

Board of Education Regular Meeting  
Monday, February 13, 2023 7:30 PM  
Conference Room at the Southern Valley  
Schools Junior/Senior High School Building,  
Oxford, Nebraska  
43739 Hwy 89  
Oxford, NE 68967

1. OPENING
  - 1.1. Call Meeting to Order
  - 1.2. Pledge of Allegiance
  - 1.3. Roll Call
  - 1.4. Excuse Absent Board Members
  - 1.5. Acknowledge Posted Open Meeting Act
2. CONSENT AGENDA
  - 2.1. Publication of Notice Verification
  - 2.2. Notes Regarding Agenda/Additions
  - 2.3. Approval of Agenda
  - 2.4. Approval of Prior Minutes
  - 2.5. Committee Reports
  - 2.6. Financial/Expenditure Reports
3. RECOGNITION OF VISITORS
  - 3.1. Public Comment
4. DISCUSSION ITEMS
  - 4.1. PK-6 Principal's Report
  - 4.2. 7-12 Principal's Report

4.3. AD Report

4.4. Superintendent's Report

4.5. Part-Time Student Policy

5. BUSINESS ITEMS

5.1. Approval of Claims

5.1.1. General Fund Checks for Approval

5.1.2. Nutrition Fund Checks for Approval

5.1.3. Activity Fund Checks for Approval

5.1.4. Building Fund Checks for Approval

5.1.5. Bond Fund Checks for Approval

5.1.6. QCPUF Checks for Approval

5.2. Principal Contracts and Compensation

5.3. Classified Staff Compensation

5.4. Pump for sprinkler system

5.5. Speech Services 23-24

5.6. Teacher Hires

5.7. Teacher Master Contract for 2023-2024

5.8. Calendar 2023-2024

5.9. Teacher's Resignation

6. NEXT MEETING

7. MOTION TO ADJOURN

Board of Education Meeting  
January 9, 2022 at 12:00 PM  
Conference Room at the Southern Valley Schools Junior/Senior High School  
Building, Oxford, Nebraska

The regular meeting of the Southern Valley Board of Education was called to order by President Ryan Hunt at 12:04 pm. The roll was called and the following members were present: Craig Baily, Todd Brown, Steve Hunt, Mike Stalder and Mike Taylor. Others present: Superintendent, Bryce Jorgenson, Secondary Principal, Josh Lanik, Elementary Principal, Mark Grove and Activities Director, Ashley Blickestaff.

The Board of Education makes available a current copy of the Open Meetings Act accessible to members of the public. The Open Meetings Act is also posted in the conference room. Notice of the meeting was given in advance by posting in accordance with the Board of Education approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Education. Availability of the agenda was communicated in the posted notice and a current copy of the agenda was maintained as stated in the posted notice.

All members and public recited the Pledge of Allegiance.

Motion to approve to keep current committee members passed with a motion by Steve Hunt and a second by Craig Baily

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

Motion to approve the consent agenda passed with a motion by Steve Hunt and a second by Mike Stalder

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

Time was allowed for public comment. No public comment.

President Ryan Hunt discussed the Bus Barn building issues such as water draining into the Bus Barn, a contractor will be contacted for recommendations. Also discussed was the school building roof, and the water draining off the roof to the parking lot which makes it icy in cold weather. Mr. Jorgenson said that head of maintenance, Greg Huerta, has some ideas to divert the draining elsewhere and Kenton Peterson from Two P Turf was also consulted.

Elementary Principal, Mark Grove reported that enrollment has stayed the same since a few students moved away then a few new students started school. Report cards go out Wednesday. SVLand game has begun for staff with incentives. Quiz Bowl tournaments are in full swing and January 18th there will be a teacher inservice in the morning.

Secondary Principal, Josh Lanik reported that all Seniors are on track for graduation. The PBIS SuperPass Lunch was successful with Mr. Jorgenson grilling hamburgers. Mr. Lanik served to students that had no tardies, no unexcused absences, and no D's or F's. The no cell phone policy during class is going well, each teacher decides what is done with the phones. The options are in backpacks, in a cell phone holder, or in a box. There are also no cell phones allowed during tutorial. Mr. Lanik attended the Safe to Help hotline training, SV will have it's own anonymous hotline/tipline where students can anonymously report threats and/or assaults and it will be reported to the local Sheriff's office.

Activities Director, Ashley Blickenstaff reported on recent activities, Girls Wrestling has two girls participating. Girls Basketball is 7-2 and sitting 8th in the state and Girls Bowling won against Superior. SV will have hosted two Boys Wrestling meets in January on the auditorium stage. Boys Bowling does not have a full team but continued to improve individually. RPAC tournaments begin January 20th with wrestling at Southwest followed by Boys and Girls Basketball at Alma on January 21st. District Wrestling is Feb 10th and 11th. RPAC Quiz Bowl is January 11th at Cambridge and RPAC Vocal Clinic is in Arapahoe on January 16th. Bowling Districts are at Lexington on Feb 1st. Girls Wrestling Districts are at Bridgeport on Feb 3rd. SV will host JH Quiz Bowl on January 23rd. FFA goes to Curtis for LDE 2 on January 18th. Alyson Adams, Gracie Chavez, and Brianna Jorgenson will attend the Hastings Honor Choir on January 23rd. Gracie, Alma, Alex, Alyson, Brianna and Haly were selected for the UNK Honor Choir on January 30th.

Superintendent, Bryce Jorgenson reported that the legislative session has begun and it will be a 90 day session. A bid has been received for gutters on the bus bar for \$5700.00. He has received 5 applications so far for teacher positions.

A motion to approve the bills of the General Fund, Activity Fund, and the Nutrition Fund provided by the administration passed with a motion by Mike Stalder and a second by Todd Brown.

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

Recognition of SVEA 24-25 was passed with a motion by Mike Stalder and a second by Mike Taylor.

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

A motion to approve the Two P Turf Contract for anothe year was passed with a motion by Craig Baily and a second by Mike Taylor.

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

A motion to approve the Superintendent Contract for two years from 23-25 was passed with a motion by Steve Hunt and a second by Mike Stalder.

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

Two resignation letters were submitted by Mrs. Maria Ehrke and Ms. Alexandra Stuhmer. A motion was passed with a motion by Steve Hunt and a second by Craig Baily.

Craig Baily	Yes
Todd Brown	Yes
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

A motion passed with a motion by Steve Hunt and a second by Craig Baily for the board to go into an executive meeting for the Negotiations at 12:35pm and finished at 2:22pm.

Craig Baily	Yes
Todd Brown	Nay
Steve Hunt	Yes
Ryan Hunt	Yes
Mike Taylor	Yes
Mike Stalder	Yes

The next regular meeting is scheduled for February 13<sup>th</sup> at 7:30pm in the High School Board meeting room.

Meeting adjourned at 2:30 pm with a motion by Mike Stalder and a second by Craig Baily.

Dated this 9<sup>th</sup> day of January 2023

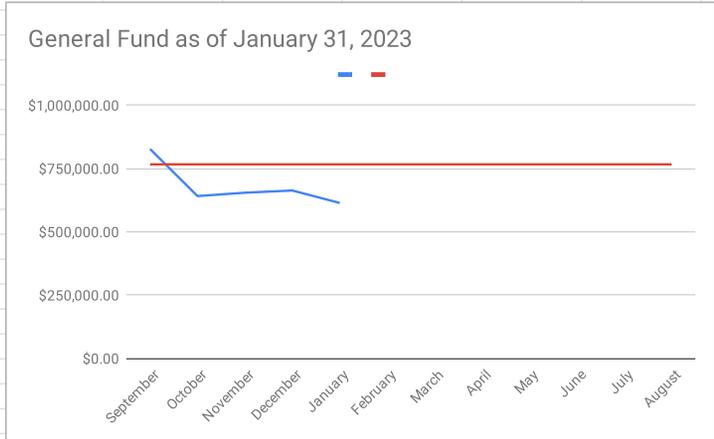
FURNAS COUNTY SCHOOL DISTRICT #540  
A/K/A SOUTHERN VALLEY SCHOOLS BY:  
Ryan Hunt, PRESIDENT

ATTEST: Dana Gesick, Recording Secretary



	Monthly Spent	Monthly Budget	Amount Remaining
September	\$827,077.29	\$766,604.00	-\$60,473.29
October	\$641,132.83	\$766,604.00	\$125,471.17
November	\$654,501.43	\$766,604.00	\$112,102.57
December	\$663,189.68	\$766,604.00	\$103,414.32
January	\$614,082.91	\$766,604.00	\$152,521.09
February		\$766,604.00	
March		\$766,604.00	
April		\$766,604.00	
May		\$766,604.00	
June		\$766,604.00	
July		\$766,604.00	
August		\$766,604.00	
<b>Total</b>	<b>\$3,399,984.14</b>	<b>\$9,199,248.00</b>	<b>\$433,035.86</b>

Revenue	
January	\$911,927.79
February	
March	
April	
May	
June	
July	
August	



<b>Totals</b>	<b>\$3,399,984.14</b>	<b>\$9,199,248.00</b>	<b>\$433,035.86</b>
<b>% Totals</b>	<b>36.96%</b>		<b>4.71%</b>

September	8.33%
October	16.67%
November	25.00%
December	33.33%
January	41.67%
February	50.00%
March	58.33%
April	66.67%
May	75.00%
June	83.33%
July	91.67%
August	100.00%

7693593.96

**Past events**

Spelling Bee - Congratulations to Kyson Bose, Gavin Engleman, Josslyn Fletcher, Carson Hamilton, Max Lanik, Miles Lanik, Cedric Lewis (Runner-up), Mistica Martin, Lauren Quinn, Axton Roethke, Kaden Russell, and Cohen Wright (Champion) made our SV Elem Spelling Bee.

We will be hosting the Furnas County Spelling Bee starting at 1. Congratulations and Good Luck to Cohen, Cedric, Carson, and Max as they will represent the Elem

We had P/T Conferences

Teachers were trained on Thrillshare

**Upcoming Events**

14th - Valentine's Parties

15th - PreK and K online registration opens and parade of champions for 3 wrestlers

17th - No School

**7-12 Principal Board Report**  
February, 2023

- NSCAS/NWEA Winter Testing Update
- Honor Roll for 2nd Quarter
- APL Training
- Starting Scheduling Process for 23-24 School Year
- Parent-Teacher Conferences
- Student Photography Display
- Scholastic Art Awards Ceremony

# Southern Valley

## Activities and Athletics



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### ***Athletics***

#### Girls Sports

- Girls Basketball is seated the top seed in their district making us the host site for sub district games this week. (Monday @ 6:30; Tuesday @ 6:00 and 7:30; and Thursday at 7:00).
- The first ever girls wrestling team finished their season with Esmerelda at districts last week in Bridgeport.
- Girls Bowling finished their season at districts in Lexington.

#### Boys Sports

- Boys wrestling - Congratulations to three SV wrestlers Mason Noel (2nd), Cole Broeker (3rd), and Braxton Hammond (3rd) for advancing on to the state championships this weekend. We hosted district wrestling at SV this last weekend. Overall, it was very successful. Our only complaint was that we were out of parking.
- Boys basketball district brackets will come out at the end of this week. They are currently 8-12.
- Boys bowling finished their season at districts as well.

### ***Looking Forward***

#### Athletics

- State wrestling
- Sub District Girls Bball - SV will play on Tuesday at 6:00. If we win, we will play on Thurs. at 7:00.
- Boys will have their last regular season game on Friday @ Axtell and start sub districts next week.
- First day of Spring sports practice is Feb 27th.

#### Activities

- FBLA week was last week.
- FCCLA Week is this week.
- FFA Week is next week.
- We are in the throws of speech with a team of around. Last weekend they had 6 compete and two made finals. They expect to have possibly 12 people total in the next few competitions.
- Feb. 28th FFA is going to the Frontier Country Invite at Eustis.

Superintendent Report  
Board Meeting  
February 13, 2023

1. Legislative Update
2. Approach on Bus barn
3. Gutters on Bus barn
4. Silent Auction
5. Parent-Teacher Conferences

*Nebraska Council of School Administrators*

**NCSA Legislative Bill Summaries**

**108<sup>th</sup> Legislature, First Session**

*(Convened January 4, 2023)*

*Prepared by*

*Dr. Michael Dulaney*

*NCSA Executive Director*

**\*\* Updated January 22, 2023 \*\***

<i>Category</i>	<i>Bill</i>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>	<i>Pg.</i>
Certification	LB 188	Hansen, B.	Education	Authorize the Commissioner of Education to issue temporary certificates to teach to veterans as prescribed	1
	LB 603	Linehan	Education	Change provisions relating to the Alternative Certification for Quality Teachers Act and authorize the Commissioner of Education to issue alternative certificates to teach as prescribed	1
	LB 724	Vargas	Education	Eliminate certain basic skill and content test requirements for eligibility for teaching certificates	2
Consumption Tax	LR 6CA	Erdman	Revenue	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes	2
	LR 7CA	Erdman	Revenue	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items	3
Criminal / Juvenile Law	LB 17	Dungan	Judiciary	Authorize possession of a firearm on school grounds by a full-time, off-duty law enforcement officer	3
	LB 77	Brewer	Judiciary	Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties	3
	LB 107	McDonnell	Judiciary	Create the offense of digital grooming and prohibit using an electronic communication device or social media to engage in certain conduct with minors	4

<b>Category</b>	<b>Bill</b>	<b>Sponsor</b>	<b>Committee</b>	<b>Subject</b>	<b>Pg.</b>
Criminal / Juvenile Codes <i>Continued</i>	LB 435	Geist	Judiciary	Provide for court appointed parental advisers	4
	LB 478	Wayne	Judiciary	Change provisions relating to the Juvenile Code and education programs in state institutions that house juveniles, provide powers and duties to NDE and the State Board to establish an educational division responsible for the education of certain juveniles, and provide a termination date for the superintendent of institutional schools	5
Curriculum	LB 225	Dungan	Education	Change provisions relating to the committee on American civics	6
	LB 520	Walz	Education	Change provisions relating to high school graduation requirements and academic content standards and the Computer Science and Technology Education Act	6
	LB 610	Lippincott	Appropriations	Appropriate funds to the State Department of Education	7
	LB 679	Day	Education	Create the Holocaust and Genocide Education Training Grant Program and provide duties for the State Department of Education, State Board of Education, and Commissioner of Education	8
Cybersecurity	LB 638	Albrecht	Education	Adopt the Nebraska K-12 Cybersecurity and Data Protection Act	8
	LB 650	McDonnell	Government	Allow certain cybersecurity records to be withheld from the public	10
	LB 651	McDonnell	Appropriations	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions	10
Education Savings Plan	LB 165	Geist	Revenue	Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits	12
Educational Service Units	LB 48	Dorn	Appropriations	Appropriate money to the State Department of Education for educational service units	12
	LB 702	Murman	Education	Change provisions relating to educational service units	12
Employment Issues	LB 272	Vargas	Business and Labor	Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act	13
	LB 487	Hunt	Education	Prohibit any school in Nebraska receiving public funds from discriminating as prescribed	13

<b>Category</b>	<b>Bill</b>	<b>Sponsor</b>	<b>Committee</b>	<b>Subject</b>	<b>Pg.</b>
Employment Issues <i>Continued</i>	LB 521	Walz	Judiciary	Provide for immunity for school personnel administering naloxone	13
	LB 558	Day	Business and Labor	Require payment of a minimum wage for all school district employees	14
	LB 670	Hunt	Business and Labor	Prohibit discrimination on the basis of gender identity or sexual orientation and prohibit discrimination by employers regardless of size	14
	LB 800	Murman	Education	Change provisions relating to the Superintendent Pay Transparency Act and provide a limit for superintendent and ESU administrator compensation	14
Governor's Future Education Plan	LB 583	Sanders	Education	Provide for foundation aid and special education supplemental aid under TEEOSA	16
	LB 589	Briese	Revenue	Adopt the School District Property Tax Limitation Act	17
	LB 681	Clements	Appropriations	Change provisions relating to a fund and provide for transfers under the Tax Equity and Educational Opportunities Support Act	19
Graduation Requirements	LB 201	Vargas	Education	Provide a high school graduation requirement relating to federal student aid	20
Joint Public Agencies	LB 287	Brewer	Government	Prohibit creation of joint public agencies under the Joint Public Agency Act	21
	LB 299	Linehan	Education	Require approval by the voters of a school district or educational service unit for the issuance of certain bonds under the Interlocal Cooperation Act	21
	LB 332	Linehan	Education	Prohibit creation of new joint public agencies with power or authority relating to education	22
Legislative Impact Statements	LB 39	Blood	Executive Board	Require disability impact statements for certain legislation	22
	LB 54	McKinney	Executive Board	Require the office of Legislative Research to prepare racial impact statements for legislative bills	23
Legislative Structure	LR 2CA	Erdman	Executive Board	Constitutional amendment to change from a unicameral to a bicameral legislature, provide for election of members of the Legislature on a partisan ballot, require election of legislative officers and committee chairpersons by a public vote, and require all meetings of the Legislature to be open to the public	23

<b>Category</b>	<b>Bill</b>	<b>Sponsor</b>	<b>Committee</b>	<b>Subject</b>	<b>Pg.</b>
Legislative Structure <i>Continued</i>	LR 14CA	Briese	Government	Constitutional amendment to provide for recall of the Governor, Lt. Governor, Secretary of State, State Treasurer, Attorney General, or Auditor or a member of the Legislature	23
	LR 22CA	Dover	Executive Board	Constitutional amendment to change legislative term limits to three consecutive terms	24
Lottery Funds	LB 705	Murman	Education	Change provisions for the distribution of lottery funds used for education, transfer powers and duties, and create new acts and funds	24
Mandates	LR 1CA	Blood	Government	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed	29
Miscellaneous	LB 53	McKinney	Government	Create El-Hajj Malik El-Shabazz, Malcolm X Day and establish a holiday	29
	LB 56	McKinney	Business and Labor	Adopt the Diaper Changing Accommodation Act	30
	LB 141	Briese	Education	Require NDE to provide guidance to school districts relating to a moment of silence in schools	30
	LB 169	Hunt	Judiciary	Prohibit discrimination based upon sexual orientation and gender identity	30
	LB 178	Erdman	Education	Require display of the national motto in schools	31
	LB 277	Brewer	Government	Adopt the First Freedom Act and authorize the wearing of tribal regalia by students	31
	LB 297	Sanders	Government	Adopt the Personal Privacy Protection Act	32
	LB 304	Linehan	Government	Require political subdivisions to disclose membership dues and lobbying fees	33
	LB 523	Walz	Health	Require a state plan amendment to include school psychologists as Medicaid providers	34
	LB 630	McKinney	Education	Provide school boards to adopt a written dress code	34
	LB 647	McDonnell	Education	Change provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to grade twelve of a private school	35
	LB 648	McDonnell	Education	Provide powers and duties to NDE relating to the development of a workforce diploma program	36

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Miscellaneous <i>Continued</i>	LB 673	Hansen, B.	Education	Provide grants to schools that adopt a policy to provide emergency response mapping data to law enforcement agencies and provide powers and duties to NDE and State Board of Education	37
	LB 781	Halloran	Appropriations	State intent to appropriate funds to the State Department of Education	38
	LB 787	Wayne	Education	Adopt the STEEM Development Act	39
	LB 805	von Gillern	Education	Require schools to allow certain youth organizations to provide information, services, and activities	39
Open Meetings and Public Records	LB 637	Albrecht	Government	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act	40
Option Enrollment	LB 528	Hansen, B.	Education	Create the Nebraska Option Enrollment Tuition Account Program	40
	LB 550	Ballard	Education	Change provisions relating to the enrollment option program	41
Parental Involvement	LB 71	Sanders	Education	Change provisions relating to parental involvement in and access to learning materials in schools	41
	LB 374	Murman	Education	Adopt the Parents' Bill of Rights and Academic Transparency Act	43
Retirement	LB 103	McDonnell	Retirement	Change provisions of the School Employees Retirement Act and State Employees Retirement Act	52
	LB 198	McDonnell	Retirement	Provide for a return to work and authorize contributions under the School Plan and the Class V Plan	53
	LB 378	McDonnell	Retirement	Change retirement system participation provisions	53
School Finance	LB 177	Erdman	Education	Adopt the My Student, My Choice Act	54
	LB 238	Wayne	Education	Include virtual school students in the school finance formula	57
	LB 268	Halloran	Government	Authorize participation by certain entities in trusts or investment pools established by the State Treasurer	57
	LB 303	Linehan	Education	Change provisions relating to establishment of an annual estimate for necessary funding under the school finance formula	58
	LB 312	Lowe	Government	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions	58

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School Finance <i>Continued</i>	LB 320	Brandt	Education	Change provisions of TEEOSA	59
	LB 386	Linehan	Education	Prohibit changes to the base limitation for school districts and the local effort rate calculation under TEEOSA	60
	LB 429	Walz	Education	Create a fund and provide for funding under TEEOSA	61
	LB 440	Albrecht	Revenue	Change provisions relating to certain school taxes and special funds	61
	LB 475	Wayne	Education	Adopt the Nebraska Education Formula and terminate the Tax Equity and Educational Opportunities Support Act	62
	LB 518	Walz	Education	Adopt the Reducing Education Risk Factors and Property Tax Relief Act and change provisions of the Tax Equity and Educational Opportunities Support Act	63
	LB 522	Walz	Education	Change provisions relating to poverty allowances under the Tax Equity and Educational Opportunities Support Act	65
	LB 594	Hardin	Banking	Provide for local government investment pools to invest in commercial paper	65
	LB 699	Murman	Revenue	Change the valuation of certain real property for purposes of taxes levied by school districts	66
	LB 701	Murman	Education	Change legislative intent provisions under the Tax Equity and Educational Opportunities Support Act	66
	LB 751	Cavanaugh, M.	Education	Create a fund to provide state aid for public education	66
	LB 752	Cavanaugh, M.	Business and Labor	Prohibit discrimination by any entity receiving state funding	66
School Participation	LB 372	Murman	Education	Change provisions relating to part-time enrollment in public schools and extracurricular activities	67
Special Education	LB 153	DeBoer	Education	Adopt the Extraordinary Increase in Special Education Expenditures Act	67
	LB 298	Linehan	Education	Require collection and reporting of information regarding dyslexia	68
	LB 324	Wishart	Education	Change provisions relating to reimbursements under the Special Education Act	69
	LB 780	Halloran	Education	Provide state funding to cover the education costs of certain students if an educational facility for handicapped students closes	69

<i>Category</i>	<i>Bill</i>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>	<i>Pg.</i>
State Board of Education	LB 690	Linehan	Education	Change provisions relating to powers and duties of the State Department of Education, State Board of Education, and Commissioner of Education	70
	LR 24CA	Albrecht	Education	Constitutional amendment to eliminate the State Board of Education and provide for the Governor to appoint the Commissioner of Education	70
	LR 28CA	Linehan	Education	Constitutional amendment to change the membership of the State Board of Education	71
	LR 29CA	Linehan	Education	Constitutional amendment to provide term limits for the members of the State Board of Education	71
Student Discipline	LB 340	McKinney	Education	Change provisions related to expelled students under the Student Discipline Act	71
	LB 632	McKinney	Education	Prohibit the suspension of students in pre-kindergarten through second grade in a metropolitan school	72
	LB 774	Vargas	Education	Change provisions relating to the Student Discipline Act	72
	LB 811	Murman	Education	Change provisions relating to the Student Discipline Act and provide for use of physical contact, provide for behavioral awareness and intervention training, and change provisions relating to lottery funds	76
Student Safety, Health and Welfare	LB 99	Cavanaugh, M.	Education	Adopt the Hunger-Free Schools Act	79
	LB 231	Dungan	Education	Change provisions related to student attendance and require plans for excessive absences	80
	LB 341	Halloran	Judiciary	Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act	81
	LB 455	Wayne	Education	Require NDE to create a grant program	81
	LB 516	Walz	Education	Provide and change powers and duties for NDE, Commissioner of Education, State Board, and the state school security director, provide grants to school districts, and provide grants to ESUs and local public health departments to hire school psychologists and licensed mental health practitioners	82

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Student Safety, Health and Welfare <i>Continued</i>	LB 527	Fredrickson	Education	Provide reimbursements to school districts and educational service units for mental health expenditures	83
	LB 585	Hughes	Education	Change a duty of the state school security director and require behavioral and mental health training for certain school personnel	84
	LB 627	Bostar	Education	Adopt the Free Student Meals Act	85
	LB 635	Albrecht	Education	Provide requirements regarding access to digital and online resources provided for students by school districts, schools, and the Nebraska Library Commission	86
	LB 708	Spkr. Arch	Education	Require the Office of Probation Administration, the State Court Administrator, NDE, and DHHS to enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court	87
Tax Incentives, Credits	LB 242	Briese	Revenue	Change provisions of the Nebraska Property Tax Incentive Act	88
	LB 243	Briese	Revenue	Change the minimum amount of relief granted under the Property Tax Credit Act	88
	LB 499	Cavanaugh, M.	Revenue	Change provisions relating to the availability of tax credits under the School Readiness Tax Credit Act	88
	LB 753	Linehan	Revenue	Adopt the Opportunity Scholarships Act and provide tax credits	89
Teacher Retention	LB 385	Linehan	Education	Adopt the Nebraska Teacher Recruitment and Retention Act	89
	LB 519	Walz	Education	Eliminate certification fees for teaching certificates, create and terminate funds, state intent regarding an appropriation for school employees, change provisions of the Excellence in Teaching Act, and adopt the Student Teaching Assistance Act	90
	LB 762	DeBoer	Education	Provide powers and duties to the State Department of Education relating to a teacher apprenticeship program	92

## Bill Number Index

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## Certification

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<b>LB 188</b>	<i>Sponsor</i> Hansen, B.	<i>Committee</i> Education	<i>Subject</i> Authorize the Commissioner of Education to issue temporary certificates to teach to veterans as prescribed
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LB 188 would authorize the Commissioner of Education to grant a temporary certificate to teach on a full-time basis to any applicant who:

- (a) Is a veteran with at least 48 months of military service;
- (b) Has a minimum of 60 college credits with a minimum cumulative grade point average of 2.5 on a four-point scale or the equivalent; and
- (c) Has passed any appropriate subject area examination as designated by the State Board of Education.

An applicant issued a temporary certificate to teach would be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor would be selected by the principal or other “appropriate” school administrator and must:

- (a) Hold a valid certificate to teach in Nebraska; and
- (b) Have at least three years of teaching experience.

