thank you. [LB566]

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SENATOR SULLIVAN: Any questions for him? [LB566]

SENATOR HAAR: Yes. [LB566]

SENATOR SULLIVAN: Senator Haar. [LB566]

SENATOR HAAR: Thank you. How can you possibly keep pace with technology today?
[LB566]

KIRK LANGER: Well, I think it's a matter of...it's not so much a matter of running ahead of or running behind. It's a matter, really, more of catching a wave. I tell people all the time, when it comes to technology, we have two choices actually. We can either ride the wave, or we can be crushed beneath it but, either way, it's a wave just the same. I think the key, as Matt pointed out, was...is that we make sure that the infrastructure we have can support the services that are going to be ladled on top of it. If the foundation is strong, what we've put on top of it will be able to be delivered in an appropriate and efficient fashion. And I think it also is the case that it's not so much that we're looking, as Matt said, to catch what is the very next thing. But it's, as those next things really take flight, sometimes it's a matter of skipping something in between and saying, we kind of held off on that one, but the foundation we have, nevertheless, is strong enough to support what the next thing is that's coming, and that's the one that's going to take us the absolute farthest. So I don't think we can ever get fully out ahead of it, but I think what we can do is we can find a way to ride along with it. [LB566]

SENATOR HAAR: Can you give us some idea of what is Lincoln Public Schools spending on laptops and all that kind of stuff? [LB566]

KIRK LANGER: The two largest investments in laptop infrastructure for Lincoln Public Schools have come really in support of statewide assessment. The first go-around, we spent approximately \$1.5 million to provide an adequate number of mobile carts with

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laptops in them to achieve a ratio of approximately 4 to 1 at our high school level and about 5 to 1 at our elementary and middle school levels. Most recently, in support of the growing demand for state assessment at our elementary levels, we spent about \$1.8 million in support of carts so that we could achieve a ratio that's much closer to a 3 to 1 at all of our elementary schools or, in some cases, a 2 to 1. And those expenditures we're trying to, as much as possible, make sure that we can sustain that because those things, the funny thing about them is that they last for about three or four years, and then they need to be replaced. So we buy in measure with what we think we can support and sustain over time. So we don't grow as quickly as we could because what we don't want to do is create a false illusion of we've got plenty only to find that when they become dilapidated we can no longer maintain them. So the spend, year over year, if you put those on a four-year cycle, would probably be somewhere right now...our outlay would probably be somewhere between \$400,000 and \$500,000 really in support of that service in the way of statewide assessment. [LB566]

SENATOR HAAR: But certainly assessment, it almost just seems like...almost insignificant compared to just using computers and so on. [LB566]

KIRK LANGER: Um-hum. [LB566]

SENATOR HAAR: So, I mean, is that the impetus, just the assessment, or is there other stuff going on with... [LB566]

KIRK LANGER: I think state...I think with the assessment at the state level and then most currently at the local level our district common assessments are now all offered at our K-5, K-6, reading, science. We're doing that by way of an electronic methodology. And one of the things that comes in that is we all want to be data informed, data supported, some say data driven. I don't think many of us like to be driven anywhere. We'd like to be supported and informed. In order to do that, what our teachers are saying is, we want to do good, formative assessment, we want to do a good, summative

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assessment, an assessment of learning, not just...or, excuse me, assessment for learning so that we assess and we go, hmm, that didn't go as well, we need to assess again. But that is...really takes a great deal of time to go through that iterative process. So by making it electronic from the time that a student takes a test to the time that we have the data back, we can then use that data to inform our instructional decisions. That's one of the things that's pushing us. So assessment is a major component, but I think it's different than just a high-stakes testing. It's really a matter of formative assessment for learning so that it can better inform the kinds of instruction that we need to subsequently do. Yes, there are many other things that are riding along with that. Most recently, the Lincoln Public Schools adopted a K-6 reading environment that ultimately will be provided completely in a digital environment, really moving away from a standard textbook format. And I think we're going to see that in some of our other areas that, as we're moving forward, rather than go with something that there used to be, that idea of digital textbooks, tech books, and so on are going to capture a lot of attention, and that's only going to make the burden for those devices even that much greater because we didn't want to start out with idea of a 1:1 because that is ultimately a quantitative assessment of what we believe is a qualitative. Learning is a qualitative issue. It becomes quantitative at the time, obviously, that we test it. But learning itself is a process, and a qualitative one at that. And so we believe that if it's going to be a ratio of 1:1 it's going to be because of what we're trying to deliver to those students, and it's required that way. So I think, to your question, Senator, and I appreciate the opportunity to respond to it, is that we're really seeing...we're really on the front end of this thing. And we have an opportunity to put some dollars towards making sure that the foundation is strong so that we can build atop it. And assessment may be the lever that forces it, but it isn't ultimately the thing, in and of itself, that represents all that we're doing. [LB566]

SENATOR HAAR: Yeah, I hope not. Thank you. [LB566]

KIRK LANGER: You bet. [LB566]

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SENATOR SULLIVAN: Any other questions? Thank... [LB566]

SENATOR KOLOWSKI: If I may, please? [LB566]

SENATOR SULLIVAN: Oh, yes, Senator Kolowski. [LB566]

SENATOR KOLOWSKI: Thank you very much, ma'am. You discussed the wave and you also talked about your foundation. How often do the foundations change? Because that would be a massive overhaul, as well as costly, to change also, would it not? [LB566]

KIRK LANGER: Sure. Yeah. The good news on that is that the foundation typically are those foundational elements: your network infrastructure, for example. Typically it's projecting out far enough that the devices, as they're...as you're expecting to provide more service, you've got a little bit greater lead time to start to bolster that up so it becomes more of a...instead of a rip and replace, it becomes more of an iterative process to maintain, the most significant of which, in the time that we're living right now, is the move from a primarily wired infrastructure to an almost exclusively wireless one. Now sooner or later those access points have to use a wire to plug back into a switch in some closet, right? So we'll always maintain that. But maybe what that means is, instead of having, at one time, four drops per classroom, now what we're talking about is one or two, to make sure that we can plug in the necessary wireless infrastructure, and then that becomes the net that catches all of the learners and the instructors in the environment. So I think the lead time is a little bit greater if we have the, you know, the prescience to watch that and see where it's headed. And we have good leadership from the ESU network operations group and in our work with the NITC and the university and Office of the CIO. It's a good community that is watching that carefully to make sure we're making those iterative changes that will ultimately make sure the foundation stays strong so that, as the devices change much more rapidly, we're in a position to support

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them. [LB566]

SENATOR KOLOWSKI: Thank you. [LB566]

SENATOR SULLIVAN: Thank you, Mr. Langer. [LB566]

KIRK LANGER: Thank you so much for your time today. [LB566]

SENATOR SULLIVAN: Um-hum. Any other proponent testimony? Welcome. [LB566]

JON HABBEN: Thank you, Senator Sullivan, members of the committee. Years ago, when part of the Education Innovation Funds were directed toward technology grants, schools had a chance, if they could be creative enough, to take large steps forward in both their infrastructure and in their technology. The three schools that I administered as a superintendent each took those chances, and each benefitted tremendously. It allowed those schools to take steps that, financially, they could not have taken otherwise. Now this bill sets up a match. And I think that's a very positive piece because what it does do is it means you're going to put your own dollars into this. It makes that pencil, maybe, sharper than just a total 100 percent grant might make it. But additionally, imagine the changes that have been occurring. Before I started in as a principal, my school, when I was teaching, purchased an Altair computer. And we assigned the Librarian to figure out how to work this thing because he had time. And we began teaching computer programming, and that was about 1982 or '83 or somewhere around in there. And at every step since, you can imagine the growth. And, all of a sudden, today we're talking about using all kinds of technology, not just the desk computer, and all kinds of connectivity. To be able to count on the Education Innovation Fund as a source to help schools move forward? Very, very positive statement; very, very positive thing for you to do. Now I will tell you, as I will testify on later bills, there are multiple things that I think are important considering the Education Innovation Fund. I hope this is a part of the study that I will support because I think that's the real key is

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having that study done and including these pieces. Thank you. [LB566]

SENATOR SULLIVAN: Thank you, Mr. Habben. In the schools that you work with and represent, what do you think is maybe the major issue in terms of infrastructure and connectivity? [LB566]

JON HABBEN: Well, at this point...and, I'm sorry, Jon Habben, J-o-n H-a-b-b-e-n, Nebraska Rural Community Schools Association. I think one of the things that I hear the most sort of got a kick-start from the on-line assessments. How are we going to do this? So we know that highlighted a number of shortages that were occurring in all of our member schools, and they were trying to figure out how to deal with it. The second thing was connectivity. The last school I was in, the local telephone company started laying fiber all over the place, and those things need to happen. Right now, at the federal level, there is an attempt to free up some funds to increase rural broadband opportunities. That needs to be a part of the solution. All of those things are pieces. Now, a very important consideration: staying ahead of technology. Oh, my gosh, I'm not sure how you would ever do that. I think, at least in the schools that I represent, it's trying to keep up, trying to stay as close as you can, trying to proximate what kids will be experiencing when they leave. My middle son, a year left to become a doctor of chiropractic, the technology that he is expected to know to be able to do his work as a student compared to the technology when he was in high school, which we thought we were fairly cutting edge, imagine the change. And all it takes is your imagination to begin to see it. [LB566]

