

## **LB833 Excerpt pertaining to the Distance Learning Network Completion Grant**

Sec. 2. (1) For fiscal years 2001-02 and 2002-03, the Excellence in Education Council shall grant up to twenty percent of the Education Innovation Fund, not to exceed one million five hundred thousand dollars per fiscal year, to a grantee for a distance education network completion grant. The distance education network completion grant shall fund engineering, equipment, and installation charges for two-way interactive distance education capacity for public high school buildings that do not currently have such capacity. The grant application shall:

- (a) Designate the State Department of Education as the fiscal agent for the grant;
- (b) Specify criteria for determining the public high school buildings for which the grant will fund engineering, equipment, and installation charges;
- (c) Specify criteria for determining the engineering, equipment, and installation charges which the grant will fund;
- (d) Specify the technique for prorating funding and collecting funds from districts if the charges for engineering, equipment, and installation for the public high school buildings for which grant funds are used exceed the grant funds available;
- (e) Specify the procedure for assuring that all projects meet the standards of the technical panel created in section 86-1511, including periodic reviews of projects by the technical panel;
- (f) Specify the timeline for completing a statewide two-way interactive distance education network that includes all participating public high schools; and
- (g) Specify that any equipment obtained through a grant is the property of the school district and not the department.

(2) For a public high school to participate in the grant, the school district must apply to the department as the fiscal agent on a form prescribed by the department on or before a date established by the department. The application shall require evidence that the school district has made a commitment to be part of a distance education consortium and that the distance education consortium has accepted the district's commitment. The application shall also require the applicant district to list the classes that the district anticipates accessing from the consortium or a community college and any classes that the district anticipates that it will offer to other districts in the consortium through distance education.

(3) The department as the fiscal agent may use up to twenty-five thousand dollars per fiscal year of the grant funds to fund a project manager.

## Distance Learning Network Completion Grant Timeline (All dates subject to revision)

LB833 Signed .....	May 24, 2001
Distance Education Summit.....	June 5 - 6, 2001
Meeting with Distance Learning Coordinators .....	June 28, 2001
Fund Accrual Period Begins .....	July 1, 2001
Mail meeting materials to stakeholders.....	July 9, 2001
LB 833 Stakeholders' Meeting .....	July 13, 2001
LB 833 Stakeholders' Meeting (Rule 89) .....	August 21, 2001
NITC Technical Panel Project Overview .....	August 22, 2001
Intent to Apply Responses Due .....	September
Rule 89 Hearing Draft Approval .....	September 7, 2001
Public Hearing Notice Published.....	by September 10, 2001
Agenda Items Due for Nov. St. Board Mtg.....	October 11, 2001
Rule 89 Public Hearing .....	October 12, 2001
DL Application Finalized/Sent (tentative) .....	October 15, 2001
Support Materials Due for Nov. St. Board Mtg.....	October 18, 2001
Video Standard Approved by the NITC.....	November, 2001
Rule 89 Revisions Approved.....	November 2, 2001
Application Deadline (tentative) .....	December 15, 2001
Schools Schedule Classes for Fall 2002 .....	Jan. - Feb., 2002
NDE Presentation to NITC Technical Panel .....	January 8, 2002
RFP Released.....	January 15, 2002
Bids – RFP Responses Due .....	March 1, 2002
Vendors Selected.....	March 15, 2002
Vendors Order Equipment .....	April 1, 2002
Potential 1st Installation Time Period.....	May-Sep., 2002
End of 1 <sup>st</sup> Fiscal Year.....	June 30, 2002
Schools Schedule Classes for Fall 2003 .....	Jan. - Feb., 2003
Potential 2 <sup>nd</sup> Installation Time Period .....	May-Sep., 2003
End of 2 <sup>nd</sup> Fiscal Year and fund accrual .....	June 30, 2003
Project Completion Analysis .....	July, 2003
Potential 3 <sup>rd</sup> Installation Time Period .....	May-Sep., 2004
Final Project Report .....	January, 2005