Any temporary certificate to teach issued would be valid for a period not to exceed two years, during which the holder of such temporary certificate must obtain a certificate to teach by completing the requirements. A temporary certificate to teach is not renewable and would be valid for a period not to exceed five years.

Issuance of a temporary certificate to teach would be subject to a criminal history record information check and payment of any required fees.

A “veteran” is defined as a person who served on active or reserve duty in the armed forces of the United States or in the National Guard, and who was discharged or released from service under conditions other than dishonorable.

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<b>LB 603</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to the Alternative Certification for Quality Teachers Act and authorize the Commissioner of Education to issue alternative certificates to teach as prescribed
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LB 603 amends the Alternative Certification for Quality Teachers Act and permits the Commissioner of Education to issue an alternative certificate to teach on a full-time basis to any applicant who:

- (a) Possess a bachelor’s degree; and
- (b) Has successfully completed an alternative teacher certification program operated by an organization that satisfies the following criteria:
  - (i) The organization operates in at least five states;
  - (ii) The organization has operated an alternative teacher certification program for at least 10 years; and
  - (iii) The program requires candidates to pass a subject area exam and the pedagogy exam known as the professional teaching knowledge exam to receive a certificate under such program.

A certificate issued under these provisions only authorizes an individual to teach the subject and educational levels for which the individual has successfully completed an alternative teacher certification program.

Issuance of an alternative certificate to teach would be subject to a criminal history record information check and payment of any required fees.

An individual who receives an alternative certificate to teach would be subject to the same certification criteria as an individual who completes a traditional teacher preparation program if converting the alternative certificate to teach to a standard certificate to teach.

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<b>LB 724</b>	<i>Sponsor</i> Vargas	<i>Committee</i> Education	<i>Subject</i> Eliminate certain basic skill and content test requirements for eligibility for teaching certificates
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LB 724 eliminates the test for basic skills competency and content knowledge.

Basic skills competency is defined as either (a) proficiency in (i) the written use of the English language, (ii) reading, comprehending, and interpreting professional writing and other written materials, and (iii) working with fundamental mathematical computations as demonstrated by successful completion of an examination designated by the board or (b) successful employment experiences.

## Consumption Tax

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<b>LR 6CA</b>	<i>Sponsor</i> Erdman	<i>Committee</i> Revenue	<i>Subject</i> Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes
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LR 6CA is a proposed constitutional amendment to change provisions in Article VIII, relating to revenue and taxation.

The amendment adds a new section to Article VIII stating that, beginning January 1, 2026, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes. The measure appears to prohibit the collection of property taxes.

Consumption taxes are taxes that you pay when you purchase goods and services. A consumption tax is designed to tax you when you spend money versus an income tax, which taxes a portion of your wages.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

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<b>LR 7CA</b>	<i>Sponsor</i> Erdman	<i>Committee</i> Revenue	<i>Subject</i> Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items
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LR 7CA is a proposed constitutional amendment to change provisions within Article VIII, relating to revenue and taxation. The measure would provide that the State of Nebraska must impose a retail consumption tax or an excise tax on all new goods and services, that the Legislature may authorize political subdivisions to do the same, and that there would be no exemption from such taxes except for grocery items purchased for off-premises consumption.

If passed by the Legislature, LR 7CA would appear on the November 2024 General Election ballot.

**Criminal/Juvenile Codes**

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<b>LB 17</b>	<i>Sponsor</i> Dungan	<i>Committee</i> Judiciary	<i>Subject</i> Authorize possession of a firearm on school grounds by a full-time, off-duty law enforcement officer
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In 1994 the Legislature passed legislation to amend the Nebraska Criminal Code by creating the offense of unlawful possession of a firearm at a school. The law has been amended a number of times but one of the last existing questions and debates concerns the possession of firearms by full-time, off-duty peace officers on school grounds.

LB 17 proposes to addresses the question by providing a new exception to the law and permit the possession of firearms by full-time, off-duty peace officers on school grounds.

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<b>LB 77</b>	<i>Sponsor</i> Brewer	<i>Committee</i> Judiciary	<i>Subject</i> Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties
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In addition to the main sponsor, twenty-five lawmakers signed onto this legislation. It appears to be an alternative approach to “constitutional carry” through statutory means.

The bill states that counties, cities, and villages would not have the power to: (a) Regulate the ownership, possession, storage, transportation, sale, or transfer of firearms or other weapons, except as expressly provided by state law; or (b) Require registration of firearms or other weapons. Any county, city, or village ordinance, permit, or regulation in violation of the provisions of the bill would be declared to be null and void.

LB 77 amends many provisions within the Concealed Handgun Permit Act and states that nothing in the Act would prevent a person not otherwise prohibited from possessing or carrying a concealed handgun by state law from carrying a concealed weapon without a permit.

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<b>LB 107</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Judiciary	Create the offense of digital grooming and prohibit using an electronic communication device or social media to engage in certain conduct with minors

LB 107 amends the Criminal Code and creates the offense of digital grooming.

A person commits the offense of digital grooming if he or she is 19 years of age or over and knowingly and intentionally uses an electronic communication device or social media to communicate with a child 16 years of age or younger with the intent to:

- (i) Engage in sexual contact or sexual penetration with the child, regardless of when in the child's life the sexual contact or sexual penetration would take place;
- (ii) Receive a visual depiction of the child for purposes of sexual gratification; or
- (iii) Extort the child.

Digital grooming would be classified as a Class IV felony.

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<b>LB 435</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Geist	Judiciary	Provide for court appointed parental advisers

LB 435 permits a court to appoint a “parental adviser,” who would provide services for parents, guardians, or custodians of children involved in the juvenile justice system.

A parental adviser’s appointment would conclude:

- (a) When the court’s jurisdiction over the child terminates;
- (b) Upon discharge by the court on its own motion;
- (c) With the approval of the court, at the request of the parental adviser or the probation administrator;

- (d) At the request of the parent, guardian, or custodian for whom the adviser was appointed; or
- (e) Upon successful motion of a party to the action for the removal of the parental adviser because the party believes the parental adviser has acted inappropriately, is unqualified, or is unsuitable for the appointment.

Upon appointment in a proceeding, a parental adviser would meet with the parent, guardian, or custodian for whom the adviser has been appointed and offer guidance on (i) how the juvenile court proceeding will move forward, (ii) the possible outcomes of the proceeding, (iii) possible disposition options for the juvenile, (iv) options available to the parent, guardian, or custodian, and (v) other matters that will aid the parent, guardian, or custodian in navigating the juvenile justice system.

*Note:* LB 435 requires all government agencies, service providers, professionals, school districts, school personnel, parents, and families to cooperate with all reasonable requests of the parental adviser. In turn, the parental adviser is required to cooperate with all government agencies, service providers, professionals, school districts, school personnel, parents, and families.

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<b>LB 478</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Wayne	Judiciary	Change provisions relating to the Nebraska Juvenile Code and education programs in state institutions that house juveniles, provide powers and duties to NDE and the State Board of Education to establish an educational division responsible for the education of certain juveniles, and provide a termination date for the superintendent of institutional schools

By July 1, 2024, NDE is required to establish an educational division responsible for the education of juveniles placed, committed, or detained outside of their homes or otherwise unable to attend school as a result of an order of the juvenile court or under the Nebraska Juvenile Code.

The division would function as a school district and the governing body for the division would be the State Board of Education. The division may establish schools or education programs or may contract with other school districts for such services. *The State Board of Education must establish the position of superintendent to administer the division and hire a qualified individual.*

The division must prioritize keeping each juvenile in such juvenile’s home school district. For a juvenile that is placed out of the home, but who remains in such juvenile’s home school district, such home school district must share information with the division for purposes of identifying additional available resources and preparation for coordination on providing for future educational needs for the juvenile.

By July 1, 2024, the responsibility for education programs in state institutions under the supervision of DHHS that house juveniles would transfer to NDE and the educational division created under the legislation.

Beginning July 1, 2024, if a juvenile is detained, placed, or committed outside of the juvenile’s home by an order of the juvenile court or pursuant to any provision of the Nebraska Juvenile Code for more than 24 hours, the court must immediately notify the superintendent of the school district created by this legislation.

**Curriculum**

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<b>LB 225</b>	<i>Sponsor</i> Dungan	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to the committee on American civics
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Under the current provisions of the law concerning committees on American civics, a school board must appoint three members of the board to serve on the committee. LB 225 provides that, in addition to the three board members, it must also appoint one student from the district to the committee.

As part of the duties of the committee on American civics, the committee must ensure that the social studies curriculum in the district incorporates one or more of the following for each student:

- (1) Administration of a written test that is identical to the entire civics portion of the naturalization test used by U.S. Citizenship and Immigration Services prior to the completion of 8th grade and again prior to the completion of 12th grade with the individual score from each test for each student made available to a parent or guardian of the student;
- (2) Attendance or participation between the commencement of 8th grade and completion of 12th grade in a meeting of a public body followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of the student related to such attendance or participation; or
- (3) Completion of a project or paper and a class presentation between the commencement of 8th grade and the completion of 12th grade on a person or persons or an event commemorated by a prescribed list of holidays or on a topic related to such person or persons or event.

LB 225 would add a fourth option. Completion of a shift participating as a poll worker at a local election for a student over 16 years of age and completion of a project or paper in which the student demonstrates or discusses the student’s personal learning experience related to such participation.

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<b>LB 520</b>	<i>Sponsor</i> Walz	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to high school graduation requirements and academic content standards and the Computer Science and Technology Education Act
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Background

LB 1112 was passed and signed into law during the 2022 Session. LB 1112, introduced by Senator McKinney, created the Computer Science and Technology Act, changed academic standards, and increased the credit hours required for graduation from high school.

Beginning with the 2024-25 school year, school districts must consult with NDE to include computer science and technology education in the instructional programs of its elementary and middle schools, and require each student to complete at least one five-credit high school course in computer science & technology prior to graduation.

By December 1, 2025, and by December 1 each year thereafter, school districts must provide an annual report to its school board and NDE demonstrating student progress in computer science and technology courses and other district-determined measures of computer science and technology education progress from the previous school year.

Proposed Revisions

LB 520 attempts to delay implementation timeline by a year and change some of the requirements created under LB 1112 (2022).

The bill provides that, beginning in school year 2027-28, at least five of the minimum credit hours must include computer science and technology education.

LB 520 also states that the five high school credit hour requirement may be met by a single course or combination of high school courses that cover the computer science and technology academic content standards and may be made available in a traditional classroom setting, a blended-learning environment, or an online-based or other technology-based format.

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<b>LB 610</b>	<i>Sponsor</i> Lippincott	<i>Committee</i> Appropriations	<i>Subject</i> Appropriate funds to the State Department of Education
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LB 610 relates to career and technical education programs and would appropriate \$10,432,000 for FY2023-24 and \$10,432,000 for FY2024-25 to NDE for distribution to secondary and postsecondary schools according to the formula used for federal Perkins funds.

Up to \$306,960 of this amount may be used for administration purposes. Each school district shall receive no less than \$15,000.

The bill appropriates \$400,000 for each FY2023-24 and FY2024-25 to NDE, to be evenly distributed between the career education student organizations, which is defined under existing law as an organization for individuals enrolled in a career and technical education program that engages career and technical education activities as an integral part of the instructional program.

Up to \$50,000 of this amount may be used for administration purposes.

There is included in the appropriation in this section for FY2024-25 \$400,000 General Funds to be evenly distributed between the career education student organizations.

Up to \$50,000 of this amount may be used for administration purposes.

*Note:* Under existing law, “career and technical education” is defined as educational programs that support the development of knowledge and skill in the following areas: Agriculture, food, and natural resources; architecture and construction; arts, audiovisual, technology, and communication; business management and administration; education and training; finance; government and public administration; health science; hospitality and tourism; human services; information technology; law, public safety, and security; marketing; manufacturing; science, technology, engineering, and mathematics; and transportation, distribution, and logistics.

The emergency clause is attached.

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<b>LB 679</b>	<i>Sponsor</i> Day	<i>Committee</i> Education	<i>Subject</i> Create the Holocaust and Genocide Education Training Grant Program and provide duties for NDE, State Board of Education, and Commissioner of Education
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LB 679 requires NDE to establish and administer the Holocaust and Genocide Education Training Grant Program to provide grants to school districts and ESUs for training teachers in order to help foster cooperation and innovation among teachers and schools in developing strategies for applying best practices in the integration of Holocaust and genocide education into social studies standards.

Holocaust education training programs may be in the form of workshops, teacher trainings, and continuing professional education and in-service training opportunities.

Holocaust education training programs must include instruction on any and all social studies standards adopted by the State Board of Education.

In developing and implementing the Program, NDE may utilize existing and appropriate public or private materials, personnel, and other resources.

The bill creates the Holocaust and Genocide Education Training Grant Program Fund. The fund would be used to carry out the Holocaust and Genocide Education Training Grant Program.

The bill intends to appropriate \$2 million for each fiscal years 2023-24 and 2024-25.

**Cybersecurity**

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<b>LB 638</b>	<i>Sponsor</i> Albrecht	<i>Committee</i> Education	<i>Subject</i> Adopt the Nebraska K-12 Cybersecurity and Data Protection Act
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LB 638 creates the Nebraska K-12 Cybersecurity and Data Protection Act to promote and institute protective cybersecurity measures in alignment with best practices that address prevention,

mitigation, response, recovery, and establish systematized response relating to cybersecurity and data protection within the Nebraska school system.

Under the bill, the ESU Coordinating Council is required to establish a “cybersecurity team” to conduct a statewide needs analysis to determine appropriate cybersecurity measures and work to implement such cybersecurity measures with individual ESUs and schools in a manner that is respectful of each ESU’s regional relationship with its member schools.

The cybersecurity team would establish a response plan designed to promptly respond to and recover from a cybersecurity event in a public school providing instruction in elementary or high school grades that compromises the confidentiality, integrity, or availability of nonpublic information in the school’s possession. Such response plan measures may include, but need not be limited to, the following:

- (a) Placing access controls on information systems, including controls to authenticate and permit access only to authorized individuals to protect against the unauthorized acquisition of nonpublic information;
- (b) Identifying and managing the data, personnel, devices, systems, and facilities that enable the school to achieve its purposes in accordance with the relative importance of such data, personnel, devices, systems, and facilities to the school’s objectives and risk strategy;
- (c) Restricting access of nonpublic information stored in or at physical locations to authorized individuals only;
- (d) Protecting, by encryption or other appropriate means, all nonpublic information while the nonpublic information is transmitted over an external network, and all nonpublic information that is stored on a laptop computer, a portable computing or storage device, or portable computing or storage media;
- (e) Adopting secure development practices for in-house developed applications utilized by the school, and procedures for evaluating, assessing, and testing the security of externally developed applications utilized by the licensee;
- (f) Modifying information systems in accordance with the information security program;
- (g) Utilizing effective controls, which may include multi-factor authentication procedures for authorized individuals accessing nonpublic information;
- (h) Regularly testing and monitoring systems and procedures to detect actual and attempted attacks on, or intrusions into, information systems;
- (i) Developing assigned roles, responsibilities, and levels of decision-making authority for each level of the cybersecurity plan, including prevention, mitigation, response, and recovery;
- (j) Assessing and identifying weaknesses found within information systems and associated quality controls, identifying nonpublic information that may have been compromised by the cybersecurity event, and overseeing reasonable measures to restore the security of compromised information systems in order to prevent further unauthorized acquisition, release, or use of nonpublic information that is in the district’s possession, custody, or control;

- (k) Documenting and reporting cybersecurity events and related incident response activities;
- (l) Evaluating and revising the incident response plan, as appropriate, following a cybersecurity event; and
- (m) Overseeing the provision of public school district personnel with cybersecurity awareness training that is updated as necessary based on emergent threats and industry recommendations.

The ESUCC must annually submit a written report electronically to the Education Committee of the Legislature providing updates on progress in implementing the provisions of the Act. The report must include updates on the level of adoption of identified cybersecurity practices in public school districts based on aggregated data from ESUs and must include recommendations for additional provisions to address and mitigate emerging, cybersecurity threats to schools.

The State Board of Education may adopt and promulgate rules and regulations to carry out the Act. The Commissioner may take any enforcement action under the Commissioner’s authority to enforce compliance with the Act.

The emergency clause is attached.

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<b>LB 650</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Government	Allow certain cybersecurity records to be withheld from the public

LB 650 amends the Public Records Law.

The bill permits the withholding of records relating to the nature, location, or function of cybersecurity by the State of Nebraska or any of its political subdivisions, including, but not limited to, devices, programs, or systems designed to protect computer, information technology, or communications systems against terrorist or other attacks.

The Nebraska Information Technology Commission is required to adopt and promulgate rules and regulations to implement the provisions of the bill.

The emergency clause is attached.

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<b>LB 651</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Appropriations	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions

LB 651 was introduced as the belief that cybersecurity is a growing problem for the State of Nebraska and its political subdivisions and that the office of the Chief Information Officer is constrained in its cybersecurity efforts due to its lack of General Fund appropriations.

The bill intends to appropriate \$20 million annually beginning in FY2023-24 to the Department of Administrative Services for the purposes of cybersecurity activities.

The office must work to:

- (i) Support cybersecurity preparedness activities;
- (ii) Procure tools, hardware, software, or services that enhance or expand the cybersecurity defense and response capabilities of the state;
- (iii) Strengthen and expand cyber risk management activities for the state;
- (iv) Expand vulnerability monitoring, identification, and management;
- (v) Increase and maintain cyber incident response capabilities;
- (vi) Promote cybersecurity training and awareness within the state; and
- (vii) Support cybersecurity workforce development within the state;

The office is required to work to secure and remediate the cybersecurity vulnerabilities within the vendor ecosystems of vendors contracted with the state, executive agencies, and political subdivisions by contracting with a software provider that will:

- (i) Provide the office access to publicly observable cybersecurity vulnerabilities of state and executive agencies' vendors. Such information shall be updated daily to ensure action may be taken if deemed necessary by the Chief Information Officer;
- (ii) Notify state executive agencies' vendors of specific vulnerabilities, as defined by the Chief Information Officer, and track the remediation efforts of vendors deemed critical by the Chief Information Officer; and
- (iii) Provide political subdivisions the ability to monitor publicly observable cybersecurity vulnerabilities of themselves and their vendor ecosystems and training classes on managing their cybersecurity vendor ecosystems.

The bill requires the creation of a program to provide political subdivisions with the ability to upgrade critical information technology infrastructure. The program would be administered by the office.

- (a) A political subdivision may apply for funding by submitting an application to the office in a form and manner prescribed by the office.
- (b) The office must develop eligibility criteria under this subsection. At a minimum, the eligibility criteria shall require a political subdivision to document how the money will be used to fulfill the purposes and requirements set forth in the bill.
- (c) A political subdivision awarded money must use the money to upgrade critical information technology infrastructure of the political subdivision, improve training on cybersecurity, and work toward compliance with nationally recognized cybersecurity frameworks and other cybersecurity objectives outlined by the Chief Information Officer.
- (d) The bill intends to allocate \$4.5 million of the total appropriation prescribed by the bill to be used annually for this purpose.

## Education Savings Plan

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<b>LB 165</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Geist	Revenue	Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits

In 2000, the Nebraska Legislature passed legislation (LB 1003) creating the Nebraska Educational Savings Plan (NEST), which is a tax-advantaged 529 college savings program to help make saving for college more affordable.

NEST contributions are made with after-tax dollars and earnings grow federally and state tax-deferred while invested. Any investment growth is to be used for college expenses. When it's time to use those funds for college, withdrawals can be tax-free if the funds are used for qualified college expenses like tuition, books, and equipment.

- There is a \$500,000 contribution limit for each beneficiary.
- Nebraska account owners receive tax advantages for investing in NEST, including up to an annual \$10,000 state income tax deduction.

LB 165 would expand the original program to include expenses for tuition in connection with enrollment or attendance at an elementary or secondary school but does not include any amounts in excess of \$10,000 per beneficiary per taxable year.

Tuition, for purposes of an elementary or secondary school, is defined as the charges imposed for tuition in connection with enrollment or attendance at the elementary or secondary school. Private school advocates have been seeking to change the Nebraska 529 plan for many years.

## Educational Service Units

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<b>LB 48</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Dorn	Appropriations	Appropriate money to the State Department of Education for educational service units

LB 48 represents a second attempt by Senator Dorn to increase state funding for ESUs. His first attempt, introduced in 2022, did not advance from committee. LB 48 proposes to increase state funding for ESUs by \$3 million for FY2023-24 and \$3,489,969 for FY2024-25.

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<b>LB 702</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Murman	Education	Change provisions relating to educational service units

LB 702 amends the Educational Service Units Act by merely changing the word “state’s” to “State of Nebraska’s” in one section of the Act.

LB 702 is likely a placeholder bill to be used as needed for other legislation.

## Employment Issues

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<b>LB 272</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Vargas	Business and Labor	Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act

The interesting note about LB 272 is that it proposes to amend a statute within the Nebraska Workers' Compensation Act (§ 48-119) that has remained virtually unchanged for decades, dating back to the 1920s.

The current statute states that no compensation may be allowed for the first SEVEN calendar days of disability, but if disability extends beyond the period of seven calendar days, compensation must begin on the EIGHTH calendar day of disability, except that if the disability continues for SIX WEEKS or longer, compensation must be computed from the date disability began.

The formula used in this statute has adequately stood the test of time.

LB 272 proposes to dramatically alter this formula in favor of the employee. The bill states that no compensation may be allowed for the first THREE calendar days of disability, but if disability extends beyond the period of THREE calendar days, compensation must begin on the FOURTH calendar day of disability, except that if the disability continues for TWO WEEKS or longer, compensation must be computed from the date disability began.

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<b>LB 487</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hunt	Education	Prohibit any school in Nebraska receiving public funds from discriminating as prescribed

LB 487 provides that no Nebraska school receiving public funds may discriminate on the basis of race, color, religion, national origin, ancestry, citizen status, gender, sexual orientation, gender identity, disability, or special education status.

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<b>LB 521</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Judiciary	Provide for immunity for school personnel administering naloxone

Under current provisions of the Uniform Controlled Substances Act, a family member, friend, or other person who is in a position to assist a person who is apparently experiencing or who is likely to experience an opioid-related overdose, other than an emergency responder or peace officer, *is not subject to actions under the Uniform Credentialing Act, administrative action, or criminal prosecution* if the person, acting in good faith, obtains naloxone from a health professional or a prescription for naloxone from a health professional and administers the naloxone obtained from the health professional or acquired pursuant to the prescription to a person who is apparently experiencing an opioid-related overdose.

LB 521 would add school personnel to this provision to administer naloxone.

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<b>LB 558</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Day	Business and Labor	Require payment of a minimum wage for all school district employees

LB 558 provides that all employees of a school district must be paid a salary or wages equal to at least 70% of the Nebraska statewide average hourly wage.

The Nebraska statewide average hourly wage for any year is defined as the most recent statewide average hourly wage paid by all employers in all counties in Nebraska as calculated by the Office of Labor Market Information of the Department of Labor using annual data from the Quarterly Census of Employment and Wages by October 1 of the year prior to application. Hourly wages are calculated by dividing the reported average annual weekly wage by 40.

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<b>LB 670</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hunt	Business and Labor	Prohibit discrimination under the Nebraska Fair Employment Practice Act on the basis of gender identity or sexual orientation and prohibit discrimination by employers regardless of size

LB 670 amends the Nebraska Fair Employment Practice Act to prohibit discrimination on the basis of gender identity or sexual orientation and to prohibit discrimination by employers regardless of size.

“Gender identity” is defined as an individual's internal sense of the individual's own gender, regardless of the sex the individual was assigned at birth and “sexual orientation” is defined as actual or perceived homosexuality, heterosexuality, or bisexuality.

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<b>LB 800</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Murman	Education	Change provisions relating to the Superintendent Pay Transparency Act and provide a limit for superintendent and educational service unit administrator compensation

*\*\* Summary by Justin Knight, Perry Law Firm \*\**

LB 800 is an administrator “salary cap” bill. As discussed more fully below, the bill would set a maximum amount of total compensation that a school’s superintendent may earn. Although this type of legislation has been introduced in the past, LB 800 now has 13 co-sponsors (on both sides of the aisle).

The primary purpose of LB 800 is to amend the Nebraska Superintendent Transparency Act to establish limits on superintendent compensation. For those that remember the debate around the Nebraska Superintendent Transparency Act, the Legislature was concerned about superintendent compensation and sought a way to ensure that the public had better insight into a superintendent's contract costs. The theory, then, was that taxpayers would voice concerns to their school board and begin reducing superintendent compensation.

The constraints of LB 800 appear straightforward: no school board or ESU board may enter into a superintendent or administrator contract if the superintendent's "compensation" in a contract year exceeds five times the compensation for a "beginning teacher" in the district or ESU. The bill's formula for calculating superintendent compensation focuses on two definitions: "compensation" and "benefits." LB 800 defines "compensation" as "a reasonable estimate of the total amount of salary and benefits to be paid by a school district or educational service unit in exchange for personal services performed during a contract year . . ." A "benefit" includes "any amount . . . to be paid during the contract year or to be paid in the future by a school district or educational service unit in exchange for the personal services performed during such contract year," including (1) employer's NPERS contributions; (2) early retirement incentives; (3) "cash awards;" (4) severance pay; (5) annuity contributions; (6) life, health, or disability insurance premiums (or cash-in-lieu of payments); and (7) maximum cash payments for accrued but unused leave.

A beginning teacher's compensation includes "the maximum benefits generally available to a teacher who does not receive additional compensation for duties beyond the standard teaching contract."

If LB 800 passes, each school district and ESU will need to begin by calculating their beginning teacher's compensation, which may not be as clear as the definition suggests. For one, the term "maximum benefits" is not defined. This uncertainty will be problematic in calculating a teacher's "maximum benefit" for health insurance, especially in districts that offer dual-choice, HSA's, and other health-related benefits. The calculation of accrued but unused leave may be similarly hard to decipher, given how schools implement different rules for different types of leave.

Nonetheless, as a general calculation in a hypothetical example, consider a first-year teacher with a \$36,000 starting salary. If that district will pay up to 100% of the premiums for any level of eligible coverage, and the district offers the \$1,900 EHA deductible (without a 5% discount), the district will pay \$25,127.40 in 2023-2024 for health insurance premiums for that teacher. Assuming the NPERS contributions, life and disability contributions, and payouts for accrued but unused leave total 13% of the teacher's gross salary (which may or may not be a fair estimate), the compensation for a beginning teacher under LB 800 would be  $\$36,000 + \$25,127.40 + \$4,680 = \$65,807.40$ .