SENATOR SULLIVAN: Thank you. Any other questions for Mr. Habben? Thank you. [LB566]

JON HABBEN: Thank you. [LB566]

SENATOR SULLIVAN: Any further proponent testimony? Anyone wishing to speak in opposition to LB566? Any neutral testimony? [LB566]

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JAY SEARS: Kind of knew it was coming, right? [LB566]

SENATOR SULLIVAN: Welcome. [LB566]

JAY SEARS: (Exhibit 1) Good afternoon and thank you very much. Madam Chair and members of the committee, for the record I am Jay Sears, J-a-y S-e-a-r-s, and I'm here today representing the 28,000 members of the Nebraska State Education Association. We're testifying in the neutral capacity today on LB566 and LB511. I'll give you two for one today because the testimony is basically the same, and that way you won't have to see me five times. LB566 and LB511 are unique in that they both propose allocating all of the Education Innovation Fund for educational technology purposes beginning in 2016-17 year. NSEA is not opposed to advancing education technology in Nebraska, however, we are concerned that the important policy decisions such as these are enacted before other priorities have been discussed in the legislative study that's proposed in LB497. NSEA would request that the committee hold LB566 and LB511 in committee for possible consideration in the next legislative session as the committee reviews all of the possible uses of the Education Innovation Fund that will come out of the study proposed in LB497. Thank you very much for the opportunity to testify today, and I'll try and talk real fast in the next three bills, too, so. [LB566]

SENATOR SULLIVAN: (Laugh) Thank you, Mr. Sears. Any questions for Jay? Thank you very much. [LB566]

JAY SEARS: Thank you. [LB566]

SENATOR SULLIVAN: Any other neutral testimony? Senator Karpisek. [LB566]

SENATOR KARPISEK: Thank you, Senator Sullivan, and thank you, committee. I agree that there will be other...with the study and everything, and I just think that this is a very

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important piece of what we can do. I think that it is essential for rural Nebraska to be able to do some of these things. I know people who have moved from rural to more urban because their kids are more interested in being an astronaut or something and getting the more defined courses. And I think, through this, we could have more kids see what's going on in the big schools. Believe it or not, I think the big schools could also really gain from the small schools, doing things such as greenhouses or welding or some of the things that maybe don't go on as much in the big schools. And maybe they do and I don't know that, but I think that's how we can do this all together and all help each other instead of competing for the best and the brightest that we have a lot of. So I would just appreciate that we all consider that as we move forward. Thank you. [LB566]

SENATOR SULLIVAN: Thank you. Any questions for the senator? Thank you very much. [LB566]

SENATOR KARPISEK: Thank you, Senator. [LB566]

SENATOR SULLIVAN: All right, that closes the hearing on LB566. We'll now move on to LB511. Welcome, Senator. [LB566]

SENATOR SCHEER: Thank you, Madam Chairman. My name is Jim Scheer, S-c-h-e-e-r, and I represent the 19th District, Stanton and Madison County, in northeast Nebraska. Before starting, I just have to say, I wish my friend from LPS had been here yesterday afternoon to talk about the leadership attributes that the State Department of Education has had the last several years. But, you know, a day late and a dollar short, so I guess other years will never hear of that. So, anyway, I'm here today to introduce LB511, which is another way to spend the Innovation Funds as they come...renew in 2015. The bill would provide funds from the Education Innovation Fund to go to the Educational Technology Center for the fiscal years 2016-17 through fiscal year 2019-20. The Educational Technology Center would create a plan with various partners for use of such funds. Partners will include the Educational Service Unit Coordinating Council, the

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Nebraska Educational Telecommunications Commission, Network Nebraska, and representatives from the school districts. The plan would include the development of educational content or a learning object repository system, learning management system deployment or enhancement, professional development, and educational content development and directory services to allow a common access to such systems. Systems would be hosted by Network Nebraska and would be made available to Network Nebraska participants. At least one-half of the funds of the Educational Innovation Fund would be reserved for our local technology grants to enhance the school districts, technology adaptation, and integration. The State Department of Education again would be in charge of developing these grants. And I will tell you now I will waive closing because I agree that all this should be put in some type of a long-term approach and, as well, would support Senator Sullivan's suggestion of doing a study before we move too quickly in any one direction, regardless of what it may be, in order to make sure that we get the biggest bang for the buck and that the bucks are going in the areas that we would like to go. [LB511]

SENATOR SULLIVAN: Thank you, Senator Scheer. Any questions for the senator? All right, thank you very much. [LB511]

MATTHEW BLOMSTEDT: (Exhibits 1 and 2) Good afternoon. I'm still Matt Blomstedt, M-a-t-t B-l-o-m-s-t-e-d-t. I am the executive director of the ESU Coordinating Council. I kind of want to give you a little bit of background. Part of our interest in LB511--and, before I forget, I want to thank Senator Scheer for introducing it--basically...and I very much support the idea of a study of where we go with Education Innovation Funds. There is, however, a history relative to the use of Education Innovation Funds on distance learning and the future direction of trying to enhance educational opportunities across the state. Those funds have been used for incentives, essentially, for the participation in distance education, as well as for incentives to participate in Network Nebraska. I think both of those were investments in, essentially, a future state of what education would look like across the...well, future state of what education looks like

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across the state. I'll repeat myself several times, I'm sure. But the fact of the matter is these are all elements that I think were strategic investments in what we do in Nebraska on education. I've handed out a couple different things, and we've been engaged in conversations for...certainly, since I've been in this position, relative to where do we go next with distance education, where do we go next with enhancing educational opportunities, and what can the ESUs do, and what can the ESUs do in partnership with various players. One thing that I handed out was this Nebraska Virtual Partnership memorandum of understanding where we've worked over the last couple of years of identifying potential partners relative to enhancing virtual education or distance education across the state. So we engaged with Nebraska Educational Telecommunications, NET, and started working with them very closely on...they have a role and responsibility relative to educational medium. Actually, the ESUs do as well. So I thought it was very important that we figure out how we could work together and coordinate our efforts to enhance educational media, digital media, and things along those lines. We also wanted to work very closely, obviously, with the Department of Education and the work that they're doing on several different technology systems and looking at how we can enhance systems for, ultimately, the improvement of education on things like assessment, that was mentioned before, but also on things like professional development and data systems and basically provide support systems throughout that are going to enhance education. As I looked at where we were relative to projects with the ESU Coordinating Council--we had projects in on-line learning; we had projects in distance learning, separate from on-line learning; and we had projects in media--I said, we need to go ahead and try to find a way to bring those together. So another handout that I have for you is the BlendEd handout, that actually describes some of the initiatives that we're actually currently working on. Many of these are, I guess, well, future looking, relative to things that we can accomplish. We set out to say, hey, look, we really need a common place for us to be able to develop on-line and digital content for the sharing across the state, be able to bring resources to school districts directly where they're at, but also to be able to enhance things that they're already doing. So we looked at something called a content repository, a learning object

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repository, or something along those lines, that would actually allow us to collaborate in the purchase and development of content. We've looked at learning management systems, which are things that are fairly common in the higher ed environment and probably a little more dispersed. Is there a better way that we can do that? And we provide ANGEL as a platform, which is now a Blackboard platform, for about 40,000 users across the state. There are also implementations of Moodle, Sakai, some other types of learning management systems. We think they can be effectively done at scale and really help enhance the efficiency of those services across the state as well. There's a whole bunch of other things that you can look at. One of the things on here is this notion of how do you authenticate into digital systems, network security, a whole bunch of things along those lines. Again, many of those things can be done at scale, where you have individual school districts or even individual ESUs trying to accomplish that on their own, and we think it can be accomplished a little bit better in partnership with one another. So we'll keep kind of working on these different elements. Quite frankly, these are things that we don't know where the future will necessarily go, but we think there probably are opportunities for strategic investment by the state ultimately on particular systems. Whether it's data systems, whether it's particular content systems, whether it's particular professional development systems, or content overall, they could really enhance where we're going. When you think about content that's actually tied to assessment, when you can actually be taking on-line assessment and immediately link into content that would be relative to a student's needs immediately, I think there are things along those lines that we need to begin to take, I guess, a little bit of a visionary approach to what's possible and what's actually coming down as you look at the national and international scene. So with that, I'll close because the yellow light is on and soon the red light will be on, so. [LB511]

SENATOR SULLIVAN: Thank you very much for your comments. [LB511]

MATTHEW BLOMSTEDT: Well, I lost the red light there. [LB511]

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SENATOR SULLIVAN: In these partnerships, is there a good level of coordination and true partnerships that are being developed, or is it just...and maybe a kind of a common theme or structure or...? [LB511]

MATTHEW BLOMSTEDT: Yeah, let me...I'll try to describe a little bit of...within our partnerships we started talking about what are the types of things that we could do for...so, for instance, with NET there is actually national resources from PBS that could be available that would be difficult for ESUs individually or school districts individually to be able to maintain at a reasonable price. So we're looking at how we can bring those to the state in partnership with NET at an appropriate price. We're also working with the University Independent Study High School. We actually listed their classes on our...we have a...we have a responsibility for brokering the exchange of courses. They are now listing their courses with us, and so schools are aware of those as part of the distance education offering, so. [LB511]