## School Systems With No Distance Learning Classroom (8/7/01)

ESU District/System Name	HS Bldgs.
9 Adams Central Jr-Sr High School	1
*14 Alliance Public Schools	1
4 Auburn Public Schools	1
13 Bayard Public Schools	1
3 Bellevue Public Schools	2
3 Bennington Public Schools	1
14 Chappell Public Schools	1
9 Clay Center Public Schools	1
7 Columbus Public Schools	1
1 Crofton Community Schools	1
7 David City Public Schools	1
9 Doniphan-Trumbull Public Schools	1
7 East Butler Public Schools	1
1 Emerson-Hubbard Public Schools	1
4 Falls City Public Schools	1
3 Fort Calhoun Community Schools	1
9 Giltner Public Schools	1
10 Grand Island Public Schools	1
9 Harvard Public Schools	1
9 Hastings Public Schools	1
7 High Plains Community Schools (Polk)	1
1 Homer Community Schools	1
7 Humphrey Public Schools	1
9 Kenesaw Public Schools	1
7 Lakeview Community Schools	1
14 Leyton Public Schools	1
10 Lexington Public Schools	1
18 Lincoln Public Schools	6
10 Litchfield Public Schools	1
14 Lodgepole Public Schools	1
8 Madison Public Schools	1
6 Mc Cool Junction Pub Schools	1
10 Northwest High School	1
19 Omaha Public Schools	7
7 Osceola Public Schools	1
3 Papillion-La Vista Public Schools	2
1 Ponca Public Schools	1
14 Potter-Dix Public Schools	1
7 Rising City Public Schools	1
7 Schuyler Central High School	1
7 Shelby Public Schools	1
14 Sidney Public Schools	1
9 So. Cen. Unified #5 (Lawrence, Sandy Creek, Superior)	3
14 South Platte Public Schools (Big Springs)	1
3 South Saryp Dist 46	1
10 St Paul Public Schools	1
7 Polk County School District #15 (Stromsburg)	1
3 Waterloo Public Schools	1
10 Wood River Rural High School	1

1 Wynot Public Schools	1
<b>Total Number of Eligible LB 833 HS Bldgs.</b>	<b>65</b>

\* Alliance not a member of an ESU but would probably join Western Consortium

**Districts in Southeast Consortium (9 districts)**

3 Bellevue Public Schools	2
3 Bennington Public Schools	1
3 Fort Calhoun Community Schools	1
3 Papillion-La Vista Public Schools	2
3 South Sarpy Dist 46	1
3 Waterloo Public Schools	1
4 Auburn Public Schools	1
4 Falls City Public Schools	1
6 Mc Cool Junction Pub Schools	1
18 Lincoln Public Schools	6
19 Omaha Public Schools	7
Possible Total High Schools in Southeast Consortium	24

**List of Consortiums:**

Southwest Nebraska Distance Learning Consortium	Shirley Schall
Western Nebraska Distance Learning Consortium	B.J. Peters
Tri-Valley Distance Education Consortium	John Stritt
Central Nebraska Distance Education Consortium	Chris Petroff
Sandhills Telecommunication Educational Project	Rich Schlesselman
Niobrara Valley Tele-Partnership	Nigel Buss
Northeast Nebraska Distance Learning Consortium	Nigel Buss
North Central Consortium	Nigel Buss
Southeast Nebraska Distance Learning Consortium	Don Ferneding
Eastern Nebraska Distance Learning Consortium	Diane Wolfe
Northeast Nebraska Learner's Academy	Nigel Buss
 Crossroads	 Phyllis Brunken

# ADDITIONS TO RULE 89 DUE TO LB 833 (2001) DISTANCE LEARNING NETWORK COMPLETION (DLNC) GRANT

Course means a particular subject, subject area, or defined sequence of learning experiences with one or more students enrolled and in attendance.

Distance education capacity shall mean capacity for two-way, synchronous, interactive audio-video transmission.