With this beginning teacher's compensation in hand, LB 800 would prohibit a school board from contracting with their superintendent for more than five times that amount. At \$65,807.40, the school board could not permissibly approve a superintendent's contract worth more than \$329,037 per year. Making the same assumptions for the superintendent as the beginning teacher, with full family health insurance and using 13% as the "catch-all" for all other benefits, the superintendent's maximum salary amount could not exceed \$268,946.55. However, most superintendent contracts currently include more benefits than those offered to teachers. Under the definition of "benefits,"

cell phone stipends, annuities, association dues, bonuses, stipends, and a larger amount and higher rate of per-diem leave days paid out will likely result in a higher percentage of “catch-all” costs to the superintendent. If this 13% number (for instance) increases to 15%, that maximum salary amount decreases by almost \$5,000, to \$264,269.22. As the number of other costs increase, that annual salary amount will continue to decrease. It does not take many adjustments to several of these assumptions to quickly decrease this maximum salary amount by \$65,000, to under \$200,000 per year.

To be fair, these are large salary numbers that may not garner sympathy from many of those already critical of public schools. But there are several key points to consider that will likely cause bigger problems in districts. First, this legislation seems particularly aimed at larger districts with superintendents who earn more than smaller districts. This reality has been the focus of school critics for years past, and it seems fairly obvious that LB 800 targets superintendents of the state’s largest schools. Putting that aside, and focusing on the state as a whole, no one predicts the cost of health insurance to decrease any time soon. As health insurance costs continue to eat into school personnel budgets, the room for salary will shrink without additional revenue. And with the current teacher shortage, school boards are paying teachers more to work (and stay) in their district, which only adds to the district’s existing budget. This reality, coupled with the statutorily defined parameters of teacher compensation (between 98% and 102% of the array), will likely require schools to spend more on staff. Spending more on staff will typically lead to spending more on administration. Of course, the only way to cover this increasing expense is additional revenue. Finally, only “superintendents” are covered by LB 800. There are no caps on, for instance, compensation for assistant superintendents, curriculum directors, principals, and so forth. Yet, it seems unlikely that the superintendent would be paid less than an assistant superintendent, so there will likely be a “trickle-down” effect if salaries are capped at the superintendent level. If principal and assistant principal salaries are indirectly “capped” under LB 800, it may prove difficult to hire and retain quality building administrators, especially in smaller districts.

There may also be questions as to the constitutionality of LB 800, including whether LB 800 interferes with existing contracts under the Tenure Act. Regardless, it will be up to each school district to make its own calculations to see how its current superintendent compensation compares to a beginning teacher’s compensation.

**Governor’s Future Education Plan**

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<b>LB 583</b>	<i>Sponsor</i> Sanders	<i>Committee</i> Education	<i>Subject</i> Provide for foundation aid and special education supplemental aid under the Tax Equity and Educational Opportunities Support Act
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LB 583 is part of the Governor’s school finance and property tax relief package. The bill provides for per-student foundation aid, increased special education funding, and changes aid certification dates.

For school fiscal year 2023-24 and each school fiscal year thereafter, NDE is required to determine the foundation aid to be paid to each school district from money appropriated from the Education Future Fund, which is created by the bill.

The foundation aid to be paid to each school district in each school fiscal year would equal \$1,500 multiplied by the number of formula students for such school district.

Foundation aid would be paid directly to the school district and would count as a formula resource for the local system.

For school fiscal year 2023-24 and each school fiscal year thereafter, NDE is required to determine the “special education supplemental aid” to be paid to each school district from money appropriated from the Education Future Fund.

The special education supplemental aid to be paid to each school district in each school fiscal year would equal 80% of the actual anticipated expenditures of the school district for special education minus the total amount of state and federal funds to be provided to the school district for special education, excluding special education supplemental aid.

Special education supplemental aid would be paid directly to the school district, and such aid would not count as a formula resource for the local system.

Certification of state aid would be delayed for the 2023-24 school year to on or before May 1st.

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<b>LB 589</b>	<i>Sponsor</i> Briese	<i>Committee</i> Revenue	<i>Subject</i> Adopt the School District Property Tax Limitation Act
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LB 589 creates the School District Property Tax Limitation Act, which is part of the Governor’s education finance reform plan.

The bill provides that a school district’s “property tax request” for any year may not exceed the school district’s “property tax request authority.”

NDE is required to calculate each school district’s property tax request authority on an annual basis as follows:

- (a) The school district’s property tax request from the prior year shall be added to the non-property-tax revenue from the prior year, and the total would be increased by whichever of the following percentages is the highest:
  - (i) The base growth percentage;
  - (ii) The annual percentage increase in the student enrollment of the school district multiplied by four-tenths;
  - (iii) The percentage obtained by first dividing the annual increase in the total number of limited English proficiency students in the school district by the student enrollment of the school district and then multiplying the quotient by twenty-five hundredths; or

- (iv) The percentage obtained by first dividing the annual increase in the total number of poverty students in the school district by the student enrollment of the school district and then multiplying the quotient by twenty-five hundredths; and
- (b) The amount determined would then be decreased by the amount of total non-property-tax revenue for the current year. In determining the total non-property-tax revenue for the current year, any category of non-property-tax revenue for which there is insufficient data as of August 1 to make an accurate determination shall be deemed to be equal to the prior year's amount.

NDE would certify the amount determined for each school district to the school board of the school district. Such certified amount would be the school district's property tax request authority.

#### Exception

The School District Property Tax Limitation Act would not apply to that portion of a school district's property tax request that is needed to pay the principal and interest on approved bonds.

#### Exceeding the Property Tax Request Authority

##### *By Special Election*

A school district's property tax request may exceed its property tax request authority by an amount approved by a 60% majority of legal voters voting on the issue at a special election called for by the school board of such district OR upon the receipt by the county clerk or election commissioner of a petition requesting an election signed by at least 5% of the legal voters of the school district.

The recommendation of the school board or the petition of the legal voters must include the amount by which the school board would increase its property tax request for the year over and above the property tax request authority of the school district.

##### *By School Board Vote*

A school district's property tax request may exceed its property tax request authority by a percentage approved by an affirmative vote of at least 75% of the school board of such school district. Such percentage may not exceed:

- (a) 7% for school districts with an average daily membership of no more than 471 students;
- (b) 6% for school districts with an average daily membership of more than 471 students but no more than 3,044 students;
- (c) 5% for school districts with an average daily membership of more than 3,044 students but no more than 10,000 students; or
- (d) 4% for school districts with an average daily membership of more than 10,000 students.

*Note:* A school district's property tax request may exceed its property tax request authority pursuant to any property tax authority approved by the voters at a levy override election held prior to January 1, 2024.

Choosing not to Increase Property Tax Request

A school district may choose not to increase its property tax request by the full amount allowed by the school district’s property tax request authority in a particular year. In such cases, the school district may *carry forward* to future years the amount of unused property tax request authority.

NDE would calculate each school district’s unused property tax request authority and submit an accounting of the amount to the school board of the school district. The unused property tax request authority may then be used in later years for increases in the school district’s property tax request.

Documentation and Enforcement

NDE is required to prepare documents to be submitted by school districts to aid the department in calculating each school district’s property tax request authority and unused property tax request authority.

Each school district is required to submit the documents to NDE by September 20 of each year. If a school district fails to submit the documents to the department or if the department determines from such documents that a school district is not complying with the limits provided in the Act, NDE must notify the school district of its determination. The Commissioner of Education must then direct that any state aid granted under TEEOSA be withheld until such time as the school district submits the required documents or complies with the Act.

The state aid would be held for six months. If the school district complies within the six-month period, it would receive the suspended state aid. If the school district fails to comply within the six-month period, the suspended state aid would revert to the General Fund.

This act becomes operative on January 1, 2024.

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<b>LB 681</b>	<i>Sponsor</i> Clements	<i>Committee</i> Appropriations	<i>Subject</i> Change provisions relating to a fund and provide for transfers under TEEOSA
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LB 681 is a component of the Governor’s education funding package.

The bill renames the existing Tax Equity and Educational Opportunities Fund as the “Education Future Fund.” The fund must be used only for the following purposes:

- (a) To provide foundation aid under the Tax Equity and Educational Opportunities Support Act (TEEOSA);
- (b) To provide additional aid for special education under TEEOSA;
- (c) To increase funding for school districts in a way that results in direct property tax relief, which means a dollar-for-dollar replacement of property taxes by a state funding source;

- (d) To provide funding for a grant program to address teacher turnover rates and keep existing teachers in classrooms;
- (e) To provide funding for a grant program to increase career and technical educational classroom opportunities for students. Such grant program must provide students with the academic and technical skills, knowledge, and training necessary to succeed in future careers; and
- (f) To provide funding for a grant program to provide students the opportunity to have a mentor who will continuously engage with the student directly to aid in the student's professional growth and give ongoing support and encouragement to the student.

The bill requires the State Treasurer to transfer \$1 billion from the General Fund to the Education Future Fund in fiscal year 2023-24, and \$250 million for fiscal year 2024-25.

There is intent language to appropriate \$250 million to the Education Future Fund in fiscal year 2025-26 and each fiscal year thereafter.

The emergency clause is attached.

## Graduation Requirements

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<b>LB 201</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Vargas	Education	Provide a high school graduation requirement relating to federal student aid

The concept behind LB 201 is similar to a prior failed attempts in 2020 (LB 1089) and 2021 (LB 200) also sponsored by Senator Vargas.

Students pursuing post-secondary education currently have the option to complete and file a Free Application for Federal Student Aid (FAFSA) in order to be considered for federal (Pell Grant, Subsidized Stafford Loan, Federal Perkins Loan, Federal Work-Study Program), state sponsored (Nebraska Opportunity Grant), and college-sponsored financial aid.

Requirement: Beginning with the 2024-25 school year, LB 201 would require all public high school students to complete the FAFSA prior to graduation. LB 201 also includes an opt-out provision that can be completed by any parent, guardian, or other person standing in loco parentis to the student.

Compliance Information: The school principal or the school principal's designee of each public high school is required to provide compliance information to the school district or governing authority for the public high school and to NDE without disclosing (for any student who has complied with the requirements of the bill) personally identifiable information distinguishing whether the compliance upheld the provisions of the bill.

The school principal or school principal’s designee must provide separately the aggregate number of students who have complied and who have not complied, unless otherwise prohibited by federal or state law regarding the confidentiality of student educational information.

**Rules and Regulations:** The State Board of Education is required to adopt and promulgate rules and regulations as necessary to implement provisions of the bill. The rules and regulations must include at a minimum:

- (a) A timeline for the distribution of the Free Application for Federal Student Aid and relevant forms;
- (b) Standards regarding the information that a public high school must provide to students regarding:
  - (i) Instructions for filling out the Free Application for Federal Student Aid;
  - (ii) The options available to a student if a student wishes to decline to complete and submit an application; and
  - (iii) The method by which a student may provide proof to the public high school that the student has completed and submitted an application; and
- (c) A requirement for each public high school to report the number of students who completed and submitted an application and the number of students who instead submitted a form to decline submitting an application.

## Joint Public Agencies

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<b>LB 287</b>	<i>Sponsor</i> Brewer	<i>Committee</i> Government	<i>Subject</i> Prohibit creation of joint public agencies under the Joint Public Agency Act
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Any combination of two or more public agencies may create one or more joint public agencies to exercise the powers and authority prescribed by the Joint Public Agency Act.

LB 287 prohibits the creation of any new joint public agency on or after October 1, 2023.

<b>LB 299</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Require approval by the voters of a school district or educational service unit for the issuance of certain bonds under the Interlocal Cooperation Act
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LB 299 provides that any future joint entity that includes a Nebraska school district or an educational service unit, such joint entity may not issue any bonds until the question of issuing the bonds has been submitted to the qualified electors of each Nebraska school district or educational service unit that is part of the joint entity at an election called for that purpose and, within each

such school district or educational service unit, a majority of the qualified electors voting on the question voted in favor of issuing the bonds.

The joint entity must give notice of the election at least 50 days prior to the election. The question of issuing bonds may be submitted at the statewide primary or general election.

The question of bond issues, when defeated, may not be resubmitted in substance for a period of at least six months after the date of the election.

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<b>LB 332</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Prohibit creation of new joint public agencies with power or authority relating to education
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Under the current provisions of the Joint Public Agency Act, any combination of two or more public agencies may create one or more joint public agencies to exercise the powers and authority prescribed by the Act.

LB 332 essentially prohibits access to this mechanism for school districts and ESUs and states that no joint public agency created on or after October 1, 2023, may exercise any power or authority relating to education.

### Legislative Impact Statements

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<b>LB 39</b>	<i>Sponsor</i> Blood	<i>Committee</i> Executive Board	<i>Subject</i> Require disability impact statements for certain legislation
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LB 39 declares that the Legislature has an obligation to reduce the disparities for persons with disabilities and to identify legislative bills that are likely to exacerbate or ameliorate existing disparities or create new ones.

The bill requires the preparation of “disability impact statements” for certain legislative bills to help the Legislature meet this responsibility. A disability impact statement is defined as an explanatory statement summarizing the expected impact a legislative bill may have on certain identifiable persons.

The bill requires the office of Legislative Research to prepare and provide disability impact statements for legislative bills as designated by the Executive Board of the Legislative Council.

LB 39 authorizes the office of Legislative Research to request the cooperation of any state agency, political subdivision, accredited academic institution, or subject matter expert in the preparation of a disability impact statement or in the collection of any data or information necessary to prepare such disability impact statement.

<b>LB 54</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McKinney	Executive Board	Require the office of Legislative Research to prepare racial impact statements for legislative bills

LB 54 requires the Legislative Research office, located in the Capitol building, to prepare and provide racial impact statements for legislative bills as designated by the Executive Board of the Legislative Council beginning with the 2024 Session.

The primary focus for preparation of racial impact statements would be legislative bills that relate to the criminal justice system, the juvenile justice system, prisons, jails, probation, or parole and that, if passed, may have a disparate impact on racial minority populations.

A racial impact statement must clearly summarize the estimated impact of a legislative bill on racial minority populations in the state and the estimated impact of the legislative bill on racial disparities in the state.

## Legislative Structure

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<b>LR 2CA</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Erdman	Executive Board	Constitutional amendment to change from a unicameral to a bicameral legislature, provide for election of members of the Legislature on a partisan ballot, require election of legislative officers and committee chairpersons by a public vote, and require all meetings of the Legislature to be open to the public

The Nebraska Unicameral Legislature was created in 1934 by final approval of the electorate. The first Nebraska one-house Legislature convened in 1937.

LR 2CA would return the Nebraska legislative process to a two-house legislature beginning in January 2027. The Legislature would consist of a house of representatives and a senate.

The house of representatives would consist of not more than 63 members and the senate would consist of 31 members.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

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<b>LR 14CA</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Briese	Government	Constitutional amendment to provide for recall of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts or a member of the Legislature

LR 14CA is a proposed constitutional amendment to change provisions within Article XVII of the Nebraska Constitution, relating to state offices and officeholders.

The resolution provides that the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts or any member of the Legislature may be recalled from office through the procedure and in the manner provided for by law. The procedure would be known as recall and would be in addition to any other method of removal from office provided by this Constitution.

Since there is no such procedure in current statute, the Legislature would need to create a statutory procedure if the amendment is approved by the electorate.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

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<b>LR 22CA</b>	<i>Sponsor</i> Dover	<i>Committee</i> Executive Board	<i>Subject</i> Constitutional amendment to change legislative term limits to three consecutive terms
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Introduced by Senator Dover and 39 co-sponsors, LR 22CA would amend the Nebraska Constitution, Article III, relating to term limits for state senators.

The amendment would increase the number of consecutive terms from the current two terms to three terms.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

## Lottery Funds

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<b>LB 705</b>	<i>Sponsor</i> Murman	<i>Committee</i> Education	<i>Subject</i> Change provisions for the distribution of lottery funds used for education, transfer powers and duties, create new acts and funds, and change education provisions
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LB 705 dramatically changes the purposes for lottery proceeds dedicated to education. It sets forth a new distribution of the funds and creates new uses for the available funds.

For fiscal year 2022-23, the lottery proceeds available to be used for education would be transferred to the Nebraska Education Improvement Fund as it currently does. The Nebraska Education Improvement Fund would then cease to exist. Any remaining balance in the fund would be transferred to the Behavioral Training Cash Fund.

For fiscal years 2023-24 through 2027-28, the money available to be used for education would be transferred as follows:

- (a) 9.5% to the Behavioral Training Cash Fund (see LB 811);
- (b) 2% to the Career-Readiness and Dual-Credit Education Cash Fund;
- (c) 7% to the Community College Gap Assistance Program Fund;
- (d) 17% to the Department of Education Innovative Grant Fund;
- (e) 1% to the Door to College Scholarship Fund;
- (f) 1.5% to the Mental Health Training Cash Fund; and
- (g) 62% to the Nebraska Opportunity Grant Fund.

Beginning in fiscal year 2028-29, the money available to be used for education would be transferred as the Legislature may direct. By December 31, 2026, the Education Committee is required to submit recommendations regarding how the money used for education from the State Lottery Operation Trust Fund should be allocated to best advance the educational priorities of the state for the five-year period beginning with fiscal year 2028-29.

#### Behavioral Intervention Training and Teacher Support

LB 705 creates the Behavioral Intervention Training and Teacher Support Act, to be funded through the Behavioral Training Cash Fund, which would be administered by NDE. Any funding received by a school district for behavioral awareness training would be considered special grant funds under TEEOSA.

Beginning in school year 2023-24, the ESUCC is required to (i) ensure annual behavioral awareness training is available statewide and (ii) develop, implement, and administer an ongoing statewide teacher support system.

Beginning 2025-26, each school district is required to ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training. Each administrator, teacher, paraprofessional, school nurse, and counselor who has received the training must receive a “behavioral awareness training review” at least once every three years. A school district may offer such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees must have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

Behavioral awareness training would include, at a minimum, evidence-based training on a continuum that includes:

- (i) Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma;
- (ii) Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries; and
- (iii) Verbal intervention and de-escalation techniques.

By July 1, 2024, and by July 1 of each year thereafter, each school district must submit a behavioral awareness training report to the ESUCC. The report must include the school district behavioral awareness training plan and summarize how such plan fulfills the requirements of this section.

By December 31, 2024, and each December 31 thereafter, the ESUCC must submit a report to the Education Committee (i) summarizing the behavioral awareness training reports received by school districts, (ii) the various trainings provided across the state, (iii) the teacher support system, and (iv) a financial report of funding received and expended.

Each district is required to designate one or more school employees as a behavioral awareness point of contact for each school building or other division as determined by the school district. Each point of contact would be trained in behavioral awareness and must have knowledge of community service providers and other resources that are available for the students and families in such school district. (See LB 811)

Each district must maintain or have access to an existing registry of local mental health and counseling resources. The registry must include resource services that can be accessed by families and individuals outside of school. Each point of contact would coordinate access to support services for students whenever possible. If information for an external support service is provided to an individual student, school personnel must notify a parent or guardian of the student in writing unless such recommendation involves law enforcement or child protective services. Each district would indicate each point of contact for the district on the website of the school district and in any school directory for the school that the point of contact serves.

#### Mental Health Training Grant Program

NDE is required to establish a mental health training grant program. Mental health training grants would be funded from the Mental Health Training Cash Fund. A grantee would be a school district or an ESU.

Each applicant for a grant would describe in the application the training to be provided under the grant on:

- (a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health services;
- (b) Mental health resources, including, but not limited to, the location of local community mental health centers; and
- (c) Action plans and protocols for referral to such resources.

Each application for a grant must also include in the application a description of how the training to be provided under the grant will prepare recipients of such training to:

- (a) Safely de-escalate crisis situations;
- (b) Recognize the signs and symptoms of mental illness, including, but not limited to, schizophrenia, bipolar disorder, major clinical depression, and anxiety disorders; and
- (c) Timely refer a student to available mental health services in the early stages of the development of a mental disorder to avoid the need for subsequent behavioral health care and to enhance the effectiveness of mental health services.

Grants received would be considered special grant funds under TEEOSA.

#### Career-Readiness and Dual-Credit Education Grant Program

LB 705 creates the Career-Readiness and Dual-Credit Education Grant Program Act. It also creates a fund to be administered by the Coordinating Commission for Postsecondary Education and consist of money received from lottery proceeds.

The commission, in consultation with NDE, the Department of Labor, and any advisory committee established by the commission for such purpose, must:

- (1) Create and establish teacher education pathways enabling the instruction of dual-credit courses and career and technical education courses;
- (2) Correlate and prioritize teacher education pathways with Nebraska workforce demand;
- (3) Establish a grant program by July 1, 2023, to distribute money from the Career-Readiness and Dual-Credit Education Cash Fund to teachers enrolled in education pathways leading to qualification to teach dual-credit courses and career and technical education courses;
- (4) Establish a directory of available teacher education pathways in Nebraska identified by sequence and location; and
- (5) On December 31, 2024, and each December 31 thereafter, submit an annual report to the Legislature. The report must include the number and amount of grants awarded, the postsecondary educational institutions attended by grant recipients, and information regarding the completion of instructor requirements to teach dual-credit courses and career and technical education courses.

#### Door to College Scholarship Act

LB 705 creates the Door to College Scholarship Act along with the Door to College Scholarship Fund. The Coordinating Commission for Postsecondary Education would administer the fund, which would consist of amounts transferred from the State Lottery Operation Trust Fund.

The commission would provide for awards to be made directly to eligible students. An award may not exceed a maximum of \$5,000 annually to an eligible student with a full-time status and would be prorated for eligible students with a part-time status. The commission may adjust the value of awards annually to make awards to all eligible applicants who apply by the application deadline set by the commission.

Eligible postsecondary educational institutions, acting as agents of the commission, would:

- (a) Receive and process applications for awards under the Door to College Scholarship Act;
- (b) Determine eligibility of students based on criteria set forth in the act; and
- (c) No later than the application deadline set by the commission, make recommendations to the commission for awards to eligible students, including the name and social security number of each eligible student.

An award under the Door to College Scholarship Act may not be used by a postsecondary educational institution to reduce institutional scholarships, grants, or tuition or fee waivers that a student would otherwise be eligible to receive if such student did not receive an award under the act.

Within 30 days after receiving recommendations, the commission must review the recommended awards for compliance with the Door to College Scholarship Act and any rules and regulations adopted and promulgated pursuant to the act and notify each eligible postsecondary educational institution of the approval or disapproval of recommended awards.

The commission would distribute to each eligible postsecondary educational institution the total award amount approved for eligible students at such institution. The eligible postsecondary educational institution would act as an agent of the commission to disburse the awards directly to eligible students during the award year.

An award may be granted to an eligible student for attendance at an eligible postsecondary educational institution if:

- (1) The eligible student is accepted for enrollment as follows:
  - (a) In the case of an eligible student beginning the first year in attendance at an eligible postsecondary educational institution, such eligible student has satisfied requirements for admission and has enrolled or indicated an intent to enroll in an eligible postsecondary educational institution; or
  - (b) In the case of an eligible student enrolled in an eligible postsecondary educational institution following the successful completion of the student's first year in attendance, such eligible student continues to meet the requirements of the Door to College Scholarship Act and has maintained the minimum standards of performance as required by the eligible postsecondary educational institution in which the eligible student is enrolled;
- (2) The eligible student receiving such award certifies that the award will be used only for educational expenses; and
- (3) The eligible student has complied with the act and any rules and regulations adopted and promulgated pursuant to the act.

A recipient of an award must:

- (a) Attend all required courses regularly;
- (b) Meet with an assigned advisor at regular intervals to discuss academic progress and to develop a job-search plan; and
- (c) Maintain good academic standing at the eligible postsecondary educational institution without any disciplinary action by such institution.

#### Excellence in Teaching Act

Interestingly, the bill requires that, by July 1, 2023, all powers, duties, and functions that NDE had under the Excellence in Teaching Act prior to such date are transferred to the Coordinating Commission for Postsecondary Education.

By July 1, 2023, all documents and records of NDE pertaining to duties and functions under the Excellence in Teaching Act would be transferred to the commission and would become the property of the commission.

## Mandates

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<b>LR 1CA</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Blood	Government	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed

LR 1CA is a proposed constitutional amendment to change provisions within Article III of the Nebraska Constitution, relating to the Legislature and legislative powers and duties. A similar amendment was offered by Senator Blood in 2022 (LR 263CA), which advanced from the Government Committee and advanced to Select File but did not receive a final vote.

LR 1CA creates a new section within Article III prohibiting the Legislature from imposing responsibility for a program created after the year 2024 or an increased level of service required under an existing program after the year 2024 on any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of the program or increase in level of service. Reimbursement by the state must be in the form of a specific appropriation or an increase in state distribution of revenue to the political subdivision.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

## Miscellaneous

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<b>LB 53</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McKinney	Government	Create El-Hajj Malik El-Shabazz, Malcolm X Day and establish a holiday

LB 53 would designate May 19th as an official state holiday to recognize El-Hajj Malik El-Shabazz, Malcolm X Day. The bill requires schools to hold suitable exercises in recognition of the sacrifices of the late Nebraska Hall of Fame inductee El-Hajj Malik El-Shabazz, Malcolm X and his contributions to the betterment of society.

The Governor would be required, prior to May 19 of each year, to issue a proclamation inviting and urging the people of the State of Nebraska to observe El-Hajj Malik El-Shabazz, Malcolm X Day in schools and other suitable places with appropriate ceremony and fellowship.

The bill also requires NDE to make information available to the schools and all people of this state regarding El-Hajj Malik El-Shabazz, Malcolm X Day.

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<b>LB 56</b>	<i>Sponsor</i> McKinney	<i>Committee</i> Business and Labor	<i>Subject</i> Adopt the Diaper Changing Accommodation Act
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LB 56 applies to the state and political subdivisions and requires at least one baby diaper changing station that is available for use by women in a restroom designated for use by women and at least one baby diaper changing station that is available for use by men in a restroom designated for use by men, OR at least one baby diaper changing station that is available for use by men or women in a gender neutral or family restroom.

Baby diaper changing station is defined as a table or other device suitable for changing the diaper of a child three years of age or younger.

