

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 991**

Introduced by Bolz, 29.

Read first time January 11, 2018

Committee: Business and Labor

1 A BILL FOR AN ACT relating to education; to amend sections 85-1539 and  
2 85-1540, Reissue Revised Statutes of Nebraska, and sections  
3 48-622.02 and 48-622.03, Revised Statutes Supplement, 2017; to  
4 create the Nebraska Integrated Education and Training Grant Program;  
5 to state findings; to define terms; to authorize grants; to require  
6 policy recommendations; to require reporting; to transfer money from  
7 the Nebraska Training and Support Cash Fund; to harmonize  
8 provisions; and to repeal the original sections.  
9 Be it enacted by the people of the State of Nebraska,

1           Section 1. The Legislature finds that in order to be competitive in  
2 a global economy, Nebraska must develop educational programs in high-  
3 demand fields. The Legislature further finds that business interests in  
4 Nebraska have identified development of a skilled workforce as essential  
5 to building Nebraska's economy. Additionally, the federal Workforce  
6 Innovation and Opportunity Act of 2014, 29 U.S.C. 3101, as such act  
7 existed on January 1, 2018, included the first requirement for states to  
8 provide integrated education and training services. Finally, community  
9 colleges in Nebraska are positioned to establish innovative approaches to  
10 developing credentials with meaning in the workforce that meet  
11 educational demand.

12           Sec. 2. For purposes of sections 1 to 5 of this act:

13           (1) Adult education means academic instruction and education  
14 services below the postsecondary level for any person who is sixteen  
15 years of age or older, who is not enrolled in high school and is not  
16 required to be enrolled in school, that increase the ability to read,  
17 write, and speak in English and perform mathematics or other activities  
18 necessary for the attainment of a high school diploma or a diploma of  
19 high school equivalency, for the transition to postsecondary education  
20 and training, and to obtain employment;

21           (2) Commission means the Coordinating Commission for Postsecondary  
22 Education;

23           (3) Committee means the Nebraska Community College Student  
24 Performance and Occupational Education Grant Committee;

25           (4) Integrated education and training means instruction that  
26 provides adult education and literacy activities or remedial education  
27 concurrently and contextually with workforce preparation activities and  
28 workforce training for a specific occupation or occupational cluster for  
29 the purpose of educational and career advancement; and

30           (5) Remedial education means instruction and support to prepare a  
31 student who is assessed by the postsecondary educational institution that

1 the student has chosen as being academically underprepared to  
2 successfully complete a program of study at such postsecondary  
3 educational institution.

4       Sec. 3. (1) The Nebraska Integrated Education and Training Grant  
5 Program is established. The grant program shall provide grants to  
6 community colleges for the purpose of developing and implementing local  
7 programs of integrated education and training. The committee shall  
8 administer the program and shall develop grant applications, procedures,  
9 and guidelines as needed.

10       (2) The committee shall allocate grants of up to three years to  
11 community colleges through a competitive process. To be eligible, a  
12 community college shall submit an application to the committee  
13 describing:

14       (a) The specific integrated education and training instructional  
15 model to be implemented by the local program of integrated education and  
16 training;

17       (b) How the local program of integrated education and training will  
18 be designed and implemented by educators with expertise in adult  
19 education and occupational skills training;

20       (c) How the local program of integrated education and training will  
21 prepare students to receive a high school diploma or diploma of high  
22 school equivalency if necessary;

23       (d) How the local program of integrated education and training will  
24 prepare students to obtain postsecondary credentials;

25       (e) If applicable, how the local program of integrated education and  
26 training will offer industry-recognized credentials;

27       (f) The occupations or industry for which the local program of  
28 integrated education and training will prepare students for employment  
29 and how the program will fit into a career pathway;

30       (g) Evidence of employer demand for students who complete the local  
31 program of integrated education and training;

1       (h) How the local program of integrated education and training will  
2 provide student support services, including guidance counseling, to  
3 assist with student success;

4       (i) Strategies for tracking and reporting outcomes and evaluation  
5 reporting for the local program of integrated education and training;

6       (j) Evidence of matching funds from local or philanthropic sources  
7 of at least one quarter of the total projected cost for the local program  
8 of integrated education and training;

9       (k) Description of the target population, including, but not limited  
10 to, unemployed, underemployed, or low-income persons, youth, dislocated  
11 workers, or a combination of target populations and how the local program  
12 of integrated education and training will serve such target population or  
13 populations; and

14       (l) Other information as required by the committee.