SENATOR SULLIVAN: Do you think that will increase participation? Just this morning on the radio I heard that that independent high school has been going on for a lot of years, but there's only like 3 or 4 percent participation from Nebraska students. [LB511]

MATTHEW BLOMSTEDT: Yeah, I do actually think it will because it's awareness, and it's also...we work with them relative to, hey, what are the schools really asking for, what are they really needing, what are the practices, as...and again, from across our ESUs across the state, it's different everywhere you go. But I think we're looking at how we do things collaboratively relative to here, this school really needs this opportunity, and this one needs another. If you look at, just as an example, our distance education classes that have been offered out there--and we have, roughly, for video exchange, we have roughly about 535, somewhere around in that range anyway, of courses exchanged for this year with about 9,000 students total in those different classes. We're looking at ways that we can also support and enrich the curriculum at each school that's there. So occasionally we'll get a request for something that we couldn't possibly deliver, but it

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might be something that's available through Independent Study High School, for instance, so we can start to point and direct schools differently. [LB511]

SENATOR SULLIVAN: Um-hum. Okay. [LB511]

MATTHEW BLOMSTEDT: Working with counselors on a whole bunch of other fronts, too, is going to be critical. And one of the things we really wanted to be able to do was provide that in a very open environment where folks can see what's being exchanged, so we developed a Web portal environment for that brokerage, so. [LB511]

SENATOR SULLIVAN: Okay. Any other questions for Mr. Blomstedt? Okay, thank you. [LB511]

MATTHEW BLOMSTEDT: Thanks. [LB511]

SENATOR SULLIVAN: Welcome. [LB511]

BRENT GASWICK: Good afternoon. [LB511]

SENATOR SULLIVAN: Thank you. [LB511]

BRENT GASWICK: (Exhibit 3) My name is Brent Gaswick, first name Brent, B-r-e-n-t, last name Gaswick, G-a-s-w-i-c-k. I represent the Department of Ed today, and I am here to speak with you from the State Board. At the department I am the director of the network, education, and technology team, which actually oversees the Technology Center, which was legislatively mandated and has been mentioned in both of these bills today, so I would like to talk to you. I will go ahead and read a quick letter from Patricia Timm, the president of the State Board, to you. Dear Senator Sullivan and members of the Education Committee: On February 4, 2013, the State Board of Education met and reviewed LB511. Following discussion, the board voted to support LB511. The State

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Board of Education has adopted a policy for Nebraska Virtual Education that reflects the 21st-century learning needs of students, regardless of location, through which access to quality courses and related activities are accomplished through an electronic medium. In order to achieve this goal, the development and implementation of a statewide system is needed, which includes a statewide clearinghouse of quality courses and learning resources that are made available to school districts. The technology and infrastructure is in place for the entire system. The incentives are in place to encourage Nebraska school districts and certified teachers to develop and deliver high-quality courses to meet the needs of Nebraska students. The department has been working with numerous partners, including the Nebraska Educational Television, the Educational Service Unit Coordinating Council, the University of Nebraska, and school districts to bring pieces of existing network connectivity, 20th-century distance education courses, and the beginning elements of on-line learning. LB511 puts in place a system approach for all of these previous activities for the entire state. The board supports LB511 and welcomes the opportunity to continue work with the members of the Education Committee to ensure that virtual education is considered an integral part of any system of education in this state, so that all Nebraska students are career and college ready. Sincerely, Patricia Timm, president, Nebraska State Board of Education. And I would be happy to try and answer, the best that I can, any questions that the board might...or committee might have. [LB511]

SENATOR SULLIVAN: Thank you, Mr. Gaswick. Are there questions for him? Thank you very much. [LB511]

BRENT GASWICK: Thanks. [LB511]

SENATOR SULLIVAN: Any other proponent testimony? Anyone wishing to speak in opposition to LB511? Anyone in a neutral capacity? Okay, that closes the hearing on LB511. [LB511]

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SENATOR SCHEER: We will now open the hearing on LB495. Welcome, Senator Sullivan. [LB495]

SENATOR SULLIVAN: Well, I really hope you aren't going to get tired of me this afternoon, or may...should I say, even more than you already are. (Laugh) My name is Kate Sullivan, K-a-t-e S-u-l-l-i-v-a-n. I represent District 41 in central Nebraska. This bill that we're going to talk about right now is all about funding certain early childhood programs for the next three years using lottery proceeds through the Education Innovation Fund. We're hearing a lot about that today. Specifically, LB495 would allocate, first of all, in fiscal year '13-14, \$1.75 million; the following fiscal year, \$1.85 million; and in fiscal year '15-16, \$1.95 million from this Education Innovation Fund to the Department of Education for early childhood education grants. These grants are awarded to programs that are provided by school districts or educational service units to serve children ages three through the age of kindergarten eligibility. Now, in addition, LB495 proposes to allocate \$1 million from the Education Innovation Fund for the next three fiscal years to the Early Childhood Endowment Cash Fund to support grants for public school programs to serve children from birth to three. The birth-to-three grant program is administered by the Early Childhood Education Endowment Board of Trustees. Now a little bit of math, I think it's also helpful to say, because in doing this we're not talking about new monies. We are suggesting that funds that had, up until this point, been allocated for certain areas, and those include: the integrated student information system; the Center for Student Leadership and Extended Learning; multicultural education; and certification investigation. All the funds that covered those areas would be covered and funded through the General Fund, so it actually replaces those allocations. The Appropriations Committee preliminary budget accounts for the transfer of the items to the General Fund, and the cost of that would be approximately a little over \$806,000 for fiscal year '13-14 and \$816,000 for fiscal year '14-15. LB495 also requires that the Education Committee, all of you, would hold a public hearing on the report on these early childhood grant programs and would clarify that the reporting requirements include not only the three-to-five programs but also the birth to three. Let

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me give you also just a little bit of background on the early childhood education efforts. The first provision for these early childhood grants actually started clear back in 1990. And currently, according to the Department of Education, there are 152 school districts that have operated early childhood education programs of some variety in 2010-11, and another 23 districts are participating in programs that are being offered by the ESUs. So not only is there a lot of interest, as we well know, in this topic, but there's a lot of activity as well. And as I've outlined that there are two distinct grant programs, the three-to-five program that's administered by the Department of Education, and the birth-to-three program that is administered through the Early Childhood Education Program. And so, essentially, the long and the short of it is, with LB495, we are continuing the practice of allocating lottery dollars to support early childhood grant programs with the funds going both to the grant three-to-five programs as well as birth to three. And the support continues until...and through fiscal year 2015-16. So that, in essence, is what LB495 is all about. I appreciate your consideration and, hopefully, your advancement. [LB495]

SENATOR SCHEER: Are there any questions? [LB495]

SENATOR SULLIVAN: Okay. [LB495]

SENATOR SCHEER: Well, I guess that was easy enough. [LB495]

SENATOR SULLIVAN: So far. (Laugh) [LB495]

SENATOR SCHEER: We will first hear from the proponents for LB495. Nice to see you again. [LB495]

MELODY HOBSON: (Exhibit 1) Nice to see you. Good afternoon. My name is Melody Hobson, M-e-l-o-d-y H-o-b-s-o-n, and I am here on behalf of the State Board of Education and the Department of Education. And I am...a letter is being passed around

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to you from the State Board of Education in support of LB495. And I am here specifically to talk about the early childhood provisions of LB495 and the reasons that the Department of Education and the State Board is supportive of this piece of legislation. First of all, and as many of you have probably heard me say before, investment in early childhood programs and services is actually a very good investment. As you probably heard from a number of different places--it's in the media a lot these days--it is an investment that does pay for itself. Provision of funding for early childhood programs and services does help reduce the readiness gap that schools see on children who have had advantages and those who have not on the beginning of...on the entry to kindergarten. And in the case of programs for children birth to three, they may help eliminate those gaps to begin with. Second, since 2006, more than 100 school districts in the United...in Nebraska have received benefit from an early childhood education grant, either having had a grant themselves, having been a part of a consortia that has had a grant, or having been a part of an ESU that has served their district through an early childhood education grant for children three to five, three to kindergarten entrance. And then, finally, LB495 does specifically include some money for the birth-to-three Early Childhood Education Endowment Cash Fund. And we think this is important because, while the grant funds traditionally...the grant fund that Senator Sullivan was talking about that began in the early '90s is for children from three-to-kindergarten-entrance age, it...we do know that the earlier that we can catch kids, the better our chances of helping to help those kids be at their full potential is greatest. And so this does provide some money for the birth-to-three/Sixpence programs, and that, we believe, is actually a very, very good thing. I would be happy to answer any questions, if there are any. [LB495]

SENATOR SCHEER: Are there any questions? I guess not. Thank you, Melody.
[LB495]

MELODY HOBSON: Thank you. [LB495]

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SENATOR SCHEER: Any other proponents? Still 28,000 strong, Jay? [LB495]

JAY SEARS: Still, I think. [LB495]