The bill requires that a baby diaper changing station must include signage at or near the entrance of such restroom or location indicating the presence of a baby diaper changing station. Each baby diaper changing station in a place of public accommodation must be maintained, repaired, and replaced as necessary to ensure safety and ease of use and must be cleaned with at least the “same frequency” as the location in which it is located.

LB 56 would become operative on January 1, 2024.

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<b>LB 141</b>	<i>Sponsor</i> Briese	<i>Committee</i> Education	<i>Subject</i> Require the Department of Education to provide guidance to school districts relating to a moment of silence in schools
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LB 141 sets forth findings that students can benefit from an opportunity for a moment of quiet reflection.

The very brief bill requires NDE to provide guidance to school districts that decide to provide a moment of silence each school day on the best way to implement the policy.

The bill apparently does not require school districts to implement such a policy.

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<b>LB 169</b>	<i>Sponsor</i> Hunt	<i>Committee</i> Judiciary	<i>Subject</i> Prohibit discrimination based upon sexual orientation and gender identity
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LB 169 would amend a series of laws within the Nebraska Revised Statutes to insert language in order to prevent discrimination on the basis of race, color, creed, religion, ancestry, sex, marital status, national origin, sexual orientation, and gender identity.

Under the bill, “gender identity” is defined as an individual’s internal sense of the individual’s own gender, regardless of the sex the individual was assigned at birth. “Sexual orientation” is defined as actual or perceived homosexuality, heterosexuality, or bisexuality.

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<b>LB 178</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Erdman	Education	Require display of the national motto in schools

LB 178 provides that each school board must prominently display the national motto of the United States, “In God We Trust”, written legibly in English, in each classroom or in another prominent place in each school building where each student is able to see and read it each day school is in session.

A school board is permitted to accept contributions to defray the costs of implementing the requirement.

The bill provides that, upon the filing of an action seeking to invalidate this section in any state or federal court, the Attorney General would intervene on behalf of any school board and any other party named as a defendant for their role in implementing the requirement.

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<b>LB 277</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Brewer	Government	Adopt the First Freedom Act and authorize the wearing of tribal regalia by students

LB 277 actually has two somewhat distinct parts. The first is the adoption of the First Freedom Act and the second is provisions related to wearing of tribal regalia.

First Freedom Act

Perhaps in part to the recent pandemic and the restrictions on gatherings, LB 277 provides that a person or religious organization whose exercise of religion or religious service has been burdened or restricted, or is likely to be burdened or restricted, in violation of the First Freedom Act, may bring a civil action or assert such violation or impending violation as a defense in a judicial or administrative proceeding.

Tribal Regalia

LB 277 provides that a person who is a member of an indigenous tribe of the U.S. or another country and is a student attending an approved or accredited public school may wear tribal regalia in any public or private location where the person is otherwise authorized to be on such school grounds or at any school function.

The provisions of the bill are not meant to limit the authority of administrative and teaching personnel to regulate student behavior or the authority of a school to regulate student behavior to further school purposes or to prevent interference with the educational process.

The bill permits but does not require a school to adopt a policy to accommodate this legislation. The policy may specify the characteristics of any garment, jewelry, other adornment, or object that such school finds will endanger the safety of a student or others or interfere with school purposes or the educational process if worn by a student during a specified activity.

The bill defines “tribal regalia” as traditional garments, jewelry, other adornments, or similar objects of cultural significance worn by members of an indigenous tribe of the U.S. or another country. *Tribal regalia does not include any firearm or other dangerous weapon.* Tribal regalia also does not include, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

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<b>LB 297</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Sanders	Government	Adopt the Personal Privacy Protection Act

LB 297 creates the Personal Privacy Protection Act and applies to political subdivisions, including school districts and ESUs.

The bill prohibits all public agencies from:

- (a) Requiring any individual to provide personal information or otherwise compelling the release of personal information;
- (b) Requiring any nonprofit organization holding a certificate of exemption under section 501(c) of the Internal Revenue Code to provide the public agency with personal information or otherwise compelling the release of personal information;
- (c) Releasing, publicizing, or otherwise publicly disclosing personal information in the possession of the public agency; or
- (d) Requesting or requiring a current or prospective contractor or grantee to provide such public agency with a list of nonprofit organizations holding certificates of exemption under section 501(c) of the Internal Revenue Code to which such contractor or grantee has provided financial or nonfinancial support.

“Personal information” is defined as any list, record, register, registry, roll, roster, or other compilation of data that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any nonprofit organization holding a certificate of exemption under section 501(c) of the Internal Revenue Code.

The legislation does not prohibit the following:

- (a) Any report or disclosure required by the Nebraska Political Accountability and Disclosure Act;
- (b) Any report or disclosure by a public agency regarding testimony received at a public hearing conducted by such public agency;
- (c) Any lawful warrant, subpoena, or order issued by a court of competent jurisdiction for the production of personal information;

- (d) Any lawful request for discovery of personal information in litigation if both of the following conditions are met: (i) The requestor demonstrates a compelling need for such personal information by clear and convincing evidence; and (ii) The requestor obtains an order barring disclosure of such personal information to any person not named in the litigation;
- (e) Admission of personal information as relevant evidence before a court of competent jurisdiction. However, no court may publicly reveal personal information absent a specific finding of good cause;
- (f) Any report or disclosure required by state or federal law or regulation for an employee of the University of Nebraska or any state college. Except as otherwise required by law, no such report or disclosure shall be subject to release under the state public records laws;
- (g) Any report or disclosure required by conflict of interest, conflict of commitment, or outside income policies for an employee of the University of Nebraska or any state college. Except as otherwise required by law, no such report or disclosure shall be subject to release under the state public records laws;
- (h) Any document required or permitted to be filed with the Secretary of State disclosing the identity of any director, officer, incorporator, or registered agent of a nonprofit organization; or
- (i) Any examination undertaken by the Auditor of Public Accounts pursuant to state statute. Personal information obtained during the course of such examination may not be disclosed except to a county attorney or the Attorney General in connection with an investigation made or action taken in the course of the official duties of a county attorney or the Attorney General.

LB 297 becomes operative on January 1, 2024.

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<b>LB 304</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Government	<i>Subject</i> Require political subdivisions to disclose membership dues and lobbying fees
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LB 304 requires all political subdivisions, including school districts and ESUs, to publicly disclose the following on its website:

- (a) Membership dues paid annually to any association or organization, identifying each association or organization and the dues amounts paid; and
- (b) Fees paid to any individual lobbyist or lobbying firm other than any fees paid for lobbying services that may be included in the membership dues.

For any political subdivision that does not have a website, the information may be made available upon request to any member of the public at the office of the political subdivision.

<b>LB 523</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Health	Require a state plan amendment to include school psychologists as Medicaid providers

LB 523 requires the DHHS to submit a state plan amendment to the Federal Centers for Medicare and Medicaid Services to include school psychologists as eligible providers for all recipients under the Medical Assistance Act. DHHS would need to act no later than October 1, 2023.

<b>LB 630</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McKinney	Education	Provide a duty to the State Department of Education and require a school board to adopt a written dress code

By July 1, 2025, each school board must adopt a written dress code and grooming policy to be implemented at the start of the 2025-26 school year that is consistent with a model policy developed by NDE in accordance with this bill and may include any other procedures and provisions the school board deems appropriate.

Enforcement of violations of the written dress code and grooming policy would:

- (a) Be treated as minor on the continuum of school rule violations and would not constitute student conduct subject to long-term suspension, expulsion, or mandatory reassignment;
- (b) Not require the student to miss substantial classroom time, instruction time, or school activities; and
- (c) Not, under any circumstance, allow an administrator, teacher, other member of the staff, or contractor to permanently or temporarily alter or cut a student’s hair.

No student may be disproportionately affected by a dress code or grooming policy enforcement because of the student’s gender, race, color, religion, disability, or national origin.

Model Dress Code and Grooming Policy

By December 1, 2024, NDE is required to develop and distribute a model dress code and grooming policy for schools that facilitates and encourages an inclusive and positive learning environment while complying with any applicable health or safety law, rule, regulation, ordinance, or resolution. Such model policy may not:

- (a) Target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin;
- (b) Prohibit a student from wearing attire, including religious attire, natural and protective hairstyles, adornments, or other characteristics associated with race, national origin, or religion; or
- (c) Require a student’s hair to be permanently or temporarily altered.

The model policy must include a statement that specifies that enforcement of a violation of such policy would be done in a manner that is consistent with a school’s overall discipline plan and in a consistent manner.

NDE may develop as part of the dress code and grooming policy a “health and safety standard” that allows for the regulation of characteristics associated with race, national origin, or religion in the dress code and grooming policy under certain circumstances. The standard must:

- (a) Demonstrate that without the implementation of the standard, it is reasonably certain that the health and safety of the student or another individual will be impaired;
- (b) Require adoption of the standard for nondiscriminatory reasons;
- (c) Require that the standard be applied equally;
- (d) Require that the school engage in a good faith effort to reasonably accommodate the student and notify the student’s parent or guardian, in a language that such parent or guardian understands, of such an attempt to accommodate the student’s appearance or any attire, tribal regalia, hairstyles, adornment, or other characteristic associated with race, national origin, or religion;
- (e) Provide a process to obtain consent from a student’s parent or guardian prior to altering a student’s appearance or removing or altering a student’s attire, tribal regalia, hairstyle, adornment, or other characteristic associated with race, national origin, or religion; and
- (f) Provide a process to ensure records are kept on each effort to reasonably accommodate a student’s appearance, attire, hairstyle, adornment, or other characteristics associated with race, national origin, or religion occurring at school, on school grounds, or at a school-sponsored event and ensure that such records allow for analysis of related data and delineate: (i) The reason for such referral; and (ii) Federally identified demographic characteristics of such student.

*Note:* The bill defines “tribal regalia” as natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the U.S. or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

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<b>LB 647</b>	<i>Sponsor</i> McDonnell	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to grade twelve of a private school
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LB 647 amends the Textbook Loan Program.

Beginning on July 1, 2024, NDE is required to purchase and loan textbooks, upon individual request, to children who are enrolled in K-12 of a private school that is approved for continued legal operation.

The bill permits the Legislature to appropriate funds to carry out the provisions of the bill. NDE is not obligated to spend any money for the purchase and loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature. NDE may utilize up to 5% of the appropriated funds to administer the provisions of the bill.

NDE may contract with a third-party vendor to assist in carrying out the provisions of the bill.

“Textbook” is defined as any instructional material, including digital, electronic, or online resources, that is designated for use by an individual student in classroom instruction as the principal source of study material.

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<b>LB 648</b>	<i>Sponsor</i> McDonnell	<i>Committee</i> Education	<i>Subject</i> Provide powers and duties to the State Department of Education relating to the development of a workforce diploma program
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LB 648 amends the High School Equivalency Assistance Act and adds language relating to a workforce diploma program. Much of the bill refers to “providers,” which would provide the services yet the bill does not specifically define “provider.”

The bill requires each provider to offer adult dropout recovery services, including recruitment and learning plan development, and provide proactive coaching and mentoring culminating in qualification for a high school diploma to eligible individuals.

Eligible individuals would include adults and out-of-school youths 16 years of age or older who are not enrolled or required to be enrolled in secondary school under state law and have not previously earned a high school diploma or high school equivalency diploma.

By August 15, 2023, and each year thereafter, NDE must request applications from eligible program providers to participate in the workforce diploma program. Applications must include evidence of the following:

- (a) Experience providing adult dropout recovery services;
- (b) The ability to develop a learning plan that integrates academic requirements and career goals;
- (c) A course catalog that includes all of the courses necessary to meet graduation requirements;
- (d) The ability to provide: (i) Academic skill intake assessment and transcript evaluation; (ii) Remediation coursework in literacy and numeracy; (iii) A research-validated academic resiliency assessment and intervention; (iv) Development of employability skills aligned to employer needs; (v) Career pathways coursework; (vi) Preparation for industry-recognized credentials; and (vii) Career placement services; and
- (e) Accreditation or approval by NDE or accreditation by a recognized regional accrediting body or consolidation thereof.

A workforce diploma program may be delivered in a campus-based, blended, or online modality.

By September 15, 2023, and each year thereafter, NDE must announce any approved program providers. Each approved program provider must establish a program and begin accepting program participants by October 15, 2023. NDE must reimburse each approved program provider participating in the workforce diploma program for the completion of the following milestones for each program participant:

- (a) \$250 for the completion of five credit hours;
- (b) \$250 for the completion of an employability skills certification program equal to at least 10 credit hours;
- (c) \$250 for the attainment of an industry-recognized credential requiring up to 50 hours of training;
- (d) \$500 for the attainment of an industry-recognized requiring 51 through 100 hours of training;
- (e) \$750 for the attainment of an industry-recognized credential requiring more than 100 hours of training; and
- (f) \$1,000 for the attainment of a high school diploma.

By July 15, 2024, and each year thereafter, each approved program provider must report the following information by fiscal year to NDE:

- (a) Total number of program participants who were funded through the workforce diploma program;
- (b) Total number of credit hours earned by such program participants;
- (c) Total number of employability skills certifications issued to such program participants;
- (d) Total number of industry-recognized credentials earned by such program participants for each tier of funding; and
- (e) Total number of such program participants who earned a high school diploma.

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<b>LB 673</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hansen, B.	Education	Provide grants to schools that adopt a policy to provide emergency response mapping data to law enforcement agencies and provide powers and duties to NDE and State Board of Education

LB 673 permits a school board or a private school to adopt a policy to provide emergency response mapping data to local law enforcement agencies for use in response to emergencies. A local law enforcement agency includes, but is not limited to, a local police department, sheriff’s department, and fire department.

A school board or a governing authority that adopts such policy must provide “emergency response mapping data” in an electronic or digital format to assist emergency first responders in responding to an emergency at a school.

The emergency response mapping data must, at a minimum, meet all of the following requirements:

- (a) Be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring the local law enforcement agencies to purchase additional software or requiring the integration of third-party software to view the data;
- (b) Be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies to purchase additional software or requiring the integration of third-party software to view the data;
- (c) Be provided in a printable format;
- (d) Be verified for accuracy through an annual walk-through of school buildings and grounds;
- (e) Be orientated true north;
- (f) Be overlaid on current aerial imagery or plans of school buildings;
- (g) Contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, external door or stairwell numbers, locations of hazards, key utility locations, key boxes, automated external defibrillators, and trauma kits;
- (h) Contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties; and
- (i) Be overlaid with gridded x/y coordinates.

The school board and the governing authority of each private school adopting a policy must annually certify to the appropriate local law enforcement agencies that the emergency response mapping data required to be provided is accurate or, if such information has changed, then such board or governing authority must provide the appropriate local law enforcement agencies with updated emergency response mapping data.

A school board or a governing authority of a private school that adopts a policy and a local law enforcement agency of a school adopting such policy may apply to NDE for a grant to cover the costs of providing or accessing such emergency response mapping data. The application must include a copy of the appropriate school policy, a quote from a vendor on the price to provide such emergency response mapping data, and such other information as the department may require.

The bill intends to provide funding through the Elementary and Secondary School Emergency Relief Fund and if additional funding is needed, then use General Funds.

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<b>LB 781</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Halloran	Appropriations	State intent to appropriate funds to the State Department of Education

LB 781 would appropriate \$300,000 from the General Fund for FY2023-24 to NDE for the purpose of providing a grant to Axtell Public Schools for the students they receive from the closure of the Mosaic facility.

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<b>LB 787</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Wayne	Education	Adopt the STEEM Development Act

LB 787 creates the STEEM Development Act and declares that creating, expanding, and upskilling Nebraska's workforce is essential for (a) retaining and expanding businesses in and attracting businesses to Nebraska, (b) boosting innovation and productivity across Nebraska business sectors, and (c) attracting and retaining investment capital in Nebraska.

The bill provides that any developer may apply to NDE for a grant under the STEEM Development Act to develop and provide a learning platform that:

- (1) Is designed to teach information related to chemistry and physical science or business;
- (2) Aligns with chemistry and physical science or business standards established by the State Board of Education;
- (3) Connects such standards with real-world technologies and applications; and
- (4) Highlights science, technology, engineering, entrepreneurship, and mathematics career pathways in Nebraska.

Any developer that receives a grant under the STEEM Development Act would provide access to and use of its learning platform to all Nebraska school districts.

The bill intends to appropriate \$5 million each fiscal year to NDE to carry out the STEEM Development Act.

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<b>LB 805</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	von Gillern	Education	Require schools to allow certain youth organizations to provide information, services, and activities

*LB 805 is nearly identical to LB 1170, introduced by Senator Sanders in 2022. LB 1170 was not advanced from committee.*

LB 805 amends §79-2,103 to require school districts to allow youth organizations to provide information about the services and activities they offer to the students. At least one time each school year, and also when requested, a school district must allow a representative of a youth organization to present oral or written information to the students of the school regarding the organization and how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and provides services and activities to any student from the school who is a member of their organization. The school district will make a good-faith effort to select a date, location, and time for the organization to make its presentation to the students.

Prior to the presentation to the students, the representative must pass a background check that will be conducted by the Nebraska State Patrol (NSP) at the expense of the representative or the youth organization. Each school district can set the parameters of the background check as long as they are within the rules and regulations of the NSP.

*Note:* LB 1170 (2022) was promoted by the Boy Scouts of America.

## Open Meetings and Public Records

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<b>LB 637</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Albrecht	Government	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act

LB 637 amends the Open Meetings Act by eliminating existing language in the Act stating that a body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

The bill adds new language stating that, except for closed sessions, a public body must allow members of the public an opportunity to speak at each meeting.

## Option Enrollment

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<b>LB 528</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hansen, B.	Education	Create the Nebraska Option Enrollment Tuition Account Program

LB 528 creates the Nebraska Option Enrollment Tuition Account Program. The program would be administered by the State Board of Education.

The bill creates a process for “declining to appeal and instead requesting an option enrollment tuition account,” where an option district declined to accept an option application.

The State Board:

- (a) Would administer or contract with a third party to administer scholarship accounts;
- (b) Would establish and deposit funds into a scholarship account within 15 calendar days upon receiving notice of a decline to appeal and request for a scholarship account; and
- (c) May use up to 5% of scholarship account funds for purposes of administering the program.

An eligible student must have deposited into their scholarship account an amount of funds equal to the adjusted average per pupil cost of the preceding year. An eligible student who has a disability must have deposited into their scholarship account an additional amount of funds equal to the reimbursement rate of the eligible student’s resident school district.

Prior to accessing funds deposited into a scholarship account, a parent must sign an agreement to:

- (a) Not enroll the participant as a full-time student in a public school district;
- (b) Use the funds in a scholarship account only for eligible education expenses, providing verification where applicable; and
- (c) Comply with all other rules and requirements of the program.

A student would be deemed to be ineligible if:

- (a) The student reenrolls in a public school district;
- (b) The student moves out of this state;
- (c) The student graduates high school; or
- (d) The parent fails to comply with all provisions of the program.

A participant would be considered to satisfy the compulsory school attendance requirements so long as the participant and the participant’s parent comply with the provision to establish and deposit funds as required.

The emergency clause is attached.

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<b>LB 550</b>	<i>Sponsor</i> Ballard	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to the enrollment option program
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The Enrollment Option Program was enacted in 1989 and has been modified over the years since.

LB 550 would dramatically eliminate much of the existing program and reduce it to a very open process in favor of the option student application.

The bill provides that the standards used in the application process by the option district may only include a random selection process and the interest of the student and the student’s parent or legal guardian.

The standards may not include a student’s residential address, provided the student is a resident of this state, any capacity measurement, or any measurement that discriminates against a student based on such student’s race, ethnicity, socioeconomic status, or any protected class.

## Parental Involvement

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<b>LB 71</b>	<i>Sponsor</i> Sanders	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to parental involvement in and access to learning materials in schools
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*In 1994 the Legislature passed LB 1161, the Parental Involvement Act, with the intent to offer parents an opportunity to be more involved in curriculum issues and more involved in monitoring classroom instruction.*

LB 71 in part amends the existing law to modernize and clarify various provisions, but it also expands the existing law and adds a punitive provision for noncompliance. A similar bill was introduced by Senator Sanders in 2022 (LB 1158), which was advanced by the Education Committee but did not pass.

#### Modification/Expansion of Existing Requirement for a Policy

By July 1, 2024, each public school district must develop and adopt a policy stating how the district will involve parents and guardians in the schools and the rights of each parent or guardian to:

- (1) Access testing information, and curriculum; and
- (2) Request that a child be excused from specific instruction or activities.

In addition to existing required elements of the policy, LB 71 provides that the policy must address how the school district will provide access to parents or guardians concerning:

- (a) textbooks;
- (b) tests;
- (c) activities information;
- (d) digital materials;
- (e) websites or applications used for learning;
- (f) training materials for teachers, administrators, and staff;
- (g) procedures for the review and approval of training materials, learning materials, and activities.

The policy must provide under what circumstances parents or guardians may ask that their children be excused from testing, classroom instruction, *learning materials*, *activities*, *guest speaker events*, and other school experiences the parents or guardians may find objectionable.

#### Expansion of Requirements for a Public Hearing

The Parental Involvement Act currently requires a public hearing for review of the policy noted above. LB 71 clarifies that the hearing must provide a reasonable opportunity for public comments.

#### Other Provisions

By August 1, 2024, each school district must make all policies of the district and schools of the district accessible on the district's website. The policies must be accessible by a prominently displayed link on each school's website. If a policy is altered, the new version of the policy must be made accessible within a reasonable time thereafter.

To the extent practicable, each public school district must make a reasonable effort to make any learning materials, including original materials, available for public inspection upon request.

Compliance

The most significant change in LB 71 (2023) from the previous version of the bill is the elimination of what NCSA regarded as a very harsh penalty provision (withholding of state aid).

LB 71 provides that if the Commissioner of Education determines that any school district has intentionally refused, in a material manner, to comply with the Parental Involvement Act, the commissioner must notify the school district of the noncompliance and allow the school district a reasonable time to comply. If the commissioner determines, after such time has elapsed, that the school district is not in compliance and has not made a good faith attempt to comply, the commissioner must take appropriate remedial action within the commissioner's authority, up to and including qualifying the noncompliance as a violation of the rules and regulations for the accreditation of schools.

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<b>LB 374</b>	<i>Sponsor</i> Murman	<i>Committee</i> Education	<i>Subject</i> Adopt the Parents’ Bill of Rights and Academic Transparency Act
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LB 374 creates the Parents’ Bill of Rights and Academic Transparency Act and outright repeals the Parental Involvement laws originally passed in 1994.

The bill states that every parent of a child in this state has a fundamental right to direct the upbringing, education, care, and mental health of the parent’s child. The following rights are reserved to each parent of a child in this state:

- (1) The right to direct the education and care of such child;
- (2) The right to direct the upbringing and the moral or religious training of such child;
- (3) The right to retain the primary role in a child’s education, to obtain critical information about what is being taught or provided in the classroom, and to take action when a parent feels that the quality or content of a child’s education does not align with the values and expectations the parent expects and deserves;
- (4) The right to request, access, and inspect all written and electronic records maintained by a school relating to such child;
- (5) The right to be informed of and inspect the curriculum, learning materials, and any other materials that are made available or taught to such child in the child’s school;
- (6) The right to attend publicly designated meetings of the school board and the right to question and address school officials during designated public comment periods or through letters, electronic communications, or in-person meetings;
- (7) The right to make healthcare and medical decisions for such child, including the right to make decisions regarding vaccinations and immunizations;
- (8) The right to expect that no school or school employee will compel a teacher, educator, or student to adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of

the federal Civil Rights Act of 1964, as amended. Such ideas include, but are not limited to:

- (a) That individuals of any race, ethnicity, color, or national origin are inherently superior or inferior;
  - (b) That individuals should be adversely or advantageously treated on the basis of individual race, ethnicity, color, or national origin; or
  - (c) That individuals, by virtue of their race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other members of the same race, ethnicity, color, or national origin;
- (9) The right to expect that no learning materials, course of instruction, activity, or unit of study offered by a school will direct or otherwise compel a student to personally affirm, adopt, or adhere to any of the ideas listed in (8);
  - (10) The right to expect that no course of instruction, unit of study, professional development course, or training program will direct or otherwise compel a teacher or educator to personally affirm, adopt, or adhere to any of the ideas listed in (8);
  - (11) The right to expect that no school employee, when acting in the course of such employee's official duties, will organize, participate in, or carry out any act or communication prohibited by the act;
  - (12) The right to expect that each teacher and educator of such child will endeavor to present facts without distortion, bias, or personal prejudice;
  - (13) The right to expect that each teacher and educator of such child shall work to eliminate coercion that forces teachers and educators to support actions and ideologies that violate individual professional integrity; and
  - (14) The right to assert any other inalienable or constitutional right that is reserved to the parent and the child pursuant to state or federal law.

### Policy

By July 1, 2024, each public school district in the state is required to develop and adopt a policy to guarantee parents' right to be involved in their children's education. Such policy must state how the district will seek to involve parents in schools and what parents' rights will be relating to access to schools, testing information, and curriculum matters. The policy must include, but need not be limited to, policies and procedures for a parent to:

- (1) Be informed through the parent transparency portal or other means of notification and have the ability to inspect any learning materials, activities, curriculum, lessons, syllabi, surveys, tests, questionnaires, examinations, books, magazines, handouts, and professional development and training materials;
- (2) Inspect and review any educational or health records maintained by the school that pertain to the parent's child;
- (3) Have an opportunity to object to any learning material or activity on the basis that such material or activity harms the child or impairs the parent's firmly held beliefs, values, or

principles and withdraw such child from the activity, class, or program in which the material is used;

- (4) Have an opportunity to request that the school designate any item of library content as Parental Review Recommended as provided in section 8 of this act. Such policies and procedures must require consideration of each such request and that if a request is upheld, such item of library content will be designated in accordance with the provisions of the act; and
- (5) Have an opportunity to challenge the educational benefit of any item of library content. Such policies and procedures shall require consideration of each such challenge and that if a challenge is upheld, item of library content shall be removed from the school.

The policy must be developed with parental input and must be the subject of a public hearing before the school board before adoption by the board. By July 1, 2025, and on or before each July 1 thereafter, the policy must be reviewed and either altered and adopted as altered or reaffirmed by the board following a public hearing.