15       Sec. 4. The commission shall develop an annual evaluation of the  
16 Nebraska Integrated Education and Training Grant Program that includes  
17 the following:

18       (1) The local programs of integrated education and training that  
19 each community college offers by name;

20       (2) The number of students who enrolled in each local program of  
21 integrated education and training;

22       (3) The number of students who successfully complete each local  
23 program of integrated education and training; and

24       (4) The percentage of students who obtained employment in the  
25 occupation or industry indicated in the grant application or who enrolled  
26 for additional education related to such occupation or industry within  
27 six months after successful completion for each local program of  
28 integrated education and training.

29       Sec. 5. Up to fifteen percent of funds received from the Nebraska  
30 Training and Support Cash Fund pursuant to section 48-622.02 may be  
31 retained by the commission for administering grants, providing technical

1 assistance, and conducting the annual evaluation required pursuant to  
2 section 4 of this act.

3       Sec. 6. Section 48-622.02, Revised Statutes Supplement, 2017, is  
4 amended to read:

5       48-622.02 (1) The Nebraska Training and Support Cash Fund is  
6 created. Any money in the fund available for investment shall be invested  
7 by the state investment officer pursuant to the Nebraska Capital  
8 Expansion Act and the Nebraska State Funds Investment Act. Except as  
9 otherwise provided in subsection (4) of this section, no ~~Ne~~ expenditures  
10 shall be made from the Nebraska Training and Support Cash Fund without  
11 the written authorization of the Governor upon the recommendation of the  
12 commissioner. Any interest earned on money in the State Unemployment  
13 Insurance Trust Fund shall be credited to the Nebraska Training and  
14 Support Cash Fund.

15       (2) Except as otherwise provided in subsection (4) of this section,  
16 money ~~Money~~ in the Nebraska Training and Support Cash Fund shall be used  
17 for (a) administrative costs of establishing, assessing, collecting, and  
18 maintaining state unemployment insurance tax liability and payments, (b)  
19 administrative costs of creating, operating, maintaining, and dissolving  
20 the State Unemployment Insurance Trust Fund and the Nebraska Training and  
21 Support Cash Fund, (c) support of public and private job training  
22 programs designed to train, retrain, or upgrade work skills of existing  
23 Nebraska workers of for-profit and not-for-profit businesses, (d)  
24 recruitment of workers to Nebraska, (e) training new employees of  
25 expanding Nebraska businesses, (f) the costs of creating a common web  
26 portal for the attraction of businesses and workers to Nebraska, (g)  
27 developing and conducting labor availability and skills gap studies  
28 pursuant to the Sector Partnership Program Act, for which money may be  
29 transferred to the Sector Partnership Program Fund as directed by the  
30 Legislature, and (h) payment of unemployment insurance benefits if  
31 solvency of the state's account in the Unemployment Trust Fund and of the

1 State Unemployment Insurance Trust Fund so require.

2 (3) The Administrative Costs Reserve Account is created within the  
3 Nebraska Training and Support Cash Fund. Money shall be allocated from  
4 the Nebraska Training and Support Cash Fund to the Administrative Costs  
5 Reserve Account in amounts sufficient to pay the anticipated  
6 administrative costs identified in subsection (2) of this section.

7 (4) The State Treasurer shall transfer seven ~~two~~ hundred fifty  
8 thousand dollars from the Nebraska Training and Support Cash Fund to the  
9 Nebraska Integrated Education and Training Grant Program on or before  
10 August 1, 2018. It is the intent of the Legislature to transfer such  
11 amount on or before August 1 of each year thereafter ~~Sector Partnership~~  
12 ~~Program Fund no later than July 15, 2016.~~

13 Sec. 7. Section 48-622.03, Revised Statutes Supplement, 2017, is  
14 amended to read:

15 48-622.03 (1) There is hereby created the Nebraska Worker Training  
16 Board. The board shall consist of seven members appointed and serving for  
17 terms determined by the Governor as follows:

- 18 (a) A representative of employers in Nebraska;
- 19 (b) A representative of employees in Nebraska;
- 20 (c) A representative of the public;
- 21 (d) The Commissioner of Labor or a designee;
- 22 (e) The Director of Economic Development or a designee;
- 23 (f) The Commissioner of Education or a designee; and
- 24 (g) The chairperson of the governing board of the Nebraska Community  
25 College Association or a designee.

26 (2) The chairperson of the Nebraska Worker Training Board shall be  
27 the representative of the employers in Nebraska.