SENATOR SCHEER: Okay. [LB495]

SENATOR SEILER: Lost a couple this morning. [LB495]

SENATOR KOLOWSKI: Lost a couple on the way up. (Laugh) Thank you. [LB495]

SENATOR SCHEER: Thank you. [LB495]

SENATOR DAVIS: Thank you. [LB495]

JAY SEARS: (Exhibit 2) Good afternoon, Madam Chair, Mr. Vice Chair, members of the committee. For the record, I am Jay Sears, J-a-y S-e-a-r-s, and I'm here today representing the 28,000 members of the Nebraska State Education Association. NSEA is here in support of the provisions in LB495. That might be a shock, being as we've been testifying in the neutral position on the use of lottery funds. But, as Senator Sullivan explained in her opening, these aren't new uses. It's a transfer of what's happening, and so that's why NSEA is, in particular, in support of LB495. But, specifically, we support the intent language that replaces all those areas that were funded for a few years by the lottery funds and is being proposed, and appropriations are being proposed from the General Fund to cover those costs. We realize that in 2008 we needed all the money we could find in the state of Nebraska, and so the lottery funds, usually running around \$8.1 million every year in the Education Innovation Fund, was able to help kind of bridge the gap for the Department of Education. And that was, as you determined, a very appropriate use for that part of the funds. We also support the clarifying language about the biennial report on both parts of the program, the early childhood program that's housed in the Nebraska Department of Education and also the

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new Early Childhood Endowment Fund. And I think it will be important and instructive as you have a public hearing about the use of the dollars that's going into early childhood and the progress that we're seeing in that process. As I said, the reason we're supporting it, we're very appreciative that the bill would continue the allocation from the Education Innovation Funds to the Early Childhood Education Grant. We've seen great progress in that, as Melody Hobson has already talked to you a little bit about, and the new Early Childhood Endowment Fund continuing that process and then keeping up the amount of funds that go into the endowment fund to make sure that birth to three-year-olds also have a great opportunity in the state of Nebraska. So NSEA would request that your committee, the Education Committee, advance LB495 to General File so we can expedite that process and start spending that money from the lottery funds. Thank you for the opportunity to testify today. See you in a couple more bills. [LB495]

SENATOR SCHEER: Thanks, Jay. Are there any questions? Thank you very much. [LB495]

JAY SEARS: Thank you very much. [LB495]

SENATOR SCHEER: We'll see you later. Other proponents. [LB495]

JEN GOETTEMOELLER: (Exhibit 3) Good afternoon, members of the Education Committee. My name is Jen Goettemoeller, G-o-e-t-t-e-m-o-e-l-l-e-r. I am here on behalf of First Five Nebraska, and I want to thank Senator Sullivan for her leadership both on this committee and on this piece of legislation. There is a map of Nebraska going around. And I realize that you have been through two months of hearings with numbers constantly bombarding you, but I am here to offer you two more that are extremely important. We have nearly 60,000 children across the state, ages zero to five, who are at risk of failing in school. About 65 percent of those children are concentrated in 11 counties that also account for more than 70 percent of Nebraska's high school dropouts. So, just to be clear, 11 counties with 70 percent of the dropout population, also home to

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nearly 65 percent of the early childhood population, zero to five, that's at risk of failing in school. This is not a matter of coincidence. We know that children who start school behind stay behind, and we know that development of the brain in the first five years literally shapes the learning capacity for the rest of a child's life. LB495 is part of the solution. As Senator Sullivan said, it maintains funding for NDE's early childhood grant program serving three- and four-year-olds. We would like to see funding included for technical assistance because TA is important to maintain the level of quality and effectiveness in these programs. But it also invests in what we know already works for infants and toddlers. It increases the state of investment in effective early childhood services to be delivered in partnership with school districts for children zero to three and helps close that gap for these children before they even get to the kindergarten door. This committee has shown a continued commitment to early childhood development over the years, especially during difficult budget times, and that's a commitment that will yield significant returns for children, for schools, and also for the taxpayer. Thank you for your interest and support in this issue, and we urge your support of LB495. [LB495]

SENATOR SCHEER: Thank you. Are there questions? Thank you, Jen. [LB495]

JEN GOETTEMOELLER: Thank you. [LB495]

SENATOR SCHEER: Any other proponents for LB495? Proponents? Seeing none, we will now open it to opponents of LB495. Are there any opponents? And do we have anyone that would like to testify in a neutral position? Seeing none, Senator Sullivan...Senator waives, and that will end the hearing on LB495. We will now open the hearing on LB496. [LB495]

SENATOR SULLIVAN: Thank you, Senator and members of the committee. Again, my name is Kate Sullivan, K-a-t-e S-u-l-l-i-v-an, representing District 41 in central Nebraska. I'm here to tell you about LB496. In its simplest form, and straightforward, LB496 would transfer \$1 million of lottery funds that we've been talking a lot about

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today, per year, for the next three years, from this Education Innovation Fund to the School District Reorganization Fund for reorganization support payments. I'll tell you a little bit more about that. First of all, by way of background, this is not the first time this has been done. Previously, reorganization incentives were provided for consolidations between May 31, 2009, and before June 1, 2011. In that case, the incentives were based on the number of students moving from districts with less than 390 students to districts with more than 390 students. I will tell you, from just living it every day in rural Nebraska, that these conversations are happening more and more. As you have heard me speak numerous times on the floor of the Legislature, I am concerned about the population movement east, away and out of rural Nebraska. There is declining enrollments in many of our rural school districts, and so, as I said, these conversations are happening. And, to a certain extent, there are some added costs that go along with ultimately making the decision to consolidate, and that's why I'm presenting LB496 to you today. It, as I said, identifies \$1 million of lottery funds per year for three years into the School District Reorganization Funds for consolidations occurring after the effective date of this act. So, in essence, this would be dealing with Class II and III school districts involved in a consolidation, and it would devote a maximum of \$125,000 to each effort. This would be paid out over a period of two years, with 50 percent going into the first year and the remainder in the second year. Now, assuming that the money would be available, payments would be prorated if insufficient balance would be in the fund, and the priority would go to the first year of the payments. Prior to the consolidation, the districts involved would have to show, through a reorganization study, that they have looked at the following components. They'd have to look at efficiency, the demographics, they'd have to look at curriculum, facilities, finances, and community. And the support payments that would be decided on by the State School District Reorganization Committee, the support payments would only be given out if the study indicates that there would be more efficiency and greater educational opportunities would be more likely in the consolidation effort. So, as I said, these conversations are taking place. That's just the reality of what's going on in rural Nebraska and, therefore, I bring LB496 to you, to use some of these Education Innovation Funds to help in those

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conversations and ultimately in those efforts. So I thank you and offer it for your consideration and, hopefully, forward. [LB496]

SENATOR SCHEER: Thank you, Senator Sullivan. Are there questions? Senator Kolowski. [LB496]

SENATOR KOLOWSKI: Thank you, Mr. Chair. Senator Sullivan, would you kind of list off some of the, in the past, major expenditures for consolidation purposes that this money would be asked for? [LB496]

SENATOR SULLIVAN: It could involve infrastructure. It might involve changes in staffing patterns, whether it's...might possibly mean termination agreements. You know, I see it being sort of a wide continuum of effort, kind of unique, though, to the conversations of the districts involved. [LB496]

SENATOR KOLOWSKI: No prescription? [LB496]

SENATOR SULLIVAN: No, no, no. [LB496]

SENATOR KOLOWSKI: It's just, well, many things could come up. [LB496]

SENATOR SULLIVAN: No. [LB496]

SENATOR KOLOWSKI: Thank you. [LB496]

SENATOR SULLIVAN: Um-hum. [LB496]

SENATOR SCHEER: Senator Davis. [LB496]

SENATOR DAVIS: And, Senator Sullivan, looking through the bill, you've eliminated the

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390 (student) limit, or is that... [LB496]

SENATOR SULLIVAN: Yes. [LB496]

SENATOR DAVIS: Yes. [LB496]

SENATOR SULLIVAN: Yes, um-hum. [LB496]

SENATOR DAVIS: Because I think that makes the most sense,... [LB496]

SENATOR SULLIVAN: Yeah. [LB496]

SENATOR DAVIS: ...if we really want to promote the school consolidation and, so far, serious... [LB496]

SENATOR SULLIVAN: Broaden the conversation, yeah. [LB496]

SENATOR DAVIS: Um-hum, absolutely. [LB496]

SENATOR SULLIVAN: But keeping in mind that they have to show that they are, in fact, having efficiencies and opening educational opportunities. [LB496]

SENATOR DAVIS: Right. [LB496]

SENATOR SCHEER: Other questions? Senator Seiler. [LB496]

SENATOR SEILER: Senator Sullivan, on...for my information, the Class IIs, I'm...starting at what number of students? [LB496]

SENATOR SULLIVAN: Well, Class II and III school districts are all our school districts

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other than at LPS and OPS. [LB496]

SENATOR SEILER: Oh, okay. [LB496]

SENATOR SULLIVAN: So it basically includes all of the other school districts. [LB496]

SENATOR SEILER: Okay, thank you. [LB496]