#### Parent Transparency Portal

By July 1, 2024, each public school district must establish an Internet-based transparency tool to be known as a “parent transparency portal.” The portal must be accessible by a prominently displayed link on the main website of the school district and the main website of each school in such school district. Each school district’s parent transparency portal must provide the following information to the public:

- (1) The parents’ bill of rights established under this act;
- (2) A list organized by school, grade level, and area of instruction that includes the learning materials, activities, and curriculum used for student instruction at any school of the school district. Such list must include the title, author, organization, website address, and any other information that is necessary for the identification of such materials, activities, and curriculum;
- (3) A list organized by school, grade level, and area of instruction that includes the social and emotional learning materials, activities and curriculum used for student instruction at any school of the school district. Such list must include the title, author, organization, website address, and any other information that is necessary for the identification of such materials, activities, and curriculum;
- (4) A link to the academic content standards adopted by the State Board of Education, broken down by grade level and subject matter;
- (5) A list organized by school, grade level, and area of instruction that includes the following information for each attitude or belief examination referred to in this act that is administered in any school of the school district:
  - (a) A copy of each examination;
  - (b) The name of the company or entity that produces or provides the examination;

- (c) An explanation of the purposes of the data collection, how the collected data is intended to be used, and whether the data will remain private or be reported as aggregate data;
  - (d) An explanation of how such examination benefits student learning and academic achievement; and
  - (e) An explanation of whether the school district will receive or maintain the resulting data and an explanation of how the school intends to use and maintain such data;
- (6) A list organized by school, grade level, and area of instruction, if applicable, that includes the professional development courses, training materials, and related activities that were provided or offered to any teacher or administrator of the school district. Such list must include the title, author, organization, website address, and any other information that is necessary for the identification of the courses, materials and activities;
  - (7) A link to the library catalog or a list of the documented inventory of the resources available to students in each school library. Such link or catalog must clearly provide whether any item of library content is designated as “Parental Review Recommended” or has been placed on a review list in accordance with this act. If an item is designated as Parental Review Recommended, the link or catalogue must indicate whether such designation is due to sexual content, excessive profanity, or excessive violence and shall provide a sample of the material that necessitates such designation;
  - (8) Information and guidance on how a person may request and be given the opportunity to review and inspect any of the learning materials, activities, and information that is required to be listed or referenced on the parent transparency portal. Such information and guidance must include a point of contact at the school district and at each school for the purpose of making a request for such review;
  - (9) The school district’s policies, procedures, and processes under the School Safety and Security Reporting System Act; and
  - (10) The school district’s policies adopted under this act.

Ongoing Weekly and Monthly Basis

Before each June 30, a school district must post on the parent transparency portal any learning materials, activities, curriculum and any other information required to be listed or provided under this act if such school district knows that such materials, activities, curriculum, or information will be used during the upcoming school year. For any learning materials, activities, curriculum or other materials that are not listed or provided on the parent transparency portal by June 30, the school district must cause any such materials, activities, curriculum, or information to be listed or provided on an ongoing weekly and monthly basis as such materials, activities, curriculum, or information is presented or provided to students.

For the purpose of making ongoing weekly and monthly updates, a school district may use collaborative online document or spreadsheet software that allows multiple users to update or make additions to content on an ongoing basis as long as the contents of such online document or spreadsheet are made available on the parent transparency portal.

All such information must be maintained for not less than two school years following the school year for which such information was provided on the parent transparency portal.

NDE may provide guidance and assistance to school districts regarding the establishment and maintenance of parent transparency portals.

### Parental Review Recommended

Beginning July 1, 2024, a school district must designate an item of library content as Parental Review Recommended upon request by a parent pursuant to the school district's policies unless the item is unequivocally not deserving of such designation. A school district must make a decision regarding any such request within 30 days after receiving a request made in accordance with the school district's policies. A parent may seek review of an adverse decision as provided under this act.

When purchasing or obtaining an item of library content not already included in the school district's library catalogue, a school district must establish a process to designate as Parental Review Recommended any such items that meet the criteria for such designation prior to making any such item available to students in the school library. If there is doubt regarding whether such new item should be so designated and such item meets the criteria for such designation, the school district must resolve such doubt in favor of designating the item as Parental Review Recommended so that parents may make informed decisions regarding the use of such item.

### Attitude or Belief Examination

Except as noted below, a school may not administer an attitude or belief examination to any student unless:

- (a) The parents of such student are notified in writing not more than four months in advance of the administration of such examination. Such notification must include:
  - (i) A statement that the parent may refuse to consent to administration of such examination for any reason and that the student will not suffer adverse consequences as a result of such refusal;
  - (ii) A copy of the examination or information on how to find a copy of the examination on the parental transparency portal;
  - (iii) Information on how the parent may provide written consent to authorize the student to take such examination;
  - (iv) The name of the company or entity that produces or provides the examination to the school;
  - (v) An explanation of the purpose of the data collection, how the collected data is intended to be used, and whether the data will remain private or be reported as aggregate data;
  - (vi) An explanation of how such examination benefits student learning and academic achievement; and

- (vii) Whether the school will receive or maintain the resulting data and an explanation of how the school intends to use and maintain such data;
- (b) Prior to such examination, the parents of such student give written consent through a written or electronic signature to authorize the student to take the examination. Such written consent may only be accepted after a parent has received the notification and had an opportunity to review the information contained in such notification. Written consent must be provided separately for each examination that is to be administered;
- (c) Prior to such examination, the student is informed that:
  - (i) The student has the right to refuse to take such examination, without limitation, regardless of the fact that such student's parents have given written consent; and
  - (ii) That refusal to take the examination will not result in any adverse consequences; and
- (d) Prior to such examination, the school district has posted and maintained a copy of the examination on the parental transparency portal as provided in section 6 of this act.

Except as noted below:

- (a) A parent must have the right to refuse to consent to their child taking any attitude or belief examination for any reason; and
- (b) A student must have the right to refuse to take any attitude or belief examination at any time without limitation, regardless of the fact that such student's parent may have given written consent for the examination.

No adverse consequences will be imposed upon a parent or student exercising the rights protected by this act by the school district or any employee of the school district.

No attitude or belief examination will be incorporated or embedded in any academic program, course, or curriculum offered or provided by a school district.

Except as provided below, no personally identifiable student data may be collected through any attitude or belief examination.

#### Exception

If any school district employee has reasonable cause to believe that a student may be at risk of suicide, the school personnel who are designated by the school to administer a suicide risk assessment or screening tool may administer such risk assessment or screening tool to determine whether the student could be at risk for suicide. Such designated school personnel may include, but is not limited to, any administrator, teacher, counselor, social worker, psychologist, or nurse.

Prior to the administration of any such risk assessment or screening tool, the designated school personnel shall make a reasonable attempt to verbally notify a parent of the student. Except as provided below, if such reasonable attempts to notify the parent do not succeed, the designated school personnel must notify the parent following administration of the risk assessment or screening tool.

Except as provided below, the school must provide the parent all information obtained from the risk assessment or screening tool administered to the student.

A school must not notify a parent following administration of a risk assessment or screening tool or provide information obtained from such risk assessment or screening tool if the designated school personnel has reasonable cause to believe that a child has been subjected to child abuse or neglect and that:

- (a) Such parent was the perpetrator of such child abuse or neglect; or
- (b) Disclosure to such parent could endanger such student or any other person.

Attitude or belief examination or examination means any examination, test, questionnaire, or survey that:

- (a) Contains any questions about the personal and private attitudes, values, beliefs, or practices of a student or a student's parents, family members, associates, friends, or peers; and
- (b) Is administered to any student by any employee of a school district, including, but not limited to, any administrator, teacher, counselor, social worker, psychologist, or nurse;

Personally identifiable student data means student data that, alone or in combination, is linked or linkable to a specific student and would allow a reasonable person to identify the student with reasonable certainty.

Student data means the following information contained in a student's educational record:

- (a) State and national assessment results, including information on untested students;
- (b) Course taking and completion, credits earned, and other transcript information;
- (c) Course grades and grade point average;
- (d) Date of birth, grade level, and expected date of graduation;
- (e) Degree, diploma, credential attainment, and other school exit information such as general education development and drop-out data;
- (f) Attendance and mobility;
- (g) Data required to calculate the federal four-year adjusted cohort graduation rate, including sufficient exit and drop-out information;
- (h) Remediation;
- (i) Special education data;
- (j) Demographic data and program participation information; and
- (k) Any other information included in a student's educational record.

### Discrimination

No school or school employee shall compel a teacher or student to adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal Civil Rights Act of 1964, including, but not limited to, the following:

- (a) That individuals of any race, ethnicity, color, or national origin are inherently superior or inferior;
- (b) That individuals should be adversely or advantageously treated on the basis of individual race, ethnicity, color, or national origin; or
- (c) That individuals, by virtue of their race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other members of the same race, ethnicity, color, or national origin.

No course of instruction or unit of study offered by any school may direct or otherwise compel students to personally affirm, adopt, or adhere to any of the ideas listed above.

No course of instruction, unit of study, professional development, or training program may direct or otherwise compel teachers to personally affirm, adopt, or adhere to any of the ideas listed above.

No school employee, when acting in the course of such employee's official duties, may organize, participate in, or carry out any act or communication that would violate this act.

This would not be construed to prohibit:

- (a) A teacher or school employee from discussing the ideas and history of the ideas listed in above; or
- (b) Teachers or students from discussing public policy issues or ideas that individuals may find unwelcome, disagreeable, or offensive.

### Immunity

A teacher who refuses to teach matters prohibited by this act or to teach matter against such teacher's sincerely held religious beliefs may not be subject to an adverse licensure or employment action by a state or local educational authority because of such refusal.

- (a) Adverse licensure or employment action means:
  - (i) To receive a negative evaluation;
  - (ii) To have a certificate revoked, suspended, or otherwise subject to restriction or discipline; or
  - (iii) To have a contract refused renewal;
- (b) Certificate has the same meaning as in section 79-807; and
- (c) State or local educational authority means a school or school district as defined in section 79-101, the State Board of Education, NDE, and the Commissioner of Education.

### Grievances

Except as provided below, a parent, student, or teacher aggrieved by a violation of the Parents' Bill of Rights and Academic Transparency Act may bring a civil action for appropriate relief. Appropriate relief includes:

- (a) Actual damages;

- (b) Such preliminary and other equitable or declaratory relief as may be appropriate; and
- (c) Reasonable attorney’s fees and other litigation costs reasonably incurred.

A parent who believes a school’s decision to not designate an item of library content as Parental Review Recommended may protest such decision by filing a complaint with NDE in accordance with the rules and regulations of the department. Any such complaint must be filed within 60 days after the school’s decision. The department must investigate the matter and within 20 days after receipt of the complaint must:

- (a) Order the school to designate the item as Parental Review Recommended if the item warrants such designation; or
- (b) Set the matter for a hearing under the Administrative Procedure Act at which the parent and school shall be parties. Within 20 days after such hearing the department must issue a decision either ordering the school to designate the item as Parental Review Recommended if the item warrants such designation or affirming the decision of the school. The decision of the department will be final and may be appealed by the parent. The appeal will be in accordance with the Administrative Procedure Act.

NDE may adopt and promulgate rules and regulations as necessary to carry out these provisions.

### Definitions

“Activity” means any assembly, guest lecture, presentation, or other educational event that is facilitated by the school or school district and in which participation of the student body is required or a majority of students in a given grade level participate, including those conducted by outside individuals or organizations. Activity does not include a student presentation or a teacher’s lesson plan;

“Inappropriate for minors” means that an item of library content:

- (a) (i) Is designed to appeal or pander to the prurient interest; (ii) depicts, describes or represents, in a manner patently offensive with respect to what is suitable to minors, an actual or simulated sexual act, sexual contact, or a lewd exhibition of the genitals or post pubescent female breast; and (iii) lacks serious literary, scientific, artistic, or political value for minors;
- (b) Contains excessive profanity; or
- (c) Contains excessive violence;

“Learning materials” means any material used for student instruction, regardless of format, including, but not limited to, textbooks, reading materials, curriculum, syllabi, course calendars, teacher manuals, outlines, handouts, presentations, videos, audio materials, digital materials, and websites and other online applications. Learning materials does not include academic assessments or tests, a teacher’s individual lesson plans, or plans or materials that are specific to an individual student, such as an individualized education plan, an individual plan of study, or a plan adopted pursuant to the requirements of section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794, or Title II of the federal Americans with Disabilities Act of 1990, 42 U.S.C. 12131 to 12165;

“Library content or item of library content” means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture, film, record, video or any other written communication made available to students in the school library;

“Parental Review Recommended” means that, for a given item of library content, the average person would find such item to be inappropriate for minors. In making such determination, the item of library content shall be judged:

- (a) By applying contemporary community standards;
- (b) By taking the item as a whole; and
- (c) With respect to the minors that would be reading or consuming such item;

“Used for student instruction” means any material or activity that is assigned, distributed, or otherwise presented to students in any:

- (a) Course for which students receive academic credit; or
- (b) Educational capacity in which participation of the student body is promoted or required by the school or in which a majority of students in a given grade level participate.

### Operative Date

LB 374 becomes operative on July 1, 2024.

## **Retirement**

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<b>LB 103</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Retirement	Change provisions of the School Employees Retirement Act and State Employees Retirement Act

LB 103 amends the School Employees Retirement Act and expands plan eligibility.

Currently, in addition to all school employees, certain state employees are eligible to be members of the School Plan, including (1) an individual employed by NDE after July 1, 1989, as a state school official, and (2) an individual who is employed by any state agency in a position covered by the association and who is required to hold a certificate for such position.

LB 103 adds a third category for eligibility. The bill provides that an individual who is employed by any state agency NOT in a position covered by the association who is required to hold a certificate for the position in which such individual is employed.

Under the School Plan, “Association” is defined as the State Code Agency Teachers Association, *or its equivalent successor*, recognized by the State of Nebraska as the exclusive and sole collective-bargaining agent for all teachers other than temporary teachers employed by an agency of the State of Nebraska.

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<b>LB 198</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Retirement	Provide for a return to work and authorize contributions under the School Employees Retirement Act and the Class V School Employees Retirement Act

Background

In the 2022 Session, Nebraska school advocates united around LB 147, which allowed retired educators to substitute teach more often without jeopardizing their retirement benefits. In the current teacher shortage, schools sought more, not less, flexibility in finding help. LB 147 provided this needed leeway by specifying that a retired teacher can now substitute teach for up to eight days during their 180-day break in service without losing any retirement benefits.

At some point after LB 147 was signed into law, NPERS (State Retirement Agency) interpreted its “termination of employment” rules in a new way. For reference, the retirement statutes define “termination of employment” as an event when “the member experiences a bona fide separation from service of employment with the member’s employer... .” A “termination of employment” triggers various requirements, including the general rule that the employee cannot work for 180 days.

However, as early as August, NPERS began informing schools that a school employee typically cannot work for 180-days after the employee terminates employment for nearly any reason. This new interpretation (for example) would prevent a teacher who leaves at semester to stay home to care for her ill parents to avoid employment with a public school for 180 days after the semester break.

A workgroup comprised of NCSA, NSEA and OPS representatives, school attorneys, NPERS officials, and legislative aides worked over a period of months during the interim to formulate a solution to the problem.

The Solution

LB 198 was introduced with language painstakingly prepared by the workgroup. The bill amends both the School Plan and the OPS (Class V) Plan.

Under the bill, a member who experiences a separation from service with the member’s employer but has not submitted a retirement application or a request for distribution, or received a retirement benefit, disability retirement benefit, or distribution, from the retirement system, may return to work as a (i) temporary employee, (ii) substitute employee, or (iii) volunteer for any employer participating in the retirement system.

The Emergency (“E”) Clause is attached to the bill.

<b>LB 378</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McDonnell	Retirement	Change retirement system participation provisions

It came to light last year that there was no clear direction for school districts and ESUs to demonstrate through documentation that a prospective employee is lawfully present in this country and therefore upon employment may be a member of the School Plan or the OPS (Class V) Plan. There are several types of documents that could be used, and rather than requiring just one form of documentation, NPERS was requiring a list of them.

LB 378 resolves this problem at long last. The bill clarifies that no employee of a state agency or political subdivision would be authorized to participate in any government sponsored retirement system, unless the employee is lawfully present in the United States.

The employing state agency or political subdivision and the employee must maintain at least one of the following documents to demonstrate lawful presence in the U.S. as of the employee's date of hire and produce any such document so maintained upon request of the Public Employees Retirement Board (PERB) or the Nebraska Public Employees Retirement Systems (NPERS):

- (a) A Nebraska driver's license;
- (b) A Nebraska state identification card;
- (c) A birth certificate or delayed birth certificate issued in any state, territory, or possession of the United States;
- (d) A United States certificate of birth abroad;
- (e) A United States passport;
- (f) A foreign passport with a United States visa;
- (g) A United States Certificate of Naturalization;
- (h) A United States Certificate of Citizenship;
- (i) A tribal certificate of Native American blood or similar document; OR
- (j) A United States Citizenship and Immigration Services Employment Authorization Document, Form I-766.

The Emergency ("E") Clause is attached.

## School Finance

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<b>LB 177</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Erdman	Education	Adopt the My Student, My Choice Act

LB 177 creates the My Student, My Choice Act to provide for the education of students attending kindergarten through twelfth grade who are legal residents and are enrolled in a public or private school in the state.

As noted below, the bill would require the State Treasurer's office to grow dramatically in order to handle the increased workload.

### Follow the Student Fund

Each September 1st the bill would require NDE to provide (a) the adjusted average per pupil cost of the preceding year; and (b) the total number of enrolled students for the previous year.

The State Treasurer would use the above information to transfer an amount equal to 55% of the adjusted average per pupil cost of the preceding year multiplied by the total number of enrolled students in the previous year from the General Fund to the “Follow the Student Fund.”

### Separate Student Accounts

The State Treasurer would establish a separate student account for each enrolled student in the State of Nebraska. Each year the Treasurer would equally distribute the money in the Follow the Student Fund into the student accounts. The student accounts would be made available for viewing by the enrolled student’s parent or legal guardian, or by the enrolled student if he/she is 19 years of age or older or an emancipated minor.

The parent or legal guardian of an enrolled student, or the enrolled student if he/she is 19 years of age or older or an emancipated minor, may withdraw money from the enrolled student’s student account. The money may only be used to pay for:

- (1) tuition,
- (2) school fees,
- (3) textbooks,
- (4) a tutor,
- (5) a proctor,
- (6) a private teacher,
- (7) curriculum,
- (8) an online learning program,
- (9) a national norm-referenced examination,
- (10) an advanced placement examination,
- (11) an examination required for college admission,
- (12) educational services for students with disabilities,
- (13) tuition for courses offered for high school credit through colleges or universities,
- (14) tuition for courses offered for credit at an accredited college or university,
- (15) educational computer software,
- (16) educational software subscriptions,
- (17) a personal computer or tablet,
- (18) a calculator,
- (19) a school uniform, or
- (20) other supplemental education or teaching resources.

The money in a student account is nontransferable and may be used exclusively to pay for the educational expenses of the enrolled student to whom the account belongs.

The State Treasurer is required to deposit money into student accounts at the beginning of each semester. Unused funds which remain in a student account on August 1 of any year would be transferred to the Cash Reserve Fund.

The parent or legal guardian of an enrolled student, or the enrolled student if he/she is 19 years of age or older or an emancipated minor, must make a payment from his/her student account to the public school or private school where the student is enrolled by September 5 of each year for the

fall semester and by February 5 of each year for the spring semester. Failure to make payment by the deadline may result in a late fee or expulsion from the school.

However, a student who transfers to a public school during a semester would not be required to make a payment to the new public school from his/her student account until the start of the next semester.

No private school would be required to refund any amount already paid to the school from a student account if an enrolled student transfers to another school.

The State Treasurer must issue a “smart card” to the parent or legal guardian of the enrolled student, or to the enrolled student if he/she is 19 years of age or older or an emancipated minor, for purposes of withdrawing money from the enrolled student’s student account. The State Treasurer may require receipts to verify that the money was used to pay for educational purposes.

*Note:* The State of Nebraska may not withhold any money from a private school or in any way penalize a private school on the basis that such school refuses to change its curriculum, its statement of faith, or its policies in order to comply with state standards.

#### Fraud and Theft

In order to prevent fraud and theft from student accounts, the State Treasurer must monitor student accounts, investigate suspicious activity, and conduct random audits of student accounts. Whenever the State Treasurer determines that money from a student account has been used for noneducational purposes, the State Treasurer must conduct an interview with the parent or guardian of the enrolled student, or with the enrolled student if he/she is 19 years of age or older or an emancipated minor, and with any other person suspected of committing an act of fraud or theft. Acts of fraud or theft would be reported to the Nebraska State Patrol for investigation.

#### Property Taxes

Each school district may levy a property tax on the taxable property within the district sufficient to generate revenue equal to 45% of the adjusted average per pupil cost of the preceding year multiplied by the total number of students enrolled in the district during such year to cover the operational costs of the school district for the ensuing school year, and may do so without holding a public hearing. This property tax would be known as the common school tax, and revenue generated from the tax must be used exclusively to fund the operational costs of the school district which levied the tax.

If a school board determines that additional revenue is needed for the operational costs of the school district, a public hearing must be held and the hearing would take place during the month of July. The school board must announce the date and time of the hearing no fewer than ten days prior to the date of the hearing by posting notice of the hearing on the main page of the school district’s website. No hearing may begin prior to 9:00 a.m. The hearing would be open to the public, and the agenda for the hearing shall include a reasonable amount of time for comments and questions from the public. After the hearing, the school board may request an increase in revenue, but no such increase may ever exceed 2.5%.

## School Stabilization Fund

LB 177 creates the School Stabilization Fund. The fund would be administered by the State Treasurer. The State Treasurer must transfer money from the General Fund to the School Stabilization Fund each year in order to equalize funding to the public schools. The balance of the School Stabilization Fund may not exceed 35% of the balance of the Follow the Student Fund.

Money in the School Stabilization Fund would be distributed according to the Tax Equity and Educational Opportunities Support Act (TEEOSA).

The legislation has an operative date of August 1, 2025.

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<b>LB 238</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Wayne	Education	Include virtual school students in the state aid to schools formula

Senator Wayne introduced similar versions of LB 238 in 2019 (LB 647) and 2021 (LB 153). LB 238 would define “virtual school” and “virtual student”. The bill would provide for inclusion of virtual students in fall membership and average daily membership for purposes of TEEOSA

LB 238 changes the way NDE annually calculates TEEOSA by changing the manner in which fall membership is calculated within the TEEOSA formula to now include students that are enrolled at less than a 50% of a Full-Time Equivalent (FTE) student. Currently, Fall Membership only includes students with an FTE of greater than 50% and is used when TEEOSA is initially calculated.

A school district’s Average Daily Membership (ADM) includes all students enrolled, no matter the student’s FTE, within the district but is only used during the re-calculation of TEEOSA.

Virtual students are currently included in Fall Membership if they have an FTE greater than 50%. Virtual students below the required 50% are not included in the calculation until NDE uses the school district’s ADM during the TEEOSA re-calculation. Students whose FTE is above 50% are counted as 1.0 FTE and students whose FTE is below 50% are not counted during the initial calculation of TEEOSA so the Fall Membership piece of the calculation would be changed to now include all students at their current FTE status.

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<b>LB 268</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Halloran	Government	Authorize participation by certain entities in trusts or investment pools established by the State Treasurer

LB 268 appears to affect entities such as the Nebraska Liquid Asset Fund (NLAF) and perhaps others such as the Nebraska Public Agency Investment Trust (NPAIT).

Under the bill, any eligible entity is authorized to participate in a trust or investment pool established by the office of the State Treasurer. The State Treasurer would administer and oversee such trust or investment pool.

This would mean that the independent organizations like NLAf and NPAIT would have to turn over management and administration to the State Treasurer.

*Note:* Since its inception, NLAf has been an investment program sponsored by the Nebraska Council of School Administrators (NCSA) and the Nebraska Association of School Boards (NASB). NLAf is owned and operated by the Fund’s Investors, ensuring that the Fund remains focused on the particular needs of Nebraska’s schools and other governmental units. The Fund’s Investors elect members of the Board of Trustees to govern NLAf, which is a Board that represents Investors of the Fund and representatives of NCSA and NASB. The Board of Trustees is responsible for overall management of the Fund, including formulation and implementation of investment and operating policies.

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<b>LB 303</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Linehan	Education	Change provisions relating to an annual estimate for necessary funding under the Tax Equity and Educational Opportunities Support Act

LB 303 amends one of the few original sections of LB 1059 (1990), which created the Tax Equity and Educational Opportunities Support Act. This section was last updated in 1999.

Section 79-1031 requires NDE, with assistance from the Property Tax Administrator, the Legislative Fiscal Analyst, and the budget division of the Department of Administrative Services, to annually, by November 15, provide an estimate of the necessary funding level for the next school fiscal year under TEEOSA to the Governor, the Appropriations Committee of the Legislature, and the Education Committee of the Legislature.

LB 303 requires that a legal counsel or research analyst from the Education Committee, and a legal counsel or research analyst from the Revenue Committee be included in the process of providing an estimate on funding level.

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<b>LB 312</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Lowe	Government	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions

Upon receiving notice from the Auditor of Public Accounts, LB 312 requires the State Treasurer to suspend distribution of state aid allocated to a governmental unit for noncompliance with budget limits and annual audits.

The governmental unit may continue to forfeit state aid until the governmental unit reaches compliance and the State Treasurer has received notification of such compliance from the Auditor

of Public Accounts. All state aid that was forfeited would remain forfeited and redistributed to other recipients of the state aid in the county where such noncompliant governmental unit is located.

If any governmental unit fails to reach compliance within 12 months from the time of the order and notice of delinquency given by the Auditor of Public Accounts to the State Treasurer, such governmental unit would be ineligible for future distributions of state aid. Upon reaching compliance, the governmental unit would be eligible for future distributions of state aid.

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<b>LB 320</b>	<i>Sponsor</i> Brandt	<i>Committee</i> Education	<i>Subject</i> Change provisions of the Tax Equity and Educational Opportunities Support Act
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*\*\* Summary provided by Dave Welsch \*\**

The Nebraska Plan makes three basic changes within the TEEOSA formula:

1. Lowers ag land valuation from 72% to 42%;
2. Lowers all other real property (residential, commercial, ag improvements, railroad and public utilities) from 96% to 86%; and
3. Creates a minimum level of basic funding of 10%.

Why are these changes being proposed?