Distance education consortium shall mean a group of parties who enter into an agreement pursuant to the Nebraska Interlocal Cooperation Act pursuant to section 13-801 R.R.S. et seq. for the purpose of establishing, maintaining and operating a two-way, synchronous, interactive video system for distance education purposes.

Distance Learning Network Completion Grant shall mean a grant to fund engineering, equipment, and installation charges for two-way, synchronous, interactive distance education capacity for Nebraska public high school buildings that do not currently have such capacity.

Engineering shall mean the design and planning for the installation of the equipment.

Equipment shall mean the basic distance learning hardware (e.g. television monitors, video cameras, microphones, speakers), instructor equipment (e.g. computer) and console, and ancillary items (e.g. cables, connectors, and echo canceller) that are on location at the school site to capture, display, and transport audio and video.

Installation charges mean the fees for the placing, affixing, or attaching of the equipment as well as the initial, one-time connection charges.

NITC shall mean the Nebraska Information Technology Commission created pursuant to section 86-1505 R.R.S.

Public high school shall mean an attendance center owned and operated by a public school district that is for high school grades as defined by section 79-101(6).

Technical standards shall mean the protocols developed by the NITC technical panel, pursuant to section 86-1511(2) R.R.S., as statewide requirements to achieve interoperability among distance education sites.

## Distance Learning Network Completion Grants

The Distance Learning Network Completion Grants shall be available to public high schools that do not have interactive distance education capacity at the time of the grant application deadline.

Eligible applicants. Eligible applicants for this grant are public high school districts with one or more public high schools that do not have two-way interactive distance education capacity as of the grant application deadline.

Special purpose schools (school accredited under the waiver provision of 92 NAC 10-008.04) or programs that are designed only to meet the needs of a subset of the high school student population, are not eligible when operated in the confines of a facility that

is not the public school district's facility. Additionally, if a recognized high school leased a private facility in order to offer special classes (e.g. alternative education), the leased facility would not qualify as a public high school for the purposes of this grant program.

A district is not eligible under any of the following circumstances:

(a) Prior to the time of application or at any time between the application and the grant award, the State Committee for the Reorganization of School Districts receives, but has not acted upon, any petition filed pursuant to sections 79-413, 79-415 or 79-417 R.R.S., or any plan filed pursuant to the Reorganization of School Districts Act (sections 79-432 to 79-451 R.R.S.) when the contents of such petition or plan call for the dissolution and merger of an applicant district with any other district(s) and the closure or cessation of classroom operations of all high school buildings for which the applicant district is applying for grant funds.

(b) An Order approving a petition filed pursuant to sections 79-413, 79-415 or 79-417 R.R.S., or approving a plan filed under the Reorganization of School Districts Act, has been issued by the State Committee for the Reorganization of School Districts and when (i) the plan or petition's contents call for the dissolution and merger of the applicant district with any other district(s) and the closure or cessation of classroom operations of all the high school buildings for which the applicant district is applying for grant funds; and (ii) there has not yet been a special election held on the plan pursuant to section 79-447 R.R.S. or the plan was approved after such a special election.

School districts which are eligible to apply for the grant but do not apply as of the grant application deadline date shall forfeit their right to any DLNC grant benefits.

#### Application Process for the Distance Learning Network Completion Grant

Application requirements. Eligible applicant school districts shall apply to the department on a form prescribed by the department on or before a date established by the department. All applicant eligibility requirements must be met prior to or as of the grant application deadline. The grant application shall require the following:

evidence that the school district has made a commitment to be part of a distance education consortium;

that the distance education consortium has accepted the district's commitment, and that the applicant school district submit a list of:

the classes that the district anticipates accessing from the consortium or a community college; and

any classes that the district anticipates that it will offer to other districts in the consortium through distance education.

evidence that the local board of the applicant school district has made a financial commitment to pay the on-going, monthly line-lease charges and other expenses associated with items enabling distance education capacity but not covered by the grant.

Grant Policies. The following provisions apply to the Distance Learning Network Completion Grant.