SENATOR SCHEER: Any other questions? I guess we're done. We'll open it now to LB496 proponents. Welcome back, Jon. [LB496]

JON HABBEN: Senator Scheer, members of the committee, this bill is very important to the rural community school districts because increased costs to the remaining district occur. It's, I think, a lot of times, when you talk about school reorganization or school consolidation or merger, whatever you want to...whatever term you want to use, there is an assumption that the remaining district has somehow gained this valuation and gained these students and came out of this as if they were going to be wealthier, or have more resources, maybe, is the more accurate term. Having been a part of these studies across 17 years--well, actually 20 years--in several school districts and being the remaining district in two of them, what we find out is when that school closes it isn't closing because it has plenty of resources, and it isn't closing because it has enough students. So what happens is, except for the facilities, unless you are choosing to keep those open--and sometimes that's a "have to" in a reorganization, put that elementary building over there, put that middle school building over there--what happens is this...the resulting school district has all of the teachers and, chances are, all of any early termination agreements because the closing school district rarely would ever terminate its own teachers or, more accurately, provide early retirement for its own teachers. There's usually an assumption that the remaining school district will accept all of those teachers. So the remaining district has all of those additional personnel costs, plus you have the additional costs that go with receiving students. You might have...be just fine in

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terms of the number of students per class that you have and only need to have a few more students to have to hire that additional teacher or have to continue the employment of a teacher that came from the closing school district. Those costs are real. Sad to say, a lot of times what you will find is a year or two or three after reorganization and you've absorbed those teachers, you have to go through a reduction in force to get your costs back under control. That's sort of the reality of taking in a school district that is closing not because it's wealthy and not because it has too few students. So I would hope that in the Education Innovation Fund discussion that this be a very important consideration. These funds should not come out of TEEOSA; they need to be separate funds because you're dealing with a non-state aid issue. This is an issue that's purely about reorganization. Thank you. [LB496]

SENATOR SCHEER: Thank you, Jon. Are there any questions? Seeing none, thank you very much. [LB496]

JON HABBEN: Thanks, Senator. [LB496]

SENATOR SCHEER: Any other proponents? Seeing none, are there any opponents to LB496? And are there any that wish to speak in a neutral position for LB496? Seeing 28,000 strong walk up. [LB496]

JAY SEARS: (Exhibit 1) Can you hear the footsteps? Madam Chair, Mr. Vice Chair, members of the committee, good afternoon. And, for the record, I am Jay Sears, J-a-y S-e-a-r-s. I'm here representing the 28,000 members of the Nebraska State Education Association. NSEA is testifying in the neutral capacity as we have consistently done on any proposals that would allocate additional funding for programs from the Education Innovation Fund prior to the study proposed in LB497. Allocating \$1 million each year for the next three years for the Education Innovation Fund for the purpose of helping school districts reorganize could be an appropriate use of the Education Innovation Funds. However, NSEA would ask the committee to seriously consider which, if any,

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new programs are to be funded by the Education Innovation Fund for fiscal years 2013 through 2015-16. NSEA looks forward to working with the Education Committee on the priorities for the allocation of the Education Innovation Fund for 2016 and beyond that will be informed by the study proposed in LB497. I would like you to recognize that our testimony is not against the Reorganization Fund. As we said in the testimony, it may be a very appropriate use right now, as districts are having those conversations and need the funding to get over the hump. And you, as Education Committee, can look at what's available in the Education Innovation Fund and see if that's an appropriate policy. And we respect the right of you to do that and know that you will do the right thing in that process. So again, thank you for the opportunity to testify today, and there's only one more chance. [LB496]

SENATOR SCHEER: Thank you, Jay. Any questions for Mr. Sears? That... [LB496]

JAY SEARS: Thank you. [LB496]

SENATOR SCHEER: One more time? [LB496]

JAY SEARS: One more time. Thank you very much, Mr. Scheer--Senator Scheer, I'm sorry. [LB496]

SENATOR SCHEER: Yeah, close enough. [LB496]

JAY SEARS: It's...so used to the State Board, right? (Laugh) [LB496]

SENATOR SCHEER: Close enough. Any others in a neutral position for LB496? Seeing none and Senator Sullivan waives, so that ends the hearing on LB496, and we will open LB497, Senator Sullivan, the last hearing. [LB496]

SENATOR SULLIVAN: That, and the long-awaited conversation on this study that we

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have been referring to several times today. That's exactly what LB497 proposes to do: a study for potential uses of the lottery money. The study would be done by all of you, the Education Committee, looking at the appropriate use of funds. Now I will tell you, by way of background, currently the constitution outlines that 44.5 percent of the lottery proceeds, after prizes, expenses, and the initial transfer to the Compulsive Gamblers Assistance Fund, once all of those are taken out, then 44.5 percent are dedicated to education. That's what the constitution indicates should happen. And I'm saying, in LB497, let's take a look at how we use those dollars. We're going to study it, I propose under LB497, and then we issue a report by December 31 of this year to the Legislature. The factors that would be proposed to be in that study would include: the educational priorities of the state; what types of educational activities are suited to being funded by state lottery funds as opposed to state General Funds; whether state lottery funds should be used for significant projects requiring temporary funding or to sustain ongoing activities; and whether to schedule periodic reviews of lottery funds for education. So, in essence, that's what we would be taking a look at in the study. It's been referred to several times in testimony by myself and others that currently the use of funds in the Education Fund, all of those uses sunset or are set to expire on June 30, 2016. Now in addition, under the details of LB497, the current provisions allocating lottery funds to what's called the Nebraska Opportunity Grant Fund would also expire on June 30, 2016, and I have to say that's caused a little bit of consternation. It's one thing to have been anticipating the funding programs under the Education Innovation Act, knowing that they will sunset in 2016. But LB497 also indicates that the provisions that direct funds to the Nebraska Opportunity Grant Fund would expire on June 30, 2016, as well. I want you to know that my intention has never been to not encourage funding of that grant project because I think that's very, very important. But the logistics of it, to really open up the whole conversation of these lottery proceeds using...being used to fund education, which our constitution mandates, I thought that everything should be on the table. Now, in conversations with some of the people that have been concerned about that, they have brought forward an idea that ultimately I will offer as an amendment that would create a new title for this, the umbrella for both the Opportunity

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Grant Fund and the Education Innovation Fund, and it would be called the Nebraska Education Improvement Fund. And, when you stop to think about it, perhaps maybe that's even a more appropriate name to give all the kinds of things that we might be talking about funding with these lottery dollars. So I offer that for...and, just by way of background, too, if you remember when I first started talking, I talked about these lottery dollars represent 44.5 percent of the lottery proceeds. Of that 44.5 percent, 24.75 percent are designated to the Nebraska Opportunity Grant Fund, and 19.75 percent are dedicated for the Education Innovation Fund. The other thing that we're doing with LB497, so as not to give some false expectations about the use of these funds, there have been funds gone to loan proceeds for the Attracting Excellence to Teaching and the Enhancing Excellence in Teaching Programs. So, as I said, not to give false expectations to the loan applicants, we're telling that those funds will end as well on June 30, 2016. I urge you to remember what LB497 is all about, and that's not getting rid of any funding that is currently offered to any of these good programs. You've heard, over the course of the testimony today for all of these bills, that not only are they currently being used for some valuable programs in education, but there are some expectations of additional ideas as well. And this study just simply allows us to have that important discussion and open it up and put everything on the table, so to speak. But, in addition, I would hope that not only the conversation that we have as a committee but what we will hear from in testimony as we embark on this study will be some very bold ideas. You know, if, in fact, this is going to be called the Nebraska Education Improvement Fund, let's talk about some creative ways, bold ways of deciding how we want to use these dollars, these lottery proceeds, to really improve education in our state. So, as you know, I've given this a personal priority of mine, and I hope you will look on it favorably so we can get started on our work. [LB497]

SENATOR SCHEER: Thank you, Senator. Questions by any of the committee? I guess not. [LB497]

SENATOR SULLIVAN: Okay. [LB497]

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SENATOR SCHEER: Proponents of LB497. [LB497]

SENATOR SEILER: Tammy Barry reemployment fund. (Laugh) [LB497]

JOHN BONAIUTO: Senator Scheer, members of the committee, John Bonaiuto, J-o-h-n B-o-n-a-i-u-t-o, representing the Nebraska Association of School Boards, Nebraska Council of School Administrators, supporting LB497 and the amendment. I think that the new name is a very appropriate way to describe the fund. Senator Sullivan is really undertaking something that's very timely and looking at the fund itself and how it has operated. We've kind of made this, some of the uses, up as we have gone along. I've been involved in discussions with senators, you know, the General Fund dollars and A bills. General Fund dollars are tight, and things with an A bill are looked at very critically. And I was in on the discussions with Senator Nancy Thompson when we created the loan funds. And we never talked about would this be forever or how long...what would the duration be. And so I think having those discussions, looking at having a report, developing some priorities, that might give some guidance as future senators look at where is there a pot of money that might be available and what...that this should not be something that is just looked upon as, gosh, if there are some lottery funds, let's grab them. And I think about what's going to happen in the next election cycle, and there's going to probably be at least twenty new senators that will come in, in that cycle, and I think this report and giving this...that type of guidance at that particular time will be really, very helpful. With that, I will conclude my testimony and thank you. [LB497]