Today there are 244 school districts and only 86 of them are equalized. In 2007 there were 205 equalized school districts. There are two main reasons for this drastic change. The first is that ag land values rose by double-digit percentages beginning in 2008 through 2015. This unprecedented change in valuations greatly reduced the amount of equalization aid going to schools. The second factor is that the Local Effort Rate (LER) was increased from \$.95 to \$1.00 in 2008 which also reduced the amount of equalization aid going to schools.

*Ag land to 42%:* In 2007 ag land comprised 21% of statewide property valuations. In 2021 that rose to nearly 33%. From 2007 to 2021 ag land values rose 312%. So the adjustment to 42% brings ag land back to the 21% of statewide valuations that it was in 2007.

*Other real property to 86%:* Rather than lower the LER, the better approach is to also lower other real property values. From 2007 to 2021 residential and commercial property rose 169% and 173% respectively. These increases are much lower than the 312% increase for ag land so the adjustment is not as great. Other real property also includes “new growth” (construction) while there is no new ag land being created. So some of the other real property valuation increase is due to new growth.

*Basic Funding at 10%:* One of the big complaints about the TEEOSA formula is that a lot of students do not receive any equalization aid. Even when other sources of state aid are included (net option, allocated income tax and community achievement), there are currently 135 school

districts (over 56,000 students) that receive less than 10% of their basic funding from state aid. ALL Nebraska students are worthy of at least 10% of their basic funding provided by the state.

What are the benefits of the Nebraska Plan?

- Property tax relief will be spread out across the entire state creating economic stimulus.
- 91 more school districts (over 35,800 students) will receive equalization aid for a total of 177 equalized districts.
- School levies will come down and closer together.
- Provides funding for 58 non-equalized schools to have at least 10% of their Basic Funding paid for by the State. There will also be 10 schools that will get both equalization aid and basic funding support to reach the 10% level.
- On average across the state, schools that currently have the highest levies will see the greatest potential levy reduction.
- ALL students will receive at least 10% of their basic funding from the state.

What is the cost?

Total cost is \$361 million. This breaks down to \$338M for lowering ag land to 42% and other real property to 86%. \$23M is for basic funding at 10%.

This plan proposes that any unclaimed income tax credits for school property taxes paid (LB1107) be used to help pay for the Nebraska Plan. Currently, about 40% of the \$548M budgeted amount is unclaimed or nearly \$220M. This would leave only \$141M to be newly budgeted funds out of the state general fund.

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<b>LB 386</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Linehan	Education	Prohibit changes to the base limitation for school districts and the local effort rate calculation under the Tax Equity and Educational Opportunities Support Act

LB 386 is an interesting bill in that it attempts to preclude any future Legislature from amending the provisions affected by the bill. In legislative circles it is often said, “one Legislature cannot tie the hands of future Legislatures.”

The current base limitation (found in § 77-3446) for all political subdivisions is 2.5%. LB 386 sets forth additional language stating that the base limitation for school districts is 2.5% and “such percentage shall not be adjusted by the Legislature on or after the effective date of this act.” This means apparently that the base limitation for all other political subdivisions other than school districts could be changed.

The bill also amends provisions in TEEOSA related to local effort rate (LER). The bill states that the “Legislature shall not make any changes to the way the local effort rate is calculated” on or after the effective date of the legislation.

<b>LB 429</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Education	Create a fund and provide for funding under the Tax Equity and Educational Opportunities Support Act

Since the inception of the Nebraska Property Tax Incentive Act, the problem remains that not everyone qualified to receive a credit actually apply for it. There are substantial funds unused in the program.

LB 429 proposes to amend TEEOSA by inserting a new section of law in the school finance formula. The new section would create a Tax Equity and Educational Opportunities Support Act Trust Fund.

Each year beginning in 2023, the Department of Revenue would certify to the State Treasurer the amount of credits that remain unclaimed under the Nebraska Property Tax Incentive Act for the tax year completed *three years prior*. The State Treasurer would then transfer the amount from the General Fund to the Tax Equity and Educational Opportunities Support Act Trust Fund, and all such money would be held in trust solely for the purposes described below.

The State Treasurer would be required to disburse money from the Trust Fund to NDE monthly as appropriated by the Legislature to provide state aid to schools. Any excess money in the fund would be reserved for future payments of state aid.

<b>LB 440</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Albrecht	Revenue	Change provisions relating to certain school taxes and special funds

LB 440 is very similar to LB 523 (2021), which was advanced to General File by the Revenue Committee but did not advance any further.

LB 440 relates to special building funds and provides new processes and procedures for school districts.

The bill provides that the school board of any school district may establish a special fund for purposes of:

- (i) Major infrastructure updates on existing structures owned or leased by the school district, including: Heating, ventilation, and air conditioning; roofs; safety requirements; and repairs;
- (ii) The alteration, equipping, and furnishing of school buildings or teacherages; or
- (iii) The purchase or erection of buildings of less than 1,200 square feet of floor space used exclusively for storage or utility purposes with a total value of less than \$100,000.

A special fund would be established from the proceeds of an annual tax levy, to be determined by the board, not to exceed 14 cents.

The bill also provides that the school board of any school district may, with the approval of the legal voters of the school district, establish a special fund for purposes of:

- (i) Acquiring sites for school buildings or teacherages;
- (ii) Purchasing existing buildings for use as teacherages, including the sites upon which the buildings are located;
- (iii) Purchasing or entering into a lease-purchase agreement for relocatable classroom buildings;
- (iv) Erecting, purchasing, or entering into a lease-purchase agreement for a new school building or an addition to a school building for elementary or high school grades; or
- (v) Completing any projects that require an annual tax levy that exceeds 6 cents.

The school board must submit for approval any proposed special fund and annual tax to be established to the voters of the school district at a general election or a special election held for such purpose. The special fund and annual tax may not be established without the approval of a majority of the legal voters voting on the issue. The ballot language must include the maximum for the annual tax and the purpose for which the fund would be used.

A school district or a joint public agency that includes a school district that has been delegated the authority to tax may continue an annual tax established prior to the effective date of the bill through school fiscal year 2031-32.

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<b>LB 475</b>	<i>Sponsor</i> Wayne	<i>Committee</i> Education	<i>Subject</i> Adopt the Nebraska Education Formula and terminate TEEOSA
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*LB 475 is similar to LB 656, also introduced by Senator Wayne, in 2019. The bill was not advanced from committee.*

LB 475 creates the Nebraska Education Formula and eliminates the Tax Equity and Educational Opportunities Support Act (TEEOSA) effective on July 1, 2025.

*Aid per Student:* The formula is a foundation aid type of distribution which provides state aid based upon data from the preceding school year equal to the sum of: \$4,750 per student based upon fall membership; \$500 per student in a sparse or very sparse school district; \$1,600 per free lunch student; additional \$800 per free lunch student in districts with at least 50% free lunch students; and \$1,600 per English limited proficiency student.

*Class Size:* The bill includes requirements in terms of class sizes for districts in order to receive state aid. There can only be 20 students in early childhood, kindergarten and classrooms for grades one through three; 22 students in classrooms in grades four through eight; and, 25 students in classrooms in grades 9 through 12.

The existing base limitations and levy authority found in Chapter 77 would remain in effect under LB 475.

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<b>LB 518</b>	<i>Sponsor</i> Walz	<i>Committee</i> Education	<i>Subject</i> Adopt the Reducing Education Risk Factors and Property Tax Relief Act and change provisions of the Tax Equity and Educational Opportunities Support Act
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LB 518 creates the Reducing Education Risk Factors and Property Tax Relief Act and requires the State Board of Education to identify and approve reducing risk factors education programs that may be offered by school districts. The State Board may approve a program if it:

- (a) Provides evidenced-based instruction and support services to eligible students inside and outside of the school setting; and
- (b) Evaluates outcome data for eligible students, including, but not limited to, school attendance, academic progress, graduation rates, and pursuit of post-secondary education or career advancement.

The State Board must provide a list of approved reducing risk factors education programs to each school district.

Each school district is required to implement a reducing risk factors education program that has been approved by the State Board or a provisional reducing risk factors education program.

The implementation of a program may be accomplished through any of the following:

- (a) Extended school year;
- (b) Before-school programs and services;
- (c) After-school programs and services;
- (d) Summer school;
- (e) Extra support within a class;
- (f) Tutorial assistance; or
- (g) Offering a class within a class.

#### Reducing Education Risk Factors and Property Tax Relief Aid Fund

The school board of each district is required to establish a “reducing education risk factors and property tax relief aid fund” that would consist of all money deposited therein. The expenses of a school district directly attributable to providing a reducing risk factors education program would be paid from the reducing education risk factors and property tax relief aid fund.

Any balance remaining in the fund at the end of a budget year would be carried forward into the fund for succeeding budget years.

Expenditures from the fund may only be made for:

- (a) Reducing risk factors education programs that have been approved by the State Board and provisional reducing risk factors education programs;
- (b) Personnel providing educational services in conjunction with such programs;

- (c) Support for instructional classroom personnel to provide training for evidence-based best practices relating to such programs; or
- (d) Services contracted for by the school district to provide such programs.

Each year the school board of each district must prepare and submit to the State Board a report on the reducing risk factors education programs and provisional reducing risk factors education programs provided by the school district. The report must include:

- (1) The number of eligible students who were served or provided assistance;
- (2) The type of reducing risk factors education program or provisional reducing risk factors education program provided, including the number of eligible students provided assistance under each type of program;
- (3) The data and research the school district utilized in determining what programs and services were needed to implement the reducing risk factors education program or provisional reducing risk factors education program; and
- (4) Any other information required by the state board.

Upon a school district's receipt of state aid, the portion of such state aid that is reducing education risk factors and property tax relief aid would be transferred to the district's reducing education risk factors and property tax relief aid fund.

For school fiscal year 2024-25 and each school fiscal year thereafter, NDE must determine the reducing education risk factors and property tax relief aid to be paid to each school district from money transferred to the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund.

The reducing education risk factors and property tax relief aid would equal the reducing risk factors weighted formula students multiplied by the statewide average basic funding per formula student.

For each school fiscal year, if the total reducing education risk factors and property tax relief aid for all school districts is less than the total amount transferred to the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund during the state fiscal year immediately preceding the state fiscal year during which the calculation is being made, the difference would be reserved in the fund for future reducing education risk factors and property tax relief aid payments.

For each school fiscal year, if the total reducing education risk factors and property tax relief aid for all school districts is greater than the total amount transferred to the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund during the state fiscal year immediately preceding the state fiscal year during which the calculation is being made:

- (a) Any money in the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund reserved for future payments must be used to, if possible, fund reducing education risk factors and property tax relief aid as calculated; and
- (b) If there is not enough money in the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund to fund reducing education risk factors and property tax relief aid as calculated, NDE must, using funds available in the Reducing Education Risk Factors and

Property Tax Relief Aid Trust Fund, calculate the allocation percentage to apply to each local system’s reducing education risk factors and property tax relief aid. The allocation percentage would be equal to the funds available in the Reducing Education Risk Factors and Property Tax Relief Aid Trust Fund divided by the aggregate reducing education risk factors and property tax relief aid as calculated. Each local system’s reducing education risk factors and property tax relief aid would be calculated by multiplying the allocation percentage times the local system’s reducing education risk factors and property tax relief aid as calculated.

Reducing education risk factors and property tax relief aid would be paid as part of the distributions of state aid and would not be included in local system formula resources.

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<b>LB 522</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Education	Change provisions relating to poverty allowances under TEEOSA

LB 522 would amend TEEOSA as it relates to the poverty allowance.

The bill provides intent that the per-student amount used in the poverty allowance calculation be changed to a weighted amount of 1.33 to address the additional personnel, resources, and programs that every school in Nebraska provides to support students’ needs. This would change the needs side of the formula for every Nebraska school district.

It also provides intent that if the poverty allowance expenditures do not equal 110% or more of the poverty allowance for the most recently available complete data year, a correction would be calculated based off of the current year.

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<b>LB 594</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hardin	Banking	Provide for local government investment pools to invest in commercial paper

LB 594 defines “government investment pool” as an investment pool or trust created pursuant to the laws of this state, including, but not limited to, the Interlocal Cooperation Act, for the purpose of investing the funds of two or more political subdivisions.

The bill states that a local government investment pool would have the power and authority to invest and reinvest funds in its custody in commercial paper if such commercial paper:

- (a) Has a stated maturity of three hundred ninety days or fewer from its date of issuance; and
- (b) Receives an investment quality rating of not less than A-1 or P-1, or an equivalent rating, by a nationally recognized investment rating firm.

*Note:* The bill is not meant to expand the investment authority of the separate participants in a local government investment pool.

<b>LB 699</b>	<i>Sponsor</i> Murman	<i>Committee</i> Revenue	<i>Subject</i> Change the valuation of certain real property for purposes of taxes levied by school districts
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LB 699 provides that, for purposes of taxes levied by a school district and taxes levied to pay the principal and interest on bonds, such land would be valued at zero. Similarly, for purposes of taxes levied by a school district, commercial real property would be valued at zero.

The bill would limit the applicable tax levies for each district to 75% of the appraised value of the remaining taxable property.

The bill has an operative date of January 1, 2024.

<b>LB 701</b>	<i>Sponsor</i> Murman	<i>Committee</i> Education	<i>Subject</i> Change legislative intent provisions under the Tax Equity and Educational Opportunities Support Act
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In 1990, the passage of LB 1059, the Tax Equity and Educational Opportunities Support Act, included goals and objectives for the school finance formula. One of the goals related to reducing reliance upon property taxes.

LB 701 simply rewords one of the original goals to read:

“Reduce the reliance on property taxes for the support of the public school system.”

The bill may be a placeholder bill for other legislation as needed.

<b>LB 751</b>	<i>Sponsor</i> Cavanaugh, M.	<i>Committee</i> Education	<i>Subject</i> Create a fund to provide state aid for public education
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LB 751 creates the State Aid to Public Education Fund with the intent to appropriate \$200,000 from the General Fund to the new Fund. The fund is to be used to provide state aid for public education in this state.

<b>LB 752</b>	<i>Sponsor</i> Cavanaugh, M.	<i>Committee</i> Business and Labor	<i>Subject</i> Prohibit discrimination by any entity receiving state funding
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LB 752 states that any entity that receives state funding may not discriminate on the basis of race, color, national origin, sex, disability, or age in employment.

## School Participation

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<b>LB 372</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Murman	Education	Change provisions relating to part-time enrollment in public schools and extracurricular activities

LB 372 requires each school board to allow the part-time enrollment of students, for all courses selected by the students, who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or home school.

Each school board must establish policies and procedures to allow any student who is a resident of the school district and who is enrolled in a home school to participate in any extracurricular activities as, including, but not limited to, interschool competitions, to the same extent and subject to the same requirements, conditions, and procedures as a student enrolled in a public school governed by the board. However, the home school would be authorized to set the standards for satisfactory academic performance for the home school student to participate in extracurricular activities and must provide assurances of compliance with such academic standards.

School board policies and procedures adopted under this legislation (a) may not require any home school student participating in extracurricular activities to be enrolled in any credit hours offered by the school district in any semester, (b) may not allow any preference in the selection of a student for participation in an extracurricular activity based on the student's status as a full-time student in the school district, and (c) may require any student participating in extracurricular activities to follow school policies that apply to other students when present on school grounds or at a school-sponsored activity or athletic event.

Participation in extracurricular activities may not entitle a student to transportation, except to and from practices and events to the same extent as public school students participating in such activities, or transportation reimbursement (§ 79-611).

Nothing should be construed to exempt any student from the compulsory attendance provisions.

## Special Education

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<b>LB 153</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	DeBoer	Education	Adopt the Extraordinary Increase in Special Education Expenditures Act

*LB 153 is similar to LB 1023 introduced by Senator DeBoer in 2020 and LB 473 in 2021.*

LB 153 creates the Extraordinary Increase in Special Education Expenditures Act in order to help school districts having difficulty covering large unexpected special education expenditures.

By January 15 of each school fiscal year, a school district may submit an application as prescribed by NDE for a payment from the Extraordinary Increase in Special Education Expenditures Fund to cover an extraordinary increase in special education expenditures. The application must include the special education expenditures of the applicant school district as of the immediately preceding December 31 for the school fiscal year in which the application is submitted.

NDE is required to divide the special education expenditures for the school fiscal year immediately preceding the school fiscal year in which an application is submitted by two and multiply the result by 107% for each applicant school district.

Each applicant school district must qualify for a maximum payment equal to the difference of the special education expenditures for the current school fiscal year submitted minus the amount calculated for the school district for such school fiscal year.

The department would make a payment to each applicant school district by January 31 for the school fiscal year in which the application is submitted. The payment would equal the maximum payment, except if the sum of all maximum payments for applicant school districts for such school fiscal year exceeds the available balance in the Fund, each payment would be reduced proportionally so that the sum of all payments for applicant school districts for such school fiscal year equals the available balance in the fund.

The bill intends to appropriate \$10 million from the General Fund for fiscal year 2023-24 and make future appropriations as necessary.

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<b>LB 298</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Require collection and reporting of information regarding dyslexia in schools
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Background

In 2017 the Legislature passed LB 645, which defined “dyslexia” as a specific learning disability. Dyslexia was defined as:

[A] specific learning disability ... that (a) is neurobiological in origin, (b) is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities, (c) typically results from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and effective classroom instruction, and (d) has secondary consequences that may include problems in reading comprehension and reduced reading experience that may impede growth of vocabulary and background knowledge.

NDE indicated the inclusion of the definition of dyslexia in statute would not require the provision of special education services for children with this disability because it is not a verified disability category as per the Special Education Act.

In 2018, the Legislature passed LB 1052 as a continuation of the effort to further awareness about dyslexia. LB 1052 provided that, beginning with the 2018-19 school year, unless otherwise

provided in an individualized education plan (IEP) for a student receiving special education services, each student who is identified as exhibiting characteristics of dyslexia must receive evidence-based structured literacy instruction implemented with fidelity using a multisensory approach as provided in the “technical assistance document” for dyslexia adopted and promulgated by NDE. The bill further provided that a school district may not require a student who exhibits characteristics of dyslexia to obtain a medical diagnosis to receive intervention.

Senator Linehan actively participated in the development and passage of LB 645 (2017) and LB 1052 (2018).

2023 Legislation

LB 298 (2023) provides that, by July 1 of each year, each school district must provide to NDE, on forms prescribed by the department, information relating to dyslexia. The information must include, but not be limited to, the number of students in each public school who were:

- (a) Tested for dyslexia and the results of such tests;
- (b) Identified as exhibiting characteristics of dyslexia; and
- (c) Diagnosed with dyslexia or identified as exhibiting characteristics of dyslexia that, as a result of such diagnosis or identification, have improved their reading levels or are reading at grade level.

The bill requires NDE to annually compile the information received and provide a report on such information electronically to the Legislature by September 1 of each year. The State Board of Education is authorized to adopt and promulgate rules and regulations to carry out the provisions of the bill.

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<b>LB 324</b>	<i>Sponsor</i> Wishart	<i>Committee</i> Education	<i>Subject</i> Change provisions relating to reimbursements under the Special Education Act
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LB 324 is similar to LB 876 (2018), LB 346 (2019), and LB 135 (2021), and relates to the amount of aid appropriated for special education programs and support services. The bill requires that General Funds must be appropriated to fund at least 80% of the excess allowable costs for all special education programs and support services plus the amount set aside for the reimbursement of residential settings.

The bill provides a phase-in process so that by 2028-29 the reimbursement rate would be at 80% of the excess allowable costs for all special education programs and support services.

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<b>LB 780</b>	<i>Sponsor</i> Halloran	<i>Committee</i> Education	<i>Subject</i> Provide state funding to cover the education costs of certain students if an educational facility for handicapped students closes
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LB 780 provides that if a student attends an educational facility designated for handicapped students in a school district that is not the resident school district of the student and such educational facility closes, the state would cover the cost for education of the student for one school year from the General Fund.

## State Board of Education

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<b>LB 690</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Linehan	Education	Change provisions relating to powers and duties of NDE, State Board of Education, and Commissioner

LB 690 represents an effort to prohibit the State Board of Education and the Commissioner of Education from exceeding their statutory authority. It appears to be an attempt to ensure subordination of the State Board and the Commissioner to the will of the Legislature. It also appears to require a clear separation of authority between the State Board and Commissioner.

The bill states that the commissioner must act under the authority of the statutes directing the State Board of Education and in matters specified to be directed by the State Board of Education as directed by the Legislature. In no circumstance may the State Board of Education assume authority over or direct the Commissioner of Education contrary to state law.

The Commissioner of Education must faithfully execute the policies and directives of the State Board of Education except that such directives must not be contrary to law.

There are new requirements for the Commissioner to:

- (a) Report annually to the Education Committee on matters related to general supervision and administration of the state school system,
- (b) Provide an annual state of the schools report each January to the Legislature in a manner determined by the Speaker of the Legislature,
- (c) Present a biennial budget to the Appropriations Committee of the Legislature,
- (d) Act as the executive and administrative head of the State Department of Education, and
- (e) Report on the “conduct” of the State Board of Education to the Governor, Legislature, and Attorney General on an annual basis.

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<b>LR 24CA</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Albrecht	Education	Constitutional amendment to eliminate the State Board of Education and provide for the Governor to appoint the Commissioner of Education

LR 24CA would propose to amend the Nebraska Constitution, Article VII, to eliminate an independently elected state board of education and the constitutional appointment of the

Commissioner of Education. The Governor would appoint the chief education official going forward.

If approved by the Legislature, the measure would appear on the November 2024 General Election ballot.

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<b>LR 28CA</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Constitutional amendment to change the membership of the State Board of Education
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LR 28CA is a proposed constitutional amendment that, if approved by the Legislature, would appear on the November 2024 General Election ballot.

The amendment would eliminate the existing eight-member State Board of Education elected independently. The amendment would create a new State Board of Education composed of seven members, who would be appointed by the Governor, with the advice and consent of the Legislature, with initial appointments of two members for a term of two years, two members for a term of four years, and three members for a term of six years. As the terms of the members expire, the Governor would appoint or reappoint a member for a term of six years to succeed the member whose term expires

The duties and powers of the newly created State Board of Education would apparently remain the same, including the appointment of a Commissioner of Education. The board would receive no compensation and may not be actively engaged in the educational profession.

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<b>LR 29CA</b>	<i>Sponsor</i> Linehan	<i>Committee</i> Education	<i>Subject</i> Constitutional amendment to provide term limits for the members of the State Board of Education
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LR 29CA is a proposed constitutional amendment that, if passed by the Legislature, would appear on the November 2024 election ballot.

The amendment would place term limits on members of the State Board of Education. Under the amendment, a member of the State Board would be limited to two consecutive four-year terms of office.

**Student Discipline**

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<b>LB 340</b>	<i>Sponsor</i> McKinney	<i>Committee</i> Education	<i>Subject</i> Change provisions related to expelled students under the Student Discipline Act
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Districts with Alternative Education Programs

LB 340 requires that such programs must include an individualized learning program providing instruction and credit hours sufficient to enable the student to continue all academic work the student would otherwise have had access to had the student not been expelled for credit toward graduation.

The bill requires NDE to adopt and promulgate rules and regulations relating to alternative schools, classes, and educational programs, including the number of hours of direct instruction and credit hours of instruction that must be provided.

#### Districts without Alternative Education Programs

If a district does not provide an alternative school, class, or educational program for expelled students, a school administrator must call for a conference to assist the district in the development of a plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice. The plan must be in writing, permit the student to continue all academic work the student would otherwise have had access to had the student not been expelled for credit toward graduation, and be adopted by a school administrator and presented to the student and the parent or legal guardian.

The bill requires the student to attend biweekly rather than monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

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<b>LB 632</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	McKinney	Education	Prohibit the suspension of students in pre-kindergarten through second grade in a school in a city of the metropolitan class

LB 632 apparently amends the Student Discipline Act although it does not state it.

The bill provides that a school in a city of the metropolitan class (Omaha) may not allow the suspension of a student in pre-kindergarten through second grade. Each school [district] in Omaha is required to develop a policy to implement this provision, which must include disciplinary measures inside the school as an alternative to suspension.

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<b>LB 774</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Vargas	Education	Change provisions relating to the Student Discipline Act

LB 774 amends the Student Discipline Act in several areas and also adds new sections to the Act.

#### Mandatory Reassignment

LB 774 amends the definition of “mandatory reassignment” from currently meaning “the involuntary transfer of a student to another school in connection with any disciplinary action” to “the involuntary transfer of a student to another school.”

### Short Term Suspension

Under current provisions of the Act, the principal must send a written statement to the student and his/her parent or guardian describing the student’s conduct, misconduct, or violation of the rule or standard and the reasons for the action taken within 24 hours or such additional time as is reasonably necessary following the suspension.

LB 774 specifies that such action may not exceed an additional 48 hours.

The principal must make a reasonable effort to hold a conference with the parent or guardian before or at the time the student returns to school.

LB 774 specifies that such effort must be documented in writing.

### Completion of Classwork

LB 774 adds a new section to the Act (replacing a similar existing provision) stating that any student who is suspended SHALL be given an opportunity to complete any classwork and homework missed during the period of suspension, including, but not limited to, examinations. Each school district must develop and adopt guidelines that provide such student with the opportunity to complete classwork and homework. *Such guidelines may not require the student to attend the school district’s alternative programs for expelled students in order to complete classwork and homework.* The guidelines must be provided to the student and a parent or guardian at the time of suspension.

### Alternative Education Programs

LB 774 provides that at the conclusion of an expulsion, a school district must reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of his or her expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the U.S.

### Decision to Recommend Discipline

LB 774 provides that, if a principal makes a decision to discipline a student by long-term suspension, expulsion, or mandatory reassignment, such decision must be made within two school days after learning of the alleged student misconduct.

Under current provisions of the Act, the school must, within two school days after the decision, send written notice by registered or certified mail to the student and his/her parent or guardian informing them of the rights established under the Act.

The Act requires that such written notice must include a statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request.

LB 774 stipulates that if the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork or homework.

### Hearing

Current provisions of the Act do not preclude the student or the student's parent, guardian, or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

LB 774 strikes "hearing stage" and inserts "the time the long-term suspension, expulsion, or mandatory reassignment takes effect."

The bill provides that, if a hearing is requested within five school days after receipt of the notice, the superintendent shall "recommend appointment" (rather than appoint) a hearing examiner within two school days after receipt of the hearing request.

The student or the student's parent or guardian may request designation of a hearing examiner other than the hearing examiner recommended by the superintendent, if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment.

Upon receiving such request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned.