NITC technical standards. At the time of school district application for state

funds for distance education implementation, school districts must adhere to the implementation plan of the technical standards.

In the case of the formation of a new distance education consortium applicants must meet the standards set by the NITC technical panel created in section 86-1511.

In the case of a school district joining an existing consortium, a waiver of this requirement may be given by the NITC in accordance with its powers under sections 86-1501 through 86-1514 R.R.S.

Equipment. The following provisions apply to the basic equipment to be installed in eligible school districts.

Options. The department shall prescribe the equipment options available to the school district applicants to: (1) ensure that equipment is compatible with the equipment in use by the distance learning consortium to which the applicant will join; and (2) ensure that the equipment meets the standards of the technical panel created in section 86-1511.

Ownership. Any equipment obtained through this grant is the property of the school district in which it is installed.

Order/priority of installation. The department will determine the order of and priority for the installation of distance education classrooms by taking into account the following:

demonstrated need to access other courses from other school districts or community colleges due to teacher shortages, accreditation issues, or other reasons which can be verified;

readiness of the high school physical plant for classroom equipment installation;

availability of distance education network connectivity; and

telecommunications provider ability to provide access to infrastructure.

Utilization. The distance education capacity must be used by the school district to:

Send at least one course per year for the benefit of Nebraska high school students enrolled at another school district, or

Receive at least one course per year from another public school district or a community college.

Application review. The application will be reviewed by department staff per the requirements listed in section 000.

Project review. The initial project plan shall be reviewed by the technical panel created in section 86-1511 R.R.S. to see that standards in place at the time of application are being met. Periodic reviews of the projects by the technical panel will be achieved through written reports by the department to the technical panel.

Distance Learning Network Completion Grant Funds. The following provisions apply to the use of Distance Learning Network Completion Grant funds:

Use of funds. Grant funds may be used to fund the allowable costs for engineering, basic equipment and installation of distance learning equipment for each qualifying school district.

Basic distance learning equipment shall include:

- television monitors
- video cameras
- microphones
- speakers
- instructor equipment such as a computer and a console to house such equipment
- ancillary items such as cables, connectors and echo cancellers that are on location at the school site to capture, display and transport audio and video.

Grant funds may be used to fund the allowable costs for achieving connectivity between the high school and the applicable distance education consortium such as necessary equipment or the installation of fiber optic cable.

Restrictions on the Use of Grant Funds. The following uses of grant funds are not allowed:

Equipment ordered and/or services contracted prior to or after the conclusion of the grant period.

Remodeling and/or construction of a classroom or other space including adding or increasing electrical service.

Equipment peripheral to the distance education capacity including items such as student computers and copiers.

On-going, monthly line-lease charges for connectivity between any of the following: (i) the school district and the distance education consortium of which they are a member; (ii) a distance education consortium and other distance education consortia; (iii) the applicant school district and other school districts which are not members of the distance education consortium.

Expenses associated with the upgrade of an existing distance education consortium's technology to comply with enhanced video standard requirements.

Expenses associated with the upgrade or installation of statewide distance education infrastructure.

Membership fees payable to the consortium to cover expenses such as scheduling services or a share of the salary of the consortium director.

### Grant Process

Funding. Funding will be available for the Distance Learning Network Completion Grant during fiscal years 2001-02 and 2002-03. The department shall prorate



grant benefits based on the final number of eligible public high schools. Grant benefits per eligible public high school will be based on functionality of the distance learning capacity installed rather than equity of the dollar value of the goods or services provided through the grant. If actual costs for all qualifying applicant high schools exceed the total amount of funding available for this grant, benefits for each high school will be based on a percentage of the total eligible grant costs for each high school.

Project period. Project implementation activities may extend over a three-year period.

Reports. A final report may be required from each school district that is a beneficiary of the DLNC grant. School districts shall be required to provide, upon request, such data related to the grant project as the Council or Department deems necessary. The department shall provide periodic reports to the NITC to satisfy the statutory requirement for periodic reviews of projects by the NITC technical panel.