SENATOR SCHEER: Thank you, John. Any questions for Mr. Bonaiuto? Seeing none, thank you. [LB497]

JOHN BONAIUTO: Thank you. Last day of hearings, and I appreciate that. (Laugh)
You're tired of me by now. [LB497]

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SENATOR SCHEER: Welcome again, Jon. [LB497]

JON HABBEN: Thank you, Senator Scheer, members of the committee. This is a bill that we strongly support because it creates an opportunity to get back to what should we do with this fund. Actually, we didn't know things were sunseting. But I'm sure glad that Senator Sullivan was paying attention to this because it allows you to be ahead of the curve on this discussion, rather than having this discussion and immediately everything sunsets. So think it is a great opportunity. I think the things that have been mentioned today, all very worthy in the discussion of the use of Education Innovation Funds. I'm sure you'll hear more. But again, thank you very much for considering to do this study because it does offer the opportunity to really get back to maybe a little more long-term view of a better use of Education Innovation Fund dollars. Thank you. [LB497]

SENATOR SCHEER: Thanks, Jon. Any questions? Getting towards the end. [LB497]

JON HABBEN: Thank you. [LB497]

SENATOR SCHEER: Thank you, Jon. Welcome back, Matt. [LB497]

MATTHEW BLOMSTEDT: Hi, I'm Matt Blomstedt, M-a-t-t B-l-o-m-s-t-e-d-t. First of all, I just want to thank Senator Sullivan and the committee for your leadership on taking a look at Education Innovation Funds and conducting a study. I think one of the things you always have an opportunity to do from the Education Committee is establish a vision for where things go. And I know that's not always easy work. And a study sounds fun to me, but maybe it doesn't sound so fun to you. But the reality is that setting that course and setting that path, there's a whole bunch of, I think, very valuable and appropriate things to look at investing in for the future that are really, you know, going to change our system overall. And I think, as you look at it, just, you know, give that some consideration relative to how do we improve systems overall, what do we do to ultimately set a new base for where we want to go in education, and I appreciate your

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efforts on that. Congratulations on the last day of hearings. (Laugh) [LB497]

SENATOR SCHEER: Thank you, Matt. Any questions? You're done for the year as well. [LB497]

MATTHEW BLOMSTEDT: Oh, man, thank you. (Laugh) [LB497]

SENATOR SCHEER: Any other proponents? Welcome back, Jen. [LB497]

JEN GOETTEMOELLER: (Exhibit 1) Good afternoon again. My name is Jen Goettemoeller, G-o-e-t-t-e-m-o-e-l-l-e-r, here again on behalf of First Five Nebraska. If we were to redesign the education system based on what we know about brain development and how and when children learn, we wouldn't design it the same way it exists today. We would invest more dollars on the front end so children arrive prepared, ready to learn, ready to take advantage of what our great K-12 system has to offer them. LB497 gives us that chance to take a fresh look so we can invest in areas that yield the greatest returns. We hope the committee would consider early childhood in its deliberations. [LB497]

SENATOR SCHEER: Thank you. [LB497]

JEN GOETTEMOELLER: Thank you. [LB497]

SENATOR SCHEER: Any questions for Jen? [LB497]

JEN GOETTEMOELLER: Thank you. [LB497]

SENATOR SCHEER: Thank you. Proponents. Again, 28,000 strong. (Laugh) [LB497]

SENATOR KOLOWSKI: 28,001. [LB497]

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SENATOR SCHEER: Well, he lost one on the way up, so. [LB497]

JAY SEARS: (Exhibit 2) Good afternoon. And for the last time, Madam Chair, Mr. Vice Chair, members of the committee, for the record, I'm Jay Sears, J-a-y S-e-a-r-s, and I'm here representing the 28,010 members of the Nebraska State Education Association. (Laughter) Just got a text: We added ten more after my last testimony. (Laugh) Just kidding. The NSEA does support LB497, and we would support the amendment that the Chair has offered to rename the Innovation Fund. I think it's appropriate in that we start to focus on the improvement of education in Nebraska and how we use those funds. But NSEA believes it's the right time to provide a complete review of how the Education Innovation Funds are used to support education policy and programs in Nebraska for the next few years. As you know, the Education Innovation Fund has provided funding to leverage innovations in educational programs throughout the state. In today's standards, the \$8.1 million that comes from the Education Innovation side of the money from the lottery funds, it doesn't go very far; but it can incentivize education policy, as it has done. It's a good idea to review, every few years, the policy implications that the funding from the Education Innovation Fund can effect. LB495 is the right legislation at the right time. NSEA looks forward to working with the Education Committee as you set the priorities for the allocation of the Education Innovation Fund for the fiscal year 2016 and beyond. The NSEA requests that the Education Committee send LB497 to General File for quick action by the Legislature. Thank you for the opportunity to testify today, and a special thank you for all of you as you've worked on a committee that's had over 100-and-some bills before you with figures, facts, and whatever. This has been a busy year in hearings, and I appreciate the fact that you've sat here and listened to us, asked great questions, had great debate with us, and made us think about what's the best education policy to go forth in the state of Nebraska. So I look forward to the rest of the session and see what comes out at the very end. So thank you very much for the opportunity. [LB497]

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SENATOR SCHEER: Thanks, Jay. Senator Avery. [LB497]

SENATOR AVERY: Thank you, Mr. Vice Chair. You said LB495. This bill is LB497.
[LB497]

JAY SEARS: LB497, yes. [LB497]

SENATOR AVERY: Yeah. [LB497]

JAY SEARS: They all get mixed up, and I... [LB497]

SENATOR AVERY: Yeah, I figured you're probably getting confused by this time.
[LB497]

JAY SEARS: Yeah, thank you. I appreciate that because... [LB497]

SENATOR AVERY: And you can't always assume we're paying attention. (Laughter)
We are here. [LB497]

JAY SEARS: Well, I assume the best, Senator. [LB497]

SENATOR SCHEER: Any other questions? If not, thank you, Jay. [LB497]

JAY SEARS: Thank you. [LB497]

SENATOR SCHEER: Any other proponents of LB497? Are there any opponents to
LB497? And are there any to speak in the neutral position to LB497? All rushing up at
once. [LB497]

TIP O'NEILL: (Inaudible) get like the NSEA. (Laughter) [LB497]

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SENATOR SCHEER: Welcome, Tip. [LB497]

TIP O'NEILL: Someone has to be Switzerland here. Senator Scheer, members of the Education Committee, I'm Tip O'Neill, T-i-p O-'N-e-i-l-l. I'm the president of the Association of Independent Colleges and Universities of Nebraska. When we first read LB497 and saw the sunset provision relating to the Nebraska Opportunity Grant program, we of course had some consternation. And I think I can speak for all of higher education when I say that because \$9 million of the, approximately, \$15.5 million or \$16 million that goes into the Nebraska Opportunity Grant program, which is the need-based program for student aid here in the state, comes from the Nebraska lottery program. And we rank approximately 40th in the nation in terms of the total state grant expenditures as a percentage of the state fiscal support for higher education operating expenses, if you compare those. So we don't appropriate a whole lot of money for need-based grant programs anyway, if you compare it to state operating expenses for higher education. And from the standpoint of the independent colleges and universities, that's the only money that our students receive from state government, so we had some concerns. But in working with Senator Sullivan and in talking about the amendment that she proposed during her opening, I think we're comfortable that...with the committee and with the study that the committee will be performing, and that we're comfortable that need-based student aid will continue to be an important state goal notwithstanding what the committee's recommendation will ultimately be. You know, it's hard to oppose a study, you know. We're into education, I mean, and from a practical standpoint. And any time there is a statutory formula, with 25 votes and the Governor's signature you can change it any time you want to. And so we are neutral as far as the study is concerned, but we certainly anticipate that, being Senator Sullivan's priority bill, it will pass. And we look forward to working with the Education Committee and making sure that we are heard during the course of the study and look forward to working with you. So I'd be happy to answer any of your questions. [LB497]

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SENATOR SCHEER: Thank you, Tip. Any questions? If not, thank you very much.
[LB497]

TIP O'NEILL: Thank you. [LB497]

SENATOR SCHEER: Welcome, Ron. [LB497]

RON WITHEM: Good afternoon, members of the Education Committee. I am Ron Withem, W-i-t-h-e-m, representing the University of Nebraska, here to indicate that my testimony is very similar to Mr. O'Neill's, and that is, when we first read the bill and the way the sunset is occurring, we're a little concerned about the apparent sunset of the funds going into the Nebraska Opportunities Grant. But with the amendment that Senator Sullivan has offered, I think the bill is something that we can feel comfortable with. In preparing for this, I went back and did a bill history and came across LB849 that was heard in this room 22 years, 1 week, and 1 day ago, on March 11, 1991. And I bring that up because, as an observer of the use, but particularly the Innovation Funds, it appears as though the use of those has kind of bounced around considerably over the years. I think, when the lottery was first instituted, the use of computers in the classroom was one of the most common uses of it. So I think a study is appropriate at this time. I think another comment I'm going to make is kind of appropriate also. Dennis Baack, from the community colleges, asked me to put his organization on record in the same position we are: neutral on the bill itself but very supportive of the study. I say it's appropriate because, when I looked at the bill history of LB849, there were three very distinguished senators whose names were on the bill: Eric Will, who, unfortunately, is no longer with us; Senator Dennis Baack, who is with us; and Senator Ron Withem was the third name on the list. So we believe that the use of these funds for need-based scholarships has been very beneficial to the students of the state. That was an innovation Senator Raikes proposed in about 2003, and it's still in place. And we're hoping, through the course of the study, we can convince you that that is one of the source...one of the uses of the funds that should continue. So thank you very much.

