

## Education Technology Legislation 103<sup>rd</sup> 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.](#)

Version: 4/15/2013

[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~~

Version: 4/15/2013

~~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](mailto: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> .