The superintendent may also provide an additional list of hearing examiners that may include hearing examiners employed by or under contract with the school district. The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended, provided as an alternative hearing examiner, or included on an additional list, if any, and must notify the superintendent in writing of the selection.

The superintendent must appoint the selected hearing examiner upon receipt of such notice.

Individuals whose impartiality may be reasonably questioned would include, but not be limited to, individuals who:

- (i) Have a personal bias or prejudice concerning a party;
- (ii) Have personal knowledge of evidentiary facts concerning the proceeding;
- (iii) Have served as legal counsel to the school district; or
- (iv) Have a spouse who is an employee of, or is under contract with, the school district.

A qualified hearing examiner must be an individual who has knowledge of the Act, training in its statutory requirements, or experience conducting student hearings.

Expenses and fees of any hearing examiner, in connection with the hearing, must be paid by the school board.

The hearing must be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties.

The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all (not just examine) the records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than 48 hours prior to the hearing.

### Witnesses

LB 774 requires that the school district must make available those witnesses who have knowledge of or were involved in the alleged misconduct and subsequent discipline of the student if such witnesses are requested by the student or the student's parent, guardian, or representative and such witnesses are employees or under contract with the school district.

### Final Disposition

LB 774 requires that, after a hearing, a report must be made by the hearing examiner of his/her findings and a recommendation of the action to be taken, which report must be made to the superintendent and the student or the student's parent or guardian within ten calendar days after the hearing and must explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended.

The bill requires the superintendent to notify the student or the student's parent or guardian of the superintendent's determination within five school days after receipt of the hearing examiner's report.

Written notice of the findings and recommendations of the hearing examiner and the determination of the superintendent must be made by certified or registered mail or by personal delivery to the student or the student's parent or guardian. Upon receipt of the written notice by the student, parent, or guardian, the determination of the superintendent would take immediate effect unless the student or the student's parent or guardian appeals the written notice of determination of the superintendent.

### Duration of Expulsion

Under current provisions of the Act, the expulsion of a student would be for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within 10 school days prior to the end of the first semester, in which case the expulsion would remain in effect through the second semester, or (b) within 10 school days prior to the end of the second

semester, in which case the expulsion would remain in effect for summer school and the first semester of the following school year subject to an automatic review at the start of the first semester.

LB 774 provides that, if the misconduct occurred prior to the last 10 school days of the first semester, and the expulsion takes effect in the second semester because the recommendation for expulsion was appealed to a hearing examiner or the school board, the length of the expulsion may not exceed the number of days it would have been in effect had the appeal not been made.

### Final Action of Board

LB 774 amends the existing of the Act pertaining to final action of the board and states that final action must be taken within three calendar days after the hearing and be evidenced by personally delivering or mailing by certified mail a copy of the board’s decision to the student and his or her parent or guardian within three calendar days after the final action.

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<b>LB 811</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Murman	Education	Change provisions relating to the Student Discipline Act and provide for use of physical contact or physical restraint or removal from a class in response to student behavior, provide for behavioral awareness and intervention training, and change provisions relating to lottery funds used for education

*LB 811 is reminiscent of previous efforts to authorize teachers to use physical intervention.*

### Use of Physical Intervention

The bill permits teachers and other school personnel to use “reasonable physical intervention” to safely manage the behavior of a student to:

- (a) Protect such student, another student, a teacher or other school personnel, or another person from physical injury; or
- (b) Secure property in the possession of such student if the possession of such property by such student poses a threat of physical injury to such student, another student, a teacher or other school personnel, or another person.

Physical intervention by a teacher or other school personnel may not be used for the purpose of inflicting bodily pain as a penalty for disapproved behavior.

Following the use of physical intervention, a teacher or other school personnel must contact and notify the parent or guardian of the use of physical intervention.

### Immunity

No teacher or other school personnel would be subject to professional or administrative discipline for the use of physical intervention if such physical intervention was reasonable.

## Policy

Each school district is required to have a policy that describes the process of removing a student from a class and returning a student to a class. The policy must:

- (a) Describe how and when a student may be removed from a class and returned to a class;
- (b) Use a discipline process that is proactive, instructive, and restorative;
- (c) Require appropriate communication between administrators, teachers or other school personnel, students, and parents or guardians.

The policy must be made available to the public.

## Removal of Student

Unless prohibited by the federal IDEA or a 504 plan, an administrator or administrator's designee must immediately remove a student from a class upon request by a teacher or other school personnel if the teacher or other school personnel has followed school policy in requesting the removal of such student.

When a student is removed from a class, the goal must be to return the student to the class as soon as possible after appropriate instructional or behavioral interventions or supports have been implemented to increase the likelihood the student will be successful. For a student with a pattern of disruptive behavior, the school must provide additional interventions or supports.

No teacher or other school personnel may be subject to professional or administrative discipline for the removal of a student from a class if such teacher or other school personnel acted in a reasonable manner and in accordance with school policy.

## Behavioral Awareness and Intervention Training

Prior to the end of school year 2026-27, each school district must ensure that administrators, teachers, paraprofessionals, school nurses, and counselors receive “behavioral awareness and intervention training.” Each school district may provide such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees must have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

Beginning in school year 2024-25, each school district must ensure that behavioral awareness and intervention training is offered annually. Administrators, teachers, paraprofessionals, school nurses, and counselors who have received such training from the school district in which they are employed must receive a behavioral awareness and intervention training review at least once every three years.

Any protections and defenses found in the Student Discipline Act would not be made contingent on whether or not an employee of a school district has completed behavioral awareness and intervention training.

The training must include evidence-based training on a continuum that includes:

- (i) Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma;
- (ii) Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries;
- (iii) Verbal intervention and de-escalation techniques;
- (iv) Clear guidelines on removing students from and returning students to a class;
- (v) Behavioral interventions and supports that will take place when a student has been removed from a class; and
- (vi) Physical intervention for safety.

The training must be consistent with the Student Discipline Act, include an awareness of the protections for school personnel found in the act, include an awareness of the requirement for written consent of a parent or guardian, and include the identification and role of each employee designated as the behavioral awareness and intervention point of contact.

#### Behavioral Awareness and Intervention Point of Contact

Each school district shall designate one or more school employees as a “behavioral awareness and intervention point of contact” for each school building or other division as determined by the school district. Each point of contact would be trained in behavioral awareness and intervention and would have knowledge of community service providers and other resources that are available for the students and families in the school district.

Each school district must maintain or have access to an existing registry of local mental health and counseling resources. The registry must include resource services that can be accessed by families and individuals outside of school. Each point of contact must coordinate access to support services for students whenever possible. If information for an external support service is provided to an individual student, school personnel must notify a parent or guardian of such student in writing unless law enforcement or child protective services is involved.

Each school district must indicate each point of contact for the school district on the website of the school district and in any school directory for the school that the behavioral awareness and intervention point of contact serves.

#### Training Report

By September 1, 2024, and each September 1 thereafter, each school district must submit a behavioral awareness and intervention training report to the state school security director. The report must include the training plan, summarize how such plan fulfills the requirements, and provide any other information required by rules and regulations.

By October 31, 2024, and each October 31 thereafter, the state school security director must certify the compliance or noncompliance of each school district to the Commissioner of Education.

## Funding

LB 811 provides that behavioral awareness and intervention training would be funded from the Behavioral Training Cash Fund created by the bill. Any school district that fails to file the behavioral awareness and intervention training report with the state school security director or that is found to be in noncompliance may not receive funding. The funding would derive from lottery proceeds.

The base training reimbursement would be \$2,000.

NDE would not include behavioral training funding in the calculation of formula resources.

## **Student Safety, Health and Welfare**

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<b>LB 99</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Cavanaugh, M.	Education	Adopt the Hunger-Free Schools Act

LB 99 (2023) is nearly identical to a prior piece of legislation (LB 117, 2021), which was also introduced by Senator Cavanaugh. LB 117 was advanced by the Education Committee to General File in 2021 but it advanced no further.

LB 99 creates the Hunger-Free Schools Act. To qualify a school must:

- (1) Offer “eligible breakfasts” and “eligible lunches” at no cost to all students for any school breakfast program or school lunch program operated by the school during the school day;
- (2) Submit information regarding the number of eligible breakfasts and eligible lunches served in a manner prescribed by NDE; and
- (3) Maximize federal reimbursement for eligible breakfasts and eligible lunches by operating under the community eligibility provision if the school has an identified student percentage greater than or equal to 62.5%.

NDE is required to reimburse each qualified public school a portion of the cost of each eligible breakfast and each eligible lunch served by such school during the second preceding school fiscal year in an amount intended to offset the cost of the provision of the eligible breakfasts and eligible lunches at no cost to all students. NDE must make disbursements annually to each qualified school district that complies with the requirements of the Program in the amount of:

- (a) For each qualified public school that has adopted the community eligibility provision for the school fiscal year that such eligible breakfasts and eligible lunches were served:
  - (i) The difference between the federal reimbursement rate for a free breakfast and the federal reimbursement rate for a fully paid breakfast for each fully paid breakfast served; and
  - (ii) The difference between the federal reimbursement rate for a free lunch and the federal reimbursement rate for a fully paid lunch for each fully paid lunch served; and

- (b) For each qualified public school that has not adopted the community eligibility provision in the year that the eligible breakfasts and eligible lunches were served:
- (i) 30 cents for each eligible breakfast served to a student eligible for a reduced-price breakfast;
  - (ii) 40 cents for each eligible lunch served to a student eligible for a reduced-price lunch;
  - (iii) The difference between the federal reimbursement rate for a free breakfast and the federal reimbursement rate for a fully paid breakfast for each fully paid breakfast served; and
  - (iv) The difference between the federal reimbursement rate for a free lunch and the federal reimbursement rate for a fully paid lunch for each fully paid lunch served.

The bill provides intent language to appropriate funds to carry out the Hunger-Free Schools Act.

The legislation permits a school district to collect information from the parent or guardian of a student to determine eligibility for other services of the school district.

*Note:* Eligible breakfast and eligible lunch is defined as a school breakfast or school lunch served to a student which is reimbursable, in total or in part, with federal funds, as specified under regulations promulgated by the U.S. Department of Agriculture under the federal Child Nutrition Act of 1966.

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<b>LB 231</b>	<i>Sponsor</i> Dungan	<i>Committee</i> Education	<i>Subject</i> Change provisions related to student attendance and require plans for excessive absences
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Under current law, all school boards are required to have a written policy on attendance developed and annually reviewed in collaboration with the county attorney of the county in which the principal office of the school district is located. The policy must include a provision indicating how the school district will handle cases in which excessive absences are due to illness. The policy must also state the circumstances and number of absences or the hourly equivalent upon which the school shall render all services to address barriers to attendance.

LB 231 stipulates that such services must be provided upon 20 days of absence, and must include, but not be limited to:

- (a) Written (not verbal) communication by school officials with the person or persons who have legal or actual charge or control of any child; and
- (b) One or more meetings between, at a minimum, a school attendance officer, a school social worker, or a school administrator or his or her designee, the person who has legal or actual charge or control of the child, the person who is responsible for making educational decisions on behalf of the child if that person is someone other than the person who has legal or actual charge or control of the child, and the child, when appropriate, to address the barriers to attendance.

The result of the meeting or meetings would be to develop a collaborative plan to reduce barriers identified to improve regular attendance. Under LB 231, the plan must include, if agreed to by the person who is responsible for making educational decisions on behalf of the child, an educational evaluation to determine whether any intellectual, academic, physical, or social emotional barriers are contributing factors to the lack of attendance.

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<b>LB 341</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Halloran	Judiciary	Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act

LB 341 would create the State and Political Subdivisions Child Sexual Abuse Liability Act.

The bill declares that the state, state agencies, and political subdivisions would be liable in a similar manner and to a similar extent as a private individual or entity under like circumstances for tort claims arising out of child sexual abuse.

The bill defines “tort claim” as any claim against a political subdivision or state agency for money only on account of personal injury or death, caused by the negligent or wrongful act or omission of any official or employee of the political subdivision or state agency, while acting within the scope of his or her office or employment, under circumstances in which the political subdivision or state agency, if a private person, would be liable to the claimant for such injury or death.

An individual who is a victim of child sexual abuse may bring a tort claim arising from such child sexual abuse against a political subdivision or a state agency.

LB 341 provides that the State and Political Subdivisions Child Sexual Abuse Liability Act constitutes a waiver of the sovereign immunity of the state and all political subdivisions, and an action under the Act is not subject to the State Tort Claims Act or the Political Subdivisions Tort Claims Act or the limitations or requirements in such acts, including, but not limited to, limits on recoverable damages, limits on the availability of a jury trial, notice requirements, and statutes of limitations.

Criminal prosecution is not required to maintain a civil action under the State and Political Subdivisions Child Sexual Abuse Liability Act.

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<b>LB 455</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Wayne	Education	Require the State Department of Education to create a grant program

LB 455 requires NDE to establish a grant program to provide positive educational experiences for students to develop their reading skills.

The department would award a grant to any statewide organization that represents a majority of Nebraska newspapers (i.e., the Nebraska Press Association) upon application and proof of ability to provide and distribute a monthly, nondigital publication to schools and homes for in-school classroom and in-home use. The grant would be used by the organization to create and distribute the publication.

The purpose of the publication is to positively impact reading scores and literacy rates for kindergarten through grade twelve and improve life-long learning skills and potential of Nebraska youth and their families.

The bill proposes to appropriate \$1,170,000 from the General Fund for fiscal year 2023-24 and \$1,170,000 from the General Fund for fiscal year 2024-25 to NDE to administer the grant program and provide the grants as prescribed.

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<b>LB 516</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Education	Provide and change powers and duties for NDE, Commissioner, State Board of Education, and the state school security director, provide grants to school districts for security-related infrastructure projects, and provide grants to educational service units and local public health departments to hire school psychologists and licensed mental health practitioners as prescribed

LB 516 contains three major components: (1) Regionally Focused Specialists; (2) a School Safety and Security Reporting System; and (3) Mental Health Practitioners.

#### Regionally Focused Specialists

LB 516 amends the existing provisions of law relevant to the state school security director. The bill adds intent that “regionally focused specialists” be hired as employees to be placed to assist schools and (i) to increase the availability of training, (ii) provide tailored technical support for the unique needs of each region, and (iii) serve as a central point of contact for school districts. These employees would be placed under the direction of the state school security director.

#### School Safety and Security Reporting System

The bill creates the School Safety and Security Reporting System Act and provides funding beginning in fiscal year 2024-25.

The Commissioner of Education is required to create and administer a grant program to school districts for security-related infrastructure projects. The projects may include, but are not limited to:

- (i) surveillance equipment,
- (ii) door-locking systems, and
- (iii) double-entry doors for school buildings.

Subject to available appropriations, NDE may provide a grant to any school district that applies for such grant for use for qualifying projects. The amount of the grant would be a proportionate share of the total amount appropriated for the grants. A school district's share would be based on the percentage of students attending such school district according to the most recent enrollment data collected by NDE.

A school district receiving a grant must divide the use of the grant funds as evenly as possible among all eligible school buildings within the district.

The bill intends to appropriate \$15 million to administer the grant program.

### Mental Health Practitioners

LB 516 requires NDE to create and administer a grant program to provide funding to hire mental health practitioners and school psychologists to provide access to mental and behavioral health supports to students at school and within the community.

A local public health department or an ESU may apply to the department for a grant to hire a mental health practitioner or school psychologist to provide mental and behavioral health supports to students and serve as a liaison to school districts within the area served by such local public health department or ESU.

The bill intends to appropriate \$5 million to administer this grant program.

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<b>LB 527</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Fredrickson	Education	Provide reimbursements to school districts and ESUs for mental health expenditures

LB 527 provides findings that the mental health needs of students are becoming an increasing barrier to learning and that schools need additional resources to address the mental health needs of students.

The bill requires NDE to reimburse each qualifying school district and ESU for allowable mental health expenditures in the immediately following school fiscal year a pro rata amount based on the reimbursement percentage as determined by the department. The reimbursement percentage would equal the ratio of the appropriations by the Legislature for reimbursements divided by the total allowable mental health expenditures for the preceding school fiscal year, except that if the ratio is greater than 80%, the reimbursement percentage would equal 80%.

To qualify for reimbursement, a school district or ESU must:

- (a) Designate an employee of the school district or ESU as a “community-based mental health resource liaison” and provide the appropriate training and resources for the employee to assist students, families, teachers, and schools in locating the resources necessary to address the mental health needs of individual students in the district or ESU; and
- (b) Submit allowable mental health expenditures in a manner prescribed by the department.

An allowable mental health expenditure that is:

- (a) (i) Directly related to meeting the mental health needs of an individual student or group of students; (ii) Directly related to a focused strategy approved by the department to reduce the mental health needs of students by improving the overall educational environment; or (iii) Directly related to the training or work of the community-based mental health resource liaison; and
- (b) Not an allowable reimbursable cost under the Special Education Act.

The State Board of Education is required to adopt and promulgate rules and regulations to carry out the provisions of the bill, including, but not limited to, criteria to further define allowable mental health expenditures.

LB 527 intends to appropriate \$12 million for reimbursements for allowable mental health expenditures for fiscal year 2024-25 and that the appropriation be increased annually by no more than 10%.

The bill also amends relevant provisions in TEEOSA regarding the calculation of special receipts allowance and other actual receipts to accommodate the proposed legislation.

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<b>LB 585</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Hughes	Education	Change a duty of the state school security director and require behavioral and mental health training for certain school personnel

LB 585 does two things. It changes the duties of the state school security director and changes the training requirement for schools.

The bill changes the list of duties of the state school security director to provide for the oversight of behavioral and mental health training, with a focus on suicide awareness and prevention in public schools.

The bill expands the existing requirement that all public school employees who interact with students and any other appropriate personnel, as determined by the school superintendent, must receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year.

*Note:* The bill states that this is operative for the 2023-24 school year.

LB 585 requires that such training may include, but need not be limited to, topics such as identification of early warning signs and symptoms of behavioral and mental health issues in students, appropriate and effective responses for educators to student behavioral and mental health issues, trauma-informed care, and procedures for making students, parents, and guardians aware of services and supports for behavioral and mental health issues.

<b>LB 627</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Bostar	Education	Adopt the Free Student Meals Act

LB 627 creates the Free Student Meals Act.

To qualify for reimbursement under the Free Student Meals Act, a qualified school must:

- (1) Offer breakfasts and lunches at no cost to all students for any school meal program operated by such school during the school day;
- (2) Submit information regarding the number of breakfasts and lunches served in a manner prescribed by NDE; and
- (3) Maximize federal reimbursement for eligible breakfasts and eligible lunches by operating under the community eligibility provision if such school has an identified student percentage greater than or equal to 62.5%.

NDE is required to create and administer a grant program to reimburse a qualified school for a portion of the cost of each breakfast and each lunch served by such school during the second preceding school fiscal year in an amount intended to offset the cost of providing such breakfasts and lunches at no cost to all students.

NDE would make disbursements annually to each school that applies for the grant and complies with the requirements of the Free Student Meals Act in the amount of:

- (a) For each qualified school that has adopted the community eligibility provision for the school fiscal year that such breakfasts and lunches were served:
  - (i) The difference between the federal reimbursement rate for a free breakfast and the federal reimbursement rate for fully paid breakfast for each fully paid breakfast served; and
  - (ii) The difference between the federal reimbursement rate for a free lunch and the federal reimbursement rate for a fully paid lunch for each fully paid lunch served; and
- (b) For each qualified school that has not adopted the community eligibility provision in the year that such breakfasts and lunches were served:
  - (i) 30 cents for each eligible breakfast served to a student eligible for a reduced-price breakfast;
  - (ii) 40 cents for each eligible lunch served to a student eligible for a reduced-price lunch; and
  - (iii) The difference between the federal reimbursement rate for a free breakfast and the federal reimbursement rate for a fully paid breakfast for each fully paid breakfast served; and
  - (iv) The difference between the federal reimbursement rate for a free lunch and the federal reimbursement rate for a fully paid lunch for each fully paid lunch served.

The bill intends to appropriate money from the General Fund to carry out the Free Student Meals Act. It does not specify an amount.

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<b>LB 635</b>	<i>Sponsor</i> Albrecht	<i>Committee</i> Education	<i>Subject</i> Provide requirements regarding access to digital and online resources provided for students by school districts, and the Nebraska Library Commission
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LB 635 permits a school district, a school, or the Nebraska Library Commission to offer one or more educational research databases to students in K-12 only if the vendor or provider of the educational research database verifies that the database complies with the following.

An educational research database offered by a school district, a school, or the Nebraska Library Commission to students in K-12 must have technology protection measures that:

- (a) Filter and block access to all materials obscene as to minors or harmful to minors; and
- (b) Establish an account for each student in K-12 using such educational research database and require verification of account information when the student accesses the educational research database. An account is defined as a unique login for each educational research database user indicating that the user is a student in K-12.

The bill requires a school district or school to:

- (a) Provide the account credential of each student in K-12 to the student's parent or guardian and allow the parent or guardian access to all materials accessible to the student; and
- (b) Prohibit any shared or group accounts, distinct from the account, for use of any educational research database.

Notwithstanding any contract provision to the contrary for a contract entered into or renewed or extended after the operative date of the bill, if a vendor or provider of an educational resource database fails to comply with the requirements, the school district, the school, or the Nebraska Library Commission may withhold further payments, if any are due, to the vendor or provider pending verification of compliance.

The withholding of payments would not be considered breach of contract on the part of the school district, the school, or the Nebraska Library Commission.

Notwithstanding any contract provision to the contrary for contracts entered into or renewed or extended after the operative date of the bill, if a vendor or provider of an educational resource database fails to timely verify that the vendor or provider is in compliance, such failure of verification, if proven, presents a presumption of a breach of contract on the part of the vendor or provider.

By December 1 of each year, the Nebraska Library Commission and NDE must electronically submit to the Governor and the Education Committee a comprehensive written report on any noncompliance and any incidental violations.

The bill becomes operative on August 1, 2023, and the emergency clause is attached.

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<b>LB 708</b>	<i>Sponsor</i> Spkr. Arch	<i>Committee</i> Education	<i>Subject</i> Require the Office of Probation Administration, the State Court Administrator, NDE, and DHHS to enter into a memorandum of understanding for the sharing of data regarding data relevant to students who are under the jurisdiction of the juvenile court
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By October 1, 2023, NDE, DHHS, the Office of Probation Administration, and the State Court Administrator must enter into a memorandum of understanding (MOU) for the sharing of data relevant to students who are under the jurisdiction of the juvenile court.

The purpose for the sharing of data is to provide systems-wide coordination to improve educational opportunities, outcomes, and to facilitate service coordination for such students. The MOU must include the intent for NDE to contract with an outside consultant with expertise in the education of court-involved students to assist in the development of such policies and procedures.

The consultant must provide recommendations addressing issues that include, but need not be limited to, the following:

- (a) Identifying and defining the population of students whose data should be collected and shared;
- (b) Defining the specific types of data to be collected and shared;
- (c) Identifying shared data systems;
- (d) Identifying the entities and persons for which the data should be accessible;
- (e) Identifying both federal and state legal responsibilities and confidentiality parameters; and
- (f) Developing a uniform approach for the transfer of educational credits.

The development of such policies and procedures for the sharing of data must be collaborative and must include input from the appropriate entities including NDE, DHHS, the Office of Probation Administration, the State Court Administrator, the juvenile court system, the superintendent of schools for the youth and rehabilitation centers, public school districts, educators, and court involved students and their parents.

The consultant must provide a draft report containing the recommendations to the appropriate agency representatives and to the Commissioner of Education, the chief executive officer of DHHS, and the Chief Justice of the Supreme Court by September 1, 2024.

NDE must complete a final report detailing the recommendations of the consultant and any policies and procedures that are being considered for adoption by NDE, DHHS, the Office of Probation Administration, and the State Court Administrator. The report must be delivered by December 1, 2024.

**Tax Incentives, Credits**

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<b>LB 242</b>	<i>Sponsor</i> Briese	<i>Committee</i> Revenue	<i>Subject</i> Change provisions of the Nebraska Property Tax Incentive Act
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Background

Nebraska Property Tax Incentive Act was enacted in 2020 (LB 1107) and provides a refundable income tax credit or credit against franchise tax for any taxpayer who pays school district taxes, which is property taxes levied by a school district or school system, excluding property taxes levied for bonded indebtedness and property taxes levied as a result of an override of limits on property tax levies approved by voters.

The credit is equal to the credit percentage determined by Department of Revenue multiplied by the amount of school district taxes paid during the tax year. For pass through entities, the credit is allocated in the same proportion that income is distributed.

In the original legislation, the credit percentage was set so the total amount of credits was \$125 million. The total amount of credits has grown in successive legislation.

2023 Legislation

LB 242 provides that, for taxable years beginning or deemed to begin during calendar year 2024, the Department of Revenue must set the credit percentage so that the total amount of credits for such taxable years would be \$1 billion.

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<b>LB 243</b>	<i>Sponsor</i> Briese	<i>Committee</i> Revenue	<i>Subject</i> Change the minimum amount of relief granted under the Property Tax Credit Act
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The Property Tax Credit Act was created in 2007 under the Heineman administration. The purpose was to provide property tax relief for property taxes levied against real property. The property tax relief is made to owners of real property in the form of a property tax credit. The total amount of tax credit available has grown in successive years and is currently \$275 million annually.

LB 243 would increase the amount set aside for the Property Tax Credit Act beginning in tax year 2024 to \$700 million per year plus a percentage increase equal to the percentage increase, if any, in the total assessed value of all real property in the state from the prior year to the current year, as determined by the Department of Revenue.

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<b>LB 499</b>	<i>Sponsor</i> Cavanaugh, M.	<i>Committee</i> Revenue	<i>Subject</i> Change provisions relating to the availability of tax credits under the School Readiness Tax Credit Act
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The School Readiness Tax Credit Act was enacted in 2016 and created a series of tiered tax credits relating to early childhood education. The original legislation created four categories of credits that became operative on January 1, 2017. The categories included a credit for parents, a credit for early childhood programs, a credit for the early childhood workforce, and a credit for businesses that support eligible programs.

LB 499 would extend the life of these credits through 2028.

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<b>LB 753</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Linehan	Revenue	Adopt the Opportunity Scholarships Act and provide tax credits

*LB 753 represents the most recent attempt to create a tax credit program for private school scholarships. In 2021 similar legislation was introduced by the same sponsor (LB 364), which advanced to General File but advanced no further.*

LB 753 would create the Opportunity Scholarships Act. Under the Act, individual and corporate taxpayers would qualify for a non-refundable tax credit equal to the amount the taxpayer contributed to a scholarship-granting organization.