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[LB497]

SENATOR SCHEER: Thank you, Ron. Any questions? Thank you very much. [LB497]

RON WITHEM: Thank you. [LB497]

SENATOR SCHEER: Welcome, Marshall. [LB497]

MARSHALL HILL: (Exhibit 3) Thank you. Good afternoon, Senator Scheer and members of the committee. I'm Marshall Hill, M-a-r-s-h-a-l-l H-i-l-l. I'm executive director of the Nebraska Coordinating Commission for Postsecondary Education. And if...I may be last, and maybe at some point I'll be first. Who knows? (Laughter) But I'm here to say much the same thing that my colleagues, Tip O'Neill and Ron Withem, have said. We had some early concerns about the bill. We support the amendment. The lottery funds for Nebraska's needy students are the bird in the hand. They are what we now have. We...this year, the Coordinating Commission will distribute \$8.8 million in lottery funds and a little over \$6 million in general revenue. The only source of increase for need-based financial aid in the...since 2007 has been lottery funds, so they are extremely important. If, heaven forbid, lottery funds were to go away and we were to rely only upon the General Funds appropriations that we have, either we would serve half the students that we do, or the students that we serve would receive half or less of the money that we provide. A reminder we...the Total Opportunity Grant is a little over \$14 million, serves a little over 14,000 students, and so the award is about an average of \$1,000 per student. Nebraska is 33rd in the nation in the amount of need-based financial aid we provide per full-time undergraduate student, and 60 percent of those funds come from lottery funds. So that explains, I am sure, the hesitancy of letting loose of that bird in the hand. But we do believe it is appropriate for the state to periodically reexamine what it does with the lottery funds and what are the best ways to use those funds to the betterment of education in the state. And, certainly, I know that Senator Sullivan's and your hearts are in the right place, and you do support need-based

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financial aid for the students in our state. So we certainly support the study that you will be carrying out. We offer any assistance that we can provide to you as you do that, and I believe that concludes my testimony. Be pleased to answer any questions you may have. [LB497]

SENATOR SCHEER: Thank you. Any questions for Marshall? Doesn't look like any. Thank you. [LB497]

MARSHALL HILL: Thank you. [LB497]

SENATOR SCHEER: Welcome. [LB497]

JAN MCKENZIE: (Exhibit 4) Senator Scheer, members of the Education Committee, I thought I'd save the best for last. (Laughter) [LB497]

SENATOR SCHEER: Absolutely. [LB497]

JAN MCKENZIE: Since I'm a face you have not seen this entire legislative session, for the record, my name is Jan McKenzie. That's J-a-n M-c-K-e-n-z-i-e. I am registered lobbyist for the Nebraska Association for the Gifted. In your bill you will see us called high-ability learners funds. I'm having a few things passed out to you, and I don't want to take much of your time today. We're here in neutral on LB497. Several years ago, the Legislature moved the funding for high-ability learner funds from General Funds over to the Education Innovation Funds. And we were quite excited about that because we honestly believe that's where we probably belong to be. I've given you just some basic information. There is about \$2.3 million that goes out in the way of grants to school districts that is primarily used to support differentiated curricular activities for highly academic or intellectually gifted students, and in many cases school districts, like Lincoln, use some of those funds to support their highly gifted program for mentoring for students. Other districts in rural Nebraska use it to send their teachers to workshops

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and to the national or state conference to learn more about how to provide appropriate curricular activities in the regular classroom where they don't have opportunities for advanced-level courses. Some school districts use those monies to provide advanced-placement courses through Internet so that their seniors and juniors can have the same opportunities that kids in, excuse me, Lincoln or Omaha or larger school districts might have. We are about 348 members strong, but a very dedicated group of teachers and parents who are really trying to allow kids who have already mastered what is the curriculum for their grade level have an opportunity to feel like they're learning something in school. Many of these children already knew what they were going to be taught the day they walked in, and I know because I was one of those teachers. And when I pretested my students I was shocked at how many children already knew everything I was supposed to teach them the first half of the school year in second grade, and I had no idea what to do. So we believe that no child should be left behind, but no child should not have the opportunity to get ahead either if they're ready and willing and eager. We look forward to participating in the study because we'd really love to tell you more about the amazing things that these teachers and parents are trying to provide for their children to keep them excited and curious and achieving. And I'd answer any questions if you'd have any. [LB497]

SENATOR SCHEER: Thank you, Jan. Any questions? Senator Kolowski. [LB497]

SENATOR KOLOWSKI: Thank you, Mr. Vice Chair. Ms. McKenzie, do you have any sponsored summer activities for students that you're currently keeping up with? [LB497]

JAN MCKENZIE: The association does not have a particular activity that they do as a group. [LB497]

SENATOR KOLOWSKI: Um-hum. [LB497]

JAN MCKENZIE: But probably one of the most famous summer activities, probably in

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the region, happens out of an ESU near Minden, and that program has been running for probably 30 years. And, in fact, I think, Senator Scheer, you were on the State Board... [LB497]

SENATOR SCHEER: Um-hum. [LB497]

JAN MCKENZIE: ...when a group of those students came to testify in front of the State School Board about what that opportunity had meant to them when they were in their high school years. It's a remarkable program, and these kids have an opportunity to have peer interaction with other kids like them. And in some cases in rural Nebraska, it's the only time they get to be around kids who are like-minded. Lincoln and Omaha, there's Good Beginnings. There are opportunities for our kids in Omaha and Lincoln and larger communities that are not necessarily sponsored by the association but in many cases by private interests and by parent groups and other kinds of opportunities like that. But we wish we did. Some of our surrounding states have some really amazing opportunities for kids. [LB497]

SENATOR KOLOWSKI: So the Nebraska Scholars Institute and things that we used to have, those are no longer part of anything in Nebraska? [LB497]

JAN MCKENZIE: You know, I'm not certain about that. I was a selection panelist for many years to do Nebraska Scholars Institute. [LB497]

SENATOR KOLOWSKI: Just thinking of the recruitment tool. [LB497]

JAN MCKENZIE: But I've kind of been out of that end of it for a number of years. But I was, since Senator Withem is giving you history lessons today, I was the person who introduced the legislation that mandated that we identified students so we'd know who they are. And then, once we knew who they were, maybe we could do something to help them. And then, two years later, Senator Bohlke carried legislation to provide the

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first of the funding. And I wrote the rule at the department and I wrote the first application process, so I'm probably the museum of (laugh) history for all things high-ability learner. [LB497]

SENATOR KOLOWSKI: Thank you. [LB497]

JAN McKENZIE: Yes. [LB497]

SENATOR SCHEER: Senator Davis. [LB497]

SENATOR DAVIS: Jan, I'm looking at the last page of your document, and you got this from the "State of the States," but I'm having trouble with the math on that. Do you know how these figures were calculated? [LB497]

JAN McKENZIE: I got this from the person who is the Nebraska Association for the Gifted, kind of, coordinator. He handed this out at the annual meeting that they had just last February, so. [LB497]

SENATOR DAVIS: Well, if you see Nebraska has 38,000 identified students and \$2.3 million, and you come up with \$64 (per student),... [LB497]

JAN McKENZIE: Right. [LB497]

SENATOR DAVIS: ...but then, if you go to Iowa, with a \$34 million expenditure for only...for 43,000. But that's \$73,... [LB497]

JAN McKENZIE: Doesn't make sense, does it? [LB497]

SENATOR DAVIS: ...and that doesn't work. So I just wondered if there was some other factor that played into that? Because, obviously, we are... [LB497]

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SENATOR SCHEER: It's (inaudible) 30. [LB497]

SENATOR DAVIS: ...woefully lacking in our support for the program. [LB497]

JAN MCKENZIE: I'm not going to disagree with you. (Laughter) But we originally asked...the original bill legislated \$6.3 million, and it was cut to \$3 (million) and it's gone... [LB497]

SENATOR DAVIS: Down since. [LB497]

JAN MCKENZIE: ...down since during the tough times. But we took our cuts like everyone else, and it's remarkable what talented teachers can do with a little bit of education and a little creativity and a lot of motivation. And, quite honestly, these kids are more challenging to teach than probably any other group of...and I worked with them. So they're more challenging to work with in many ways than a lot of the other kinds of...other groups of students I worked with because they see the world in a way that we don't quite understand,... [LB497]

SENATOR DAVIS: Thanks. [LB497]

JAN MCKENZIE: ...many cases. So I look forward to having more conversations during this study. [LB497]

SENATOR SCHEER: Any other questions? I guess not. Thank you, Jan. [LB497]

JAN MCKENZIE: Thank you. [LB497]

SENATOR SCHEER: Any others in a neutral position? Senator Sullivan. [LB497]

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SENATOR SULLIVAN: I just wanted to briefly say, first of all, thanks to everyone who testified in response to this legislation. And I, for one, if you...as...I think it...I hope it's been helpful for you to have heard what kinds of programs are funded out of these two grant programs. And I, for one, believe every single one is very valuable and important and speaks to what we now call the Nebraska Improvement Fund. And so I'm looking forward to this study. And, based on a few comments that were made, you know, I'd just leave these three things for you, as far as what I think is an opportunity for us to look at with LB497. And one is to set priorities for how we want to improve education and using these dollars. This committee would give direction on how to use these dollars. And, just as importantly--and the comment was made about term limits--it gives some continuity over time to how these funds can be used. So again, I thank you for your consideration and hope you'll advance LB497. [LB497]

SENATOR SCHEER: Thank you, Senator Sullivan. And with that, we end the last hearing for this year. Thank you all for coming, and we'll see you again next year. [LB497]

LEGISLATION
**Nebraska Legislation
 Technology and Related Bills**

Updated: April 12, 2013 12:55 PM

2013 Legislative Bills			
LB#	Introducer	Status	One-Liner
LB11	Krist	Hearing 2/25 Transportation and Telecommunications Committee	Change provisions relating to surcharges for 911 service
LB20	Nordquist	Hearing 3/25 Appropriations Committee	State intent relating to appropriations for the rural health provider incentive program
LB25	Hadley	Hearing 1/24 Revenue Committee	Change provisions relating to the cigarette tax and the tobacco products tax
LB37	Wightman	Hearing 1/24 Judiciary Committee	Change provisions relating to powers of personal representative with respect to a decedent's Internet sites
LB51	Ashford	General File Hearing 1/24 Judiciary Committee	Change provisions relating to publication of court opinions
LB58	Larson	Hearing 1/28 Business and Labor Committee	Adopt the Workplace Privacy Act
LB61	Murante	Hearing 1/30 Judiciary Committee	Change provisions relating to the Financial Data Protection and Consumer Notification of Data Security Breach Act of 2006
LB118	Harms	Hearing 2/11 Transportation and Telecommunications Committee	Change texting enforcement provisions
LB125	Lautenbaugh	Approved by Governor Final Reading passed with Emergency Clause 44-4-1 Lautenbaugh FA3 adopted Harr AM139 adopted Select File with ER3 adopted Harr AM97 - adopted Avery AM75 - adopted General File with AM47 - adopted Hearing 1/24 Government, Military and Veterans Affairs Committee	Change provisions relating to boards of education of Class V school districts
LB160	Schumacher	Hearing 1/31 Government, Military and Veterans Affairs Committee	Provide for electronic signatures on recall, initiative, and referendum petitions
Budget	Speaker Adams, at the request of the Governor	Hearing 2/25 Appropriations Committee	LB194-LB200

LB222	McCoy	General File with AM244 Hearing 2/13 Government, Military and Veterans Affairs Committee	Change provisions regarding certain reports submitted electronically to the Legislature
LB258	Sullivan	Hearing 2/26 Transportation and Telecommunications Committee	Prohibit use of certain wireless devices by school bus drivers as prescribed
LB260	Gloor	General File Hearing 2/14 Health and Human Services Committee	Change requirements for a data and information system under the Nebraska Behavioral Health Services Act
LB262	Cook	Approved by Governor Final Reading passed 43-0-6 Select File General File with AM138 adopted Hearing 2/5 Education Committee	Provide duties relating to sharing of student information
LB268	Campbell	Hearing 3/26 Appropriations Committee	State intent to appropriate funds for upgrade of an electronic data collection system related to child welfare and other economic assistance programs [OCIO reference]
LB326	Howard Speaker priority bill	Howard AM456 General File with AM434 Hearing 2/1 Health and Human Services Committee	Change provisions of Pharmacy Practice Act and Automated Medication Systems Act
LB366	Cook Cook priority bill	General File with AM785 Hearing 2/4 Education Committee	Adopt the Remedial Adult Education Innovation Act
LB409	Sullivan	Hearing 2/19 Education Committee	Change distribution provisions for core services and educational technology funds
LB424	Coash	Hearing 3/6 Appropriations Committee	State intent to appropriate funds to the Nebraska State Patrol Internet Crimes Against Children Unit
LB429	Crawford Crawford priority bill	Final Reading Crawford AM925 adopted Kintner AM720 withdrawn Select File General File with AM390 adopted Hearing 2/8 Government, Military and Veterans Affairs Committee	Require disclosure of state contracts
LB439	Gloor Gloor priority bill	Hearing 3/13 Revenue Committee	Change cigarette and tobacco tax provisions
LB445	Karpisek	Hearing 2/5 Transportation and Telecommunications Committee	Provide funding to the Department of Motor Vehicles to purchase a vehicle titling and registration computer system
LB467	Avery	Hearing 3/5 Education Committee	Provide for interstate reciprocity agreements under the Postsecondary

			Institution Act
LB495	Sullivan Speaker priority bill	Final Reading Select File with ER46 adopted Sullivan AM921 adopted General File with AM804 adopted Hearing 3/19 Education Committee	Change provisions relating to the Education Innovation Fund and early childhood grant reporting
LB497	Sullivan Sullivan priority bill	Select File General File with AM694 adopted Hearing 3/19 Education Committee	Change distribution and provide for a study of the Education Innovation Fund
LB510	Scheer	Approved by Governor Final Reading passed 44-0-5 Scheer AM416 adopted Select File General File Hearing 2/6 Government, Military and Veterans Affairs Committee	Change Open Meeting Act telephone conference call provisions and authorization for videoconferencing and teleconferencing
LB511	Scheer	Hearing 3/19 Education Committee	Change allocation provisions relating to the Education Innovation Fund
LB521	Christensen	Hearing 2/6 Government, Military and Veterans Affairs Committee	Require cities and villages and other public bodies that maintain web sites to publish ordinances and other information as prescribed
LB535	Lathrop	Hearing 3/15 Health and Human Services Committee	Adopt Prescription Monitoring Program Act and repeal prescription monitoring provisions
LB556	McGill McGill priority bill	Hearing 2/14 Health and Human Services Committee	Provide for telehealth services for children, change the medical assistance program, and provide duties for the Department of Health and Human Services
LB566	Karpisek	Hearing 3/19 Education Committee	Create the Educational Technology Infrastructure Grant Program
LB595	Price Price priority bill	Select File General File with AM695 adopted Hearing 2/25 Transportation and Telecommunications Committee	Provide for a Public Service Commission study of next-generation 911
LB605	Pirsch	Hearing 2/14 Health and Human Services Committee	Provide for Telehealth Behavioral Health Services Program
LB606	Pirsch	Hearing 3/7 Revenue Committee	Adopt the Nebraska Technology Entrepreneur Act to provide sales and use tax refunds to certain businesses
LB617	Schumacher	IPP Hearing 3/19 Transportation and Telecommunications Committee	Change provisions of the Nebraska Telecommunications Universal Service Fund Act

2013 Resolutions / Constitutional Amendments / Appointments			
LR#	Introducer	Status	Description
		Hearing 3/19 Transportation and Telecommunications Committee	NITC Commissioner Appointment Hearings for Commissioners Moline and Hammack (Appointment Letter - Journal p. 21; Hearing - Journal p. 665)
		Hearing 3/14	Agency 65 Appropriations Hearing

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Services Task Group Meeting Minutes, April 9, 2013

Emerging Technologies Task Group report from last meeting struggled with a challenge we are willing to help address.

- What is the process for Network Nebraska of adding services?

New services via NN: 3 categories

- Services provided directly by Network Nebraska
- Services provided by Centers of Excellence between members of Network Nebraska
- Third-party services that are agreed upon as valuable by members of Network Nebraska

There is much overlap between NNAG and NITC task groups. Is it worth having some joint meetings or some specifically defined discussions surrounding the services? Also, do all NN services require NITC oversight even when they are self funded and have the oversight of NNAG?

Defining “Services”

- Is the definition broad—anything that allows one entity to serve another? (We think so)
- What categories of service are in our purview?
- Who is a provider of a service?
- Does the answer to each question differ for each group?
- Who is a consumer?
- Who is a provider?
 - Are out-of-Nebraska vendors/providers allowed? How? When?
 - Cloud services legal issues
- What about cross-sectional use within the state? (e.g., health care offer services to education and vice-versa)

We see some services as useful/needed, but are struggling to define how they might be implemented. How do we set the scope?

- Legal review or guidance of cloud services agreements
 - What complies with FERPA and other regulations?
 - What other issues should institutions be aware of or enforce in cloud services agreements.
- Procurement—communication about what group/procurement options are available.
 - WSCA
 - MHEC (sets the ceiling price, but you can still negotiate down and meet the terms and conditions of the MHEC contract and bid)
 - Pass-through of pricing from one NN entity to all others by asking vendor to honor.

Future action:

- Involve Tom Rolfes
- Minnesota State Colleges and Universities (MNSCU) guest speaker