28 (3) Beginning July 1, 2015, and annually thereafter, the board shall  
29 prepare an annual program plan for the upcoming fiscal year containing  
30 guidelines for the program financed by the Nebraska Training and Support  
31 Cash Fund pursuant to subsections (2) and (3) of section 48-622.02. The

1 guidelines shall include, but not be limited to, guidelines for  
2 certifying training providers, criteria for evaluating requests for the  
3 use of money under such subsections ~~section 48-622.02~~, and guidelines for  
4 requiring employers to provide matching funds. The guidelines shall give  
5 priority to training that contributes to the expansion of the Nebraska  
6 workforce and increasing the pool of highly skilled workers in Nebraska.

7 (4) Beginning July 1, 2015, and annually thereafter, the board shall  
8 provide a report to the Governor covering the activities of the program  
9 financed by the Nebraska Training and Support Cash Fund for the previous  
10 fiscal year. The report shall contain an assessment of the effectiveness  
11 of the program and its administration.

12 Sec. 8. Section 85-1539, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 85-1539 (1) There is hereby created the Nebraska Community College  
15 Student Performance and Occupational Education Grant Committee. The  
16 committee shall consist of (a) a representative of the Coordinating  
17 Commission for Postsecondary Education who shall serve as chairperson of  
18 the committee, (b) a representative of the Department of Economic  
19 Development, (c) a representative of the Department of Labor, (d) a  
20 representative of the State Department of Education, (e) a representative  
21 affiliated with one of the two community college areas with the two  
22 smallest full-time equivalent student enrollment totals for the most  
23 recent fiscal year, (f) a representative affiliated with one of the two  
24 community college areas with the two largest full-time equivalent student  
25 enrollment totals for the most recent fiscal year, and (g) a  
26 representative affiliated with one of the two community college areas not  
27 included in the categories provided in subdivisions (1)(e) and (f) of  
28 this section. Each member shall be appointed by the agency or community  
29 college areas being represented. The representatives appointed pursuant  
30 to subdivisions (1)(e) through (g) of this section shall serve terms of  
31 two years and shall be succeeded by a representative affiliated with the

1 community college areas not represented for the preceding term. The  
2 committee shall administer the grant program provided by subsection (2)  
3 of this section and the Nebraska Integrated Education and Training Grant  
4 Program pursuant to sections 1 to 5 of this act.

5 (2) The committee shall develop guidelines for and annually  
6 determine the allocation of aid or grants to the community colleges for  
7 (a) applied technology and occupational faculty training, instructional  
8 equipment upgrades, employee assessment, preemployment training,  
9 employment training, and dislocated worker programs benefiting the State  
10 of Nebraska or (b) programs or activities to enhance (i) student  
11 performance in the areas of degree, certificate, or diploma completion,  
12 retention, or foundations education as defined in section 85-932.01 or  
13 (ii) the collection, reporting, analysis, and utilization of student  
14 data. The total amount allocated for a fiscal year shall not exceed the  
15 amounts appropriated from the Nebraska Community College Student  
16 Performance and Occupational Education Grant Fund and such other funds as  
17 may be appropriated by the Legislature for purposes of this section for  
18 such fiscal year. The commission shall certify the allocation determined  
19 by the committee on or before September 10 of the fiscal year for which  
20 such allocation is being certified and shall report such allocation to  
21 the Department of Administrative Services. The commission shall  
22 distribute the allocated funds to the selected community college board or  
23 boards in a single payment between the fifth and twentieth day of October  
24 of each year.

25 (3) Applications for aid or grants pursuant to subsection (2) of  
26 this section may be submitted by a community college area independently  
27 or in collaboration with other community college areas.

28 Sec. 9. Section 85-1540, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 85-1540 There is hereby created the Nebraska Community College  
31 Student Performance and Occupational Education Grant Fund. The fund shall



1 be under the direction of the Nebraska Community College Student  
2 Performance and Occupational Education Grant Committee and shall be  
3 administered by the Coordinating Commission for Postsecondary Education.  
4 The fund shall consist of money received by the state in the form of  
5 grants or gifts from nonfederal sources, such other amounts as may be  
6 transferred or otherwise accrue to the fund, and any investment income  
7 earned on the fund. The fund shall be used to provide aid or grants to  
8 the community colleges pursuant to subsections (2) and (3) of section  
9 85-1539. Any money in the fund available for investment shall be invested  
10 by the state investment officer pursuant to the Nebraska Capital  
11 Expansion Act and the Nebraska State Funds Investment Act.

12 Sec. 10. Original sections 85-1539 and 85-1540, Reissue Revised  
13 Statutes of Nebraska, and sections 48-622.02 and 48-622.03, Revised  
14 Statutes Supplement, 2017, are repealed.