No taxpayer may receive tax credits in an amount exceeding 50% of their state income tax liability. Each nonprofit, scholarship-granting organization certified by the Nebraska Department of Revenue must provide education scholarships to assist eligible students to attend a qualified, nonprofit, private elementary or secondary school.

The annual limit on the total amount of tax credits for calendar year 2024 would be \$25 million. The annual limit on the total amount of tax credits for calendar year 2025 and each calendar year thereafter would be calculated by taking the annual limit from the prior calendar year and then multiplying such amount by:

- (a) 125% if the intended tax credit amounts in the prior calendar year exceeded 90% of the annual limit applicable to that calendar year; or
- (b) 100% if the intended tax credit amounts in the prior calendar year did not exceed 90% of the annual limit applicable to that calendar year.

The bill was introduced on behalf of the Governor and has 30 co-sponsors.

## Teacher Retention

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<b>LB 385</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Linehan	Education	Adopt the Nebraska Teacher Recruitment and Retention Act

LB 385 would create the Nebraska Teacher Recruitment and Retention Act to provide financial incentives to recruit and retain teachers in Nebraska classrooms. The concept promoted in LB 385

was raised and discussed in the 2022 Session. The bill is applicable to both public and private school teachers in elementary or high school grades.

Individual teachers may apply to NDE for a grant. The department may not prioritize a grant based upon the school where the applicant teaches. A teacher is eligible to apply for:

- (a) A “recruitment grant” if the teacher has completed such teacher’s first complete school year of full-time employment as a teacher at a Nebraska school in school years 2023-24, 2024-25, 2025-26, or 2026-27;
- (b) A “retention two grant” if the teacher has completed such teacher’s second complete school year of full-time employment as a teacher at a Nebraska school in school years 2023-24, 2024-25, 2025-26, or 2026-27.
- (c) A “retention three grant” if the teacher has completed such teacher’s third complete school year of full-time employment as a teacher at a Nebraska school in school years 2023-24, 2024-25, 2025-26, or 2026-27.
- (d) A “high-need retention grant” if a teacher completes a certification in special education, mathematics, science, technology, or dual credit and completes a school year of full-time employment as a teacher at a Nebraska school in years 2024-25, 2025-26, or 2026-27.

The bill encourages individual schools and school districts to adopt policies incentivizing teacher recruitment and retention through policies similar to the Nebraska Teacher Recruitment and Retention Act. However, teachers at schools not adopting a recruitment and retention policy may not be prohibited from receiving a grant under LB 385.

*Notes:* The bill intends to appropriate \$10 million from the General Fund to the Nebraska Teacher Recruitment and Retention Act. *Each grant would be \$5,000.* The Act would automatically terminate on January 1, 2028.

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<b>LB 519</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	Walz	Education	Eliminate certification fees for teaching certificates, create and terminate funds, state intent regarding an appropriation for school employees, change provisions of the Excellence in Teaching Act, and adopt the Student Teaching Assistance Act

LB 519 would eliminate certification fees; set aside \$35 million for school employee retention; and create the Student Teaching Assistance Act.

NDE would administer the program to provide grants to all public school districts and private school employees for purposes of school employee retention.

The amount of the grant provided to each school district would be a proportionate share of the total amount appropriated, less a percentage available for private school employees. Each school district’s share would be based on the percentage of the Nebraska population residing in such

school district according to the most recent federal decennial census or the most recent revised certified count by the U.S. Bureau of the Census.

A school district receiving a grant must divide the grant evenly among all eligible school employees at the time of receiving the grant. A private school employee may apply to NDE for a grant. School administrators would not be eligible to receive a grant.

### Student Teaching Assistance Act

LB 519 would establish a loan program that requires the borrower to obtain employment as a teacher in Nebraska after graduation.

NDE would administer the Student Teaching Assistance Act directly or by contracting with public entities.

To be an eligible student under the Act, a student must:

- (a) Agree to complete a teacher education program at an eligible institution;
- (b) Enroll in a teacher education program at an eligible institution before the start of the next academic semester following an application under the Act;
- (c) Maintain status as a full-time student during the student teaching semester in which a loan under the Act is requested; and
- (d) Commit to teach in an approved or accredited public school in Nebraska upon successful completion of the teacher education program for which the applicant is applying to the Act and become certified.

An eligible student may apply on an annual basis for a loan of not more than \$8,500 per year for student teaching semesters. Loans awarded to individual students may not exceed a cumulative period exceeding five consecutive years. Loans may only be awarded through an eligible institution.

Prior to receiving any money from a loan under the Act, an eligible student must enter into a contract with NDE. The contract would require that if (i) the borrower is not employed as a teacher in Nebraska for four years, or two years in a school district that is in a local system classified as very sparse or in which at least 40% of the students are poverty students, and is not enrolled as a full-time student in a graduate program within six months after obtaining an undergraduate degree for which a loan from the program was obtained or (ii) the borrower does not complete the requirements for graduation within 5 consecutive years after receiving the initial loan under the program, then the loan must be repaid, with interest, and an appropriate penalty as determined by the department may be assessed.

If a borrower fails to remain enrolled at an eligible institution or otherwise fails to meet the requirements to be an eligible student, repayment of the loan would commence within six months after such change in eligibility.

If the borrower (a) successfully completes the teacher education program for which the borrower is receiving a forgivable loan pursuant to the Act and becomes certified, (b) becomes employed as

a full-time teacher teaching in an approved or accredited school in this state within six months of becoming certified, and (c) otherwise meets the requirements of the contract, payments would be suspended for the number of years that the borrower is required to remain employed as a teacher in this state under the contract.

For each year that the eligible student teaches in Nebraska pursuant to the contract, payments would be forgiven in four annual installments of \$2,125, except that if the borrower teaches full-time in a school district that is in a system classified as very sparse or teaches in a school in which at least 40% of the students are poverty students, payments would be forgiven in two annual installments of \$4,250.

The bill intends for an allocation of \$35 million annually for purposes of the program.

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<b>LB 762</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Subject</i>
	DeBoer	Education	Provide powers and duties to the State Department of Education relating to a teacher apprenticeship program

LB 762 creates the Nebraska Teacher Apprenticeship Program with the purpose to help recruit and increase teachers throughout the state by utilizing an apprenticeship model for training.

NDE would administer the program and may work with institutions of higher education, the Department of Labor, and others NDE deems necessary to implement the program.

NDE may use pilot programs to assist with the creation of the program. The State Board of Education may adopt and promulgate rules and regulations to carry out the program.

The bill provides intent to appropriate an unspecified amount of General Funds for fiscal year 2023-24 to carry out the program.

## Students

### Full-time and Part-time Enrollment

#### Full-time Enrollment

Students must be enrolled in Southern Valley Public Schools on a full-time basis. Full-time basis is defined as attending classes for the full instructional day within the public school system.

Exceptions are permitted only for:

1. enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. non-public school students in accordance with the policies and procedures set forth in this policy.

#### Part-Time Enrollment of Non-Public School Students

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as "non-public school students."

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- (2) Enrollment of a non-public school student in Southern Valley Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
- (3) Non-public school students are not to be given priority over full-time students.
- (4) Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
- (5) Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

The School Board establishes the following specific policies and procedures for enrollment of non-public school students. In the event the specific policies and procedures require interpretation or do not fully resolve an issue, the above established guiding principles are to be considered.

A. Non-Public School Student Enrollment Application Procedures.

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
2. Deadline for Applications. The application must be received by August 1<sup>st</sup> preceding the school year the student wishes to enroll.
  - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
  - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1<sup>st</sup>.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

### B. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

### C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall also establish capacity limits for particular courses each semester. Students will not be permitted to enroll in courses beyond the established capacity limits.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Essential versus Non-Essential Elective Courses. Non-public school students are not permitted to enroll in essential courses. Essential courses are those which are required to be offered by the student's private, denominational, parochial or home school. For non-public school students attending an approved school, essential courses are: language arts, social

studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness. For non-public school students attending an exempt school, essential courses consist of a sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. A non-public school student will not be precluded by this provision from enrolling in non-essential elective courses.

#### D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. **Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.**
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the

principal’s designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.

- 7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement. Full-time students will be given first consideration for parking on the high school campus.
- 8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) **except to the extent the student meets all requirements of the District’s policies for such, including attainment of minimum credits and semesters of attendance.**
- 9. Extracurricular Activities. Students enrolled on a part-time basis may be permitted in the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.
- 10. Homecoming/Prom. Students enrolled on a part-time basis may attend Homecoming (if in grades 9-12 and in good standing) and Prom (if in grades 11-12, a sophomore prom server, or a freshman asked by an upperclassman and in good standing). Part-time students are not eligible for Homecoming or Prom Royalty.
- 11. Credits for Graduation. Any credits that can be applied to graduation requirements must come from an accredited educational program. If none exist, students will need to retake those classes in order for those credits to be counted towards graduation.

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526  
Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption:  
Date Amended:  
Date Reaffirmed:

**APPLICATION OF NON-PUBLIC SCHOOL STUDENT  
FOR PART-TIME ENROLLMENT**

Application Process:

- Step 1: Complete Parts I, II and III of this Application.
- Step 2: Complete the attached “Statement of Person in Legal or Actual Charge or Control of a Child” form.
- Step 3: Complete Part IV of this Application, **if** you checked item (2) (b) (c) or (d) of the “Statement of Person in Legal or Actual Charge or Control of a Child” form.
- Step 4: Sign this Application in the presence of a notary

Note: You may also need to provide the following documents:

- (1) birth certificate
- (2) proof of immunization, proof of physical examination, and proof of visual evaluation, or written objections signed by parent or legal guardian
- (3) durable power of attorney (delegation of parental powers)
- (4) student records from school currently attending and school last attended & release of student records form

**PART I–Student Information**

Student’s Name:	DOB:	Grade Level:
Parent/Guardian’s Name(s):	Address:	Telephone:
School Currently Attending:	School Address:	Telephone:
School Last Attended:	School Address:	Telephone:
Special Needs/Concerns (e.g. health concerns) (information is requested for accommodation planning purposes): _____	Special Education Needs:  ___ Yes ___ No	If “yes” describe needs: _____ _____ _____

**PART II–Part-Time Enrollment Request**

Semester Child seeks to begin attending:	
Course(s) or Program(s) in which Child seeks to enroll:	
If the Course is an Integrated Course (e.g. Algebra II), provide description of courses Child has passed to meet prerequisites:	
State whether the Course or Program is offered in the Child’s School:	
State whether Child is seeking to participate in extracurricular activities; and if so, list the activities:	



**STATEMENT OF PERSON IN LEGAL OR ACTUAL CHARGE OR CONTROL OF A CHILD  
SUBMITTED TO MINDEN PUBLIC SCHOOLS FOR PURPOSES OF SCHOOL ENROLLMENT**

The undersigned state that I am an adult in legal or actual charge or control of (*Child's Name*): \_\_\_\_\_,  
a child who resides in this school district at (*Child's Address*)

- 1)  I state that I am the child's parent, or
- 2)  I state that I have been entrusted with, or assumed, day-to-day care and full-time supervision of, and responsibility for, the child and have been given the authority to act as parent or guardian in educational matters as established by (check *all* that apply):
  - a)  a court or testamentary appointment as a legal guardian (*attach copy*) and/or
  - b)  a power of attorney delegating such parental powers (*attach copy*) and/or
  - c)  through an in loco parentis designation by a parent in which I have been authorized to stand in the place of the parent in caring for and raising the child (*attach any written documentation of such designation*), and/or
  - d)  through some other set of circumstances (*please explain on a separate sheet*).

I understand that I may be requested to provide additional information regarding this child. The names and current or last known address of the child's parents are:

Mother: \_\_\_\_\_ Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Father: \_\_\_\_\_ Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

I understand that I will be responsible for, and will be expected to make, decisions regarding education (including, but not limited to, records, discipline, and special education unless otherwise provided under special education laws and regulations), emergency medical care, and other matters for this child while in legal or actual charge or control of this child and I state that I have the authority to take such responsibility and to make such decisions and to so act. I also understand that I will have responsibilities under the state truancy laws to cause this child to attend school.

\_\_\_\_\_  
Signature of Adult in Legal or Actual Charge or Control

Dated: \_\_\_\_\_

\_\_\_\_\_  
Home Address of Adult in Legal or Actual Charge or Control

Home Phone: \_\_\_\_\_

\_\_\_\_\_  
Daytime Work Address

Daytime Work Phone: \_\_\_\_\_

**NOTE:** SECTION 79-215 R.R.S. PROVIDES THAT IF THE STUDENT IS HOMELESS OR IF THE ADULT DOES NOT HAVE A PHONE NUMBER AND ADDRESS WHERE HE OR SHE MAY GENERALLY BE REACHED DURING THE SCHOOL DAY, THOSE PARTS OF THE FORM MAY BE LEFT BLANK AND A BOX MAY BE MARKED ACKNOWLEDGING THAT THESE ARE THE REASONS THESE PARTS OF THE FORM WERE LEFT BLANK. THE ADULT WITH LEGAL OR ACTUAL CHARGE OR CONTROL OF THIS STUDENT SHALL ALSO SIGN THE FORM.

\_\_\_\_\_ This child is homeless, which is the reason items were left blank.

\_\_\_\_\_ This adult does not have a phone number or address where they may generally be reached during the school day

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**(FOR SCHOOL'S USE)**

**APPLICATION STATUS**

<b>Decision:</b>	Not Admitted	( )	Child a Non-resident
	Not Admitted	( )	Board of Education Approval Required (Expelled Student)
	Not Admitted	( )	Other _____
	Admitted	( )	Residency based on ___ Natural parent is a resident of District ___ In Loco Parentis ___ Child is Emancipated
	Admitted	( )	Courses or Programs of part-time enrollment: _____ _____

(Admission is subject to receipt of birth certificate, proof of immunization, physical and visual evaluation, and other required documentation)

**Notes:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature**

Vendor Name	Invoice Number	Description	Amount
Checking Account ID 1	Fund Number 01	GENERAL FUND	
Ag Valley Coop	162780 01252023	fuel	4,989.34
Total Ag Valley Coop			4,989.34
Amazon Capital Services	13TT-JFQK-P6V6	BOOKS	14.29
Amazon Capital Services	16QX-N47X-6FVM	BOOKS	8.14
Amazon Capital Services	1HT1-K34V-4J1C	nursing supplies	49.16
Amazon Capital Services	1JVV-MRNC-4C4F	computer supplies	137.97
Amazon Capital Services	1KYF-XL4L-4CGX	teaching supplies - welding	89.85
Amazon Capital Services	1MQP-VY1F-3QNP	NURSING SUPPLIES	93.30
Amazon Capital Services	1NRV-PG9N-L3H9	books	139.61
Amazon Capital Services	1R7L-7CWP-1XM9	teaching supplies - welding	49.45
Amazon Capital Services	1RCY-YWRL-47JN	SPED Supplies	37.96
Amazon Capital Services	1RVG-4RFW-3LHC	nursing supplies	82.16
Amazon Capital Services	1X4Q-NXJP-KDWD	safety supplies	86.75
Amazon Capital Services	1YWR-LHR7-6PYG	SPED SUPPLIES	27.95
Total Amazon Capital Services			816.59
Arapahoe-Holbrook Public School	22-23-1	Ellis health/dental sept 22 - feb 23	5,323.95
Total Arapahoe-Holbrook Public School			5,323.95
Arctic Glacier	3616301210	ice	150.00
Total Arctic Glacier			150.00
Beaver City Municipal Plant	421000 02102023	utilities	27.56
Total Beaver City Municipal Plant			27.56
Becker Brothers Feed	13523	softner salt	330.75
Total Becker Brothers Feed			330.75
Bluffs Sanitary Supply	461985	paper supplies	1,286.16
Total Bluffs Sanitary Supply			1,286.16
Broeker Welding	14890	general repairs	46.97
Broeker Welding	14905	general repairs	371.04
Broeker Welding	14945	general repairs	10.15
Total Broeker Welding			428.16
Cobra Midwest	1258	custodial supplies	389.44
Cobra Midwest	1259	custodial supplies	299.60
Cobra Midwest	1260	custodial supplies	652.84
Total Cobra Midwest			1,341.88
Comdata Corporation	XE887 02012023	FUEL	483.95
Total Comdata Corporation			483.95
Crofton Community Schools	Band 03182023	CLASS C	20.00
Total Crofton Community Schools			20.00
Daktronics, Inc	7016877	repairs	190.00
Total Daktronics, Inc			190.00
Dannehl, Linda	Dannehl 01232023	teaching supplies	67.23
Total Dannehl, Linda			67.23

Vendor Name	Invoice Number	Description	Amount
Decker Equipment	514808	custodial supplies	235.46
Decker Equipment	519171A	custodial supplies	60.15
Total Decker Equipment			<u>295.61</u>
Dish Network	4465 02042023		221.65
Total Dish Network			<u>221.65</u>
Dry Creek Electric, Inc.	872	bus barn door opener	311.00
Dry Creek Electric, Inc.	880	repairs	640.84
Total Dry Creek Electric, Inc.			<u>951.84</u>
Electrical Engineering & Equipment	8135581-00	custodial supplies	259.39
Electrical Engineering & Equipment	8156256-00	custodial supplies	186.12
Total Electrical Engineering & Equipment			<u>445.51</u>
Elevate Counseling and Consulting LLC	1 02092023	counseling services	4,950.00
Total Elevate Counseling and Consulting LLC			<u>4,950.00</u>
Esu #10	191695 020123	teaching workshop york/dannehl	50.00
Total Esu #10			<u>50.00</u>
Esu #11	4270	tech support	200.00
Total Esu #11			<u>200.00</u>
FLINN Scientific Inc	2831756	teaching supplies	343.95
Total FLINN Scientific Inc			<u>343.95</u>
Frontier Communications	2222 01072023	phone	1,184.42
Total Frontier Communications			<u>1,184.42</u>
Furnas County Clerk	01312023	election fees	144.09
Total Furnas County Clerk			<u>144.09</u>
Greg Huerta	HUERTA 01162023	custodial supplies	58.23
Total Greg Huerta			<u>58.23</u>
Harlan County Journal	2900 01312023	baord mins Dec/Jan	274.96
Total Harlan County Journal			<u>274.96</u>
Holmes Plumbing & Heating	0003036	custodial suplies	5.98
Total Holmes Plumbing & Heating			<u>5.98</u>
HomeTown Leasing	02202023	copier lease	3,354.16
Total HomeTown Leasing			<u>3,354.16</u>
HTMC	001982271	spring sports booster message	108.00
HTMC	00198269	spring academic booster messages	108.00
Total HTMC			<u>216.00</u>
Huerta, Jason	Huerta 02032023	teaching supplies	23.41
Total Huerta, Jason			<u>23.41</u>

Vendor Name	Invoice Number	Description	Amount
Husker Hardware LLC	959	custodial supplies	49.98
Total Husker Hardware LLC			49.98
Inspire Rehabilitation	INV-06249	PT SERVICES	1,564.84
Total Inspire Rehabilitation			1,564.84
Interstate All Battery Center	1905899021465	custodial supplies	69.30
Total Interstate All Battery Center			69.30
J D Lumber	187503	custodial supplies	1,382.50
Total J D Lumber			1,382.50
J W Pepper & Son Inc.	364956983	teaching supplies	90.67
Total J W Pepper & Son Inc.			90.67
James Witt	01252023	Safety Review	500.00
Total James Witt			500.00
Jeff Lange Counseling LLC	1 02092023	counseling services	5,328.20
Total Jeff Lange Counseling LLC			5,328.20
JENNIFER SCHUTZ,OTR/L	956375 01312023	Occupation Therapy Serv Jan 2023	4,791.82
Total JENNIFER SCHUTZ,OTR/L			4,791.82
Johnstone Supply	1482681	custodial supplies	66.24
Total Johnstone Supply			66.24
Jostens	30006837	graduation supplies - diplomas	261.70
Jostens	30033763	graduation supplies	1,008.00
Total Jostens			1,269.70
Kelley's Super Market Inc	2222 02012023	custodial supplies	274.37
Total Kelley's Super Market Inc			274.37
MCI	4723 02092023	phone	107.27
Total MCI			107.27
Menards	47200	custodial supplies	19.81
Menards	47344	custodial supplies	34.22
Menards	47986	custodial supplies	196.96
Total Menards			250.99
Mid-States Automation & Control, Inc.	72-1826	repairs	501.45
Total Mid-States Automation & Control, Inc.			501.45
Midamerican Research Chemical	0781695-IN	custodial supplies	330.36
Total Midamerican Research Chemical			330.36
N2Y, LLC	INV-1061975	Subscription	154.99
Total N2Y, LLC			154.99
NASB	NASB DUES 2023-2024	NASB DUES 2023-2024	4,539.00

Vendor Name	Invoice Number	Description	Amount
Total NASB			<u>4,539.00</u>
Nash, Tonya	Nash Jan 2023	Jan mileage reimbursement	103.50
Total Nash, Tonya			<u>103.50</u>
NETA	208627	Conference - Fausch	189.00
Total NETA			<u>189.00</u>
NRCSA	LF - 062	Legislative Forum 2023	80.00
Total NRCSA			<u>80.00</u>
One Call Concepts, Inc.	3010705	locate fee	1.18
Total One Call Concepts, Inc.			<u>1.18</u>
Oxford Super Market	540 02062023	teaching supplies FCS	133.14
Total Oxford Super Market			<u>133.14</u>
Oxford Utilities	7704 01312023	utilities	661.20
Oxford Utilities	7914 01202031	bus barn utilities	57.68
Total Oxford Utilities			<u>718.88</u>
Pearson Education	20461877	sped teaching supplies	11.10
Pearson Education	21064006	sped teaching supplies	120.60
Pearson Education	21116576	sped teaching supplies	91.80
Pearson Education	21181043	teaching supplies sped	30.82
Pearson Education	21234892	sped teaching supplies	90.90
Total Pearson Education			<u>345.22</u>
Pitney Bowes Goba Financial Services LLC	3316873928	postage meter	489.00
Total Pitney Bowes Goba Financial Services LLC			<u>489.00</u>
Pitney Bowes	4369 01232023	postage	500.19
Total Pitney Bowes			<u>500.19</u>
PowerSchool Group LLC	INV332978	maintenance renewal	3,116.00
PowerSchool Group LLC	inv336356	hosting cert renewal	2,822.61
Total PowerSchool Group LLC			<u>5,938.61</u>
Quill Corporation	30410993	office supplies	334.12
Total Quill Corporation			<u>334.12</u>
Reliable Pest Control, Inc	43130	pest control	190.00
Total Reliable Pest Control, Inc			<u>190.00</u>
RMH SYSTEMS	7023939	scale inspection	295.41
Total RMH SYSTEMS			<u>295.41</u>
S & W Auto Parts	743878	bus supplies/maintenance	73.07
S & W Auto Parts	744016	bus supplies/maintenance	39.98
S & W Auto Parts	744048	bus supplies/maintenance	13.98
S & W Auto Parts	744050	bus supplies/maintenance	9.99
S & W Auto Parts	744159	bus maintenance/supplies	8.98
S & W Auto Parts	744204	bus supplies/maintenance	159.43

Vendor Name	Invoice Number	Description	Amount
S & W Auto Parts	744224	bus supplies/maintenance	31.00
S & W Auto Parts	744493	bus supplies/maintenance	255.78
<b>Total S &amp; W Auto Parts</b>			<b>592.21</b>
Sappa Valley Farm & Auto LLC	1863	fuel	164.80
Sappa Valley Farm & Auto LLC	1989	fuel	173.31
Sappa Valley Farm & Auto LLC	2064	fuel	84.73
Sappa Valley Farm & Auto LLC	2391	fuel	149.69
Sappa Valley Farm & Auto LLC	2645	fuel	67.83
Sappa Valley Farm & Auto LLC	2661	fuel	167.96
Sappa Valley Farm & Auto LLC	2739	fuel	188.90
Sappa Valley Farm & Auto LLC	2745	fuel	36.70
<b>Total Sappa Valley Farm &amp; Auto LLC</b>			<b>1,033.92</b>
Schmidt, Leighton	Schmidt Jan 2023	phone reimburse Jan 2023	80.00
<b>Total Schmidt, Leighton</b>			<b>80.00</b>
Sinclair Oil Corporation	737 5058 01282023	fuel	2,691.89
<b>Total Sinclair Oil Corporation</b>			<b>2,691.89</b>
SPORTS SAFE Testing Service	12610	Jan Screening	798.00
<b>Total SPORTS SAFE Testing Service</b>			<b>798.00</b>
Stoneware Inc	00123798	software renewal	1,260.00
<b>Total Stoneware Inc</b>			<b>1,260.00</b>
Tech Masters	240524	bus maintenance	969.10
<b>Total Tech Masters</b>			<b>969.10</b>
Twin Valley Automotive LLC	1774	vehicle maintenance	520.04
Twin Valley Automotive LLC	1775	vehicle maintenance	3,086.57
Twin Valley Automotive LLC	1776	bus maintenance	657.13
Twin Valley Automotive LLC	1777	bus maintenance	850.27
Twin Valley Automotive LLC	1778	bus maintenance	590.49
Twin Valley Automotive LLC	1779	vehicle maintenance	187.50
Twin Valley Automotive LLC	1780	vehicle maintenance	1,471.72
Twin Valley Automotive LLC	1781	vehicle maintenance	1,129.06
<b>Total Twin Valley Automotive LLC</b>			<b>8,492.78</b>
Twin Valleys Public Power	729 02082023	utilities	16,973.63
<b>Total Twin Valleys Public Power</b>			<b>16,973.63</b>
TwoPturf, LLC	4542	turf care program Jan 2023	2,331.00
TwoPturf, LLC	4543	turf care program Feb 2023	2,331.00
<b>Total TwoPturf, LLC</b>			<b>4,662.00</b>
U.S. Bank	2836 02062023 Gen	cc charges	699.19
<b>Total U.S. Bank</b>			<b>699.19</b>
ULINE	159063591	custodial supplies	213.38
<b>Total ULINE</b>			<b>213.38</b>
Valley Voice	31060 02012023	board mins	148.36
<b>Total Valley Voice</b>			<b>148.36</b>

**Board Report - Board**

Vendor Name	Invoice Number	Description	Amount
Verizon Wireless	9925420242	phone	80.02
Total Verizon Wireless