

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 964

Introduced by Dungan, 26; Blood, 3; Cavanaugh, J., 9; Conrad, 46; DeBoer, 10; Fredrickson, 20; Hughes, 24; Hunt, 8; Walz, 15.

Read first time January 04, 2024

Committee:

1 A BILL FOR AN ACT relating to teachers; to amend section 85-3004, Revised
2 Statutes Cumulative Supplement, 2022; to adopt the Special Education
3 Teacher Forgivable Loan Program Act; to provide for scholarships
4 under the Nebraska Career Scholarship Act; and to repeal the
5 original section.

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

1 Section 1. Sections 1 to 5 of this act shall be known and may be
2 cited as the Special Education Teacher Forgivable Loan Program Act.

3 Sec. 2. (1) The Legislature finds that Nebraska elementary and
4 secondary schools have had difficulty filling open and necessary job
5 positions, including special education teachers.

6 (2) It is the intent of the Legislature to assist individuals
7 studying to become special education teachers by supporting forgivable
8 loans to those individuals who commit to teaching in Nebraska following
9 their certification as a teacher with a special education endorsement.

10 Sec. 3. For purposes of the Special Education Teacher Forgivable
11 Loan Program Act:

12 (1) Department means the State Department of Education;

13 (2) Eligible institution means a not-for-profit college or
14 university that (a) is located in Nebraska, (b) is accredited by an
15 accrediting agency recognized by the United States Department of
16 Education and determined to be acceptable by the State Board of
17 Education, and (c) has a special education teacher education program;

18 (3) Eligible noncitizen means an individual who:

19 (a) Is a United States national, including a native of American
20 Samoa or Swains Island;

21 (b) Is a lawful permanent resident with a Form I-551, I-151, or
22 I-551C issued by the United States Government;

23 (c) Is a conditional permanent resident of the United States;

24 (d) Has an Arrival-Departure Record I-94 from the United States
25 Citizenship and Immigration Services showing a status of Refugee, Asylum
26 Granted, Parolee, Conditional Entrant, or Cuban-Haitian Entrant;

27 (e) Holds a T nonimmigrant status visa or is a child of an
28 individual who holds a T-1 nonimmigrant status visa;

29 (f) Is a battered immigrant-qualified alien who is a victim of abuse
30 by such individual's spouse or parent who is a citizen or permanent
31 resident;

1 (g) Is a battered immigrant-qualified alien who is a child of a
2 person designated as such under the federal Violence Against Women Act;
3 or

4 (h) Is a citizen of the Republic of Palau, the Republic of the
5 Marshall Islands, or the Federated States of Micronesia;

6 (4) Eligible student means an individual who:

7 (a) Is a United States citizen or an eligible noncitizen;

8 (b) Is a high school graduate or the equivalent of a high school
9 graduate;

10 (c) Is enrolled in good standing at a state college in Nebraska or
11 the University of Nebraska;

12 (d) Is seeking initial certification as a teacher with an
13 endorsement in special education; and

14 (e) Has applied for federal financial aid grants and state
15 scholarships and grants to cover tuition and fees; and

16 (5) Teacher education program means a program of study that results
17 in obtaining a bachelor's degree, master's degree, or special education
18 endorsement that meets the education requirements for certification
19 pursuant to sections 79-806 to 79-816.

20 Sec. 4. (1) The Special Education Teacher Forgivable Loan Program
21 is created and shall be administered by the department.

22 (2) The department may award a forgivable loan to an eligible
23 student to pay for instate tuition, or the equivalent of instate tuition
24 at any eligible institution.

25 (3) The department may award up to twenty-five forgivable loans each
26 academic year for each eligible institution.

27 (4) An eligible student who is awarded a forgivable loan under the
28 Special Education Teacher Forgivable Loan Program shall enter a contract
29 with the department prior to the department dispersing any money for such
30 loan. Such contract shall contain at least the following terms:

31 (a) The eligible student shall only be eligible to receive a loan

1 under the program for the first five years that the eligible student is
2 enrolled in a teacher education program;

3 (b) The loan shall only be used to pay for any remaining tuition
4 remaining due to the eligible institution attended by the eligible
5 student after applying all awarded federal and state financial aid grants
6 and scholarships;

7 (c) The eligible student shall begin teaching special education at a
8 Nebraska elementary or secondary school within one year after graduating
9 with a degree in education; and

10 (d) The eligible student shall teach special education at a Nebraska
11 elementary or secondary school for:

12 (i) Five consecutive years after graduating with a degree in
13 education; or

14 (ii) The equivalent number of years of loans taken.

15 (5)(a) When an eligible student who was awarded any forgivable loan
16 under this section graduates from an eligible institution, the department
17 shall determine the total dollar amount of forgivable loans paid to such
18 eligible student.

19 (b) For each year after graduating from an eligible institution that
20 an eligible student complies with the terms of the contract under this
21 section, the department shall forgive twenty percent of the total dollar
22 amount of forgivable loans paid to such eligible student.

23 (c) After the fifth consecutive year of compliance with the terms of
24 the contract, the department shall notify the eligible student that the
25 total amount of forgivable loans provided under this section that were
26 owed by such eligible student are forgiven.

27 (6) If an eligible student who accepted a forgivable loan under this
28 section fails to comply with the terms of the contract described in this
29 section, such eligible student may receive a deferment from the
30 obligation of repayment as specified in rules and regulations adopted and
31 promulgated under the act.

1 (7) Any eligible student who accepted a forgivable loan under this
2 section who fails to comply with the terms of the contract described in
3 this section and who does not receive a deferment from the obligation of
4 repayment as described in this section shall repay the remaining balance
5 of any forgivable loan with simple interest at a rate of five percent per
6 year. Any repayment under this section shall be remitted to the State
7 Treasurer for credit to the General Fund.

8 (8) The department shall provide each eligible student who accepts a
9 forgivable loan under this section with a description of the obligations
10 of such eligible student under the terms of the contract described in
11 this section.

12 Sec. 5. The State Board of Education may adopt and promulgate rules
13 and regulations relating to the Special Education Teacher Forgivable Loan
14 Program Act.

15 Sec. 6. Section 85-3004, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 85-3004 (1)(a) The Board of Regents of the University of Nebraska
18 shall award a Nebraska Career Scholarship to any eligible university
19 student who is enrolled in an eligible program of study in an amount not
20 to exceed:

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

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

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

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

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

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

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

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

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

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

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

29 (4) Each scholarship awarded under this section shall be
30 automatically renewed on an annual basis if the student remains enrolled
31 in good standing in the eligible program of study for which such

1 scholarship was awarded, except that no student shall receive a
2 scholarship renewal after four years of participation in such eligible
3 program of study.

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

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

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

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

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

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

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

1 graduates.

2 Sec. 7. Original section 85-3004, Revised Statutes Cumulative

3 Supplement, 2022, is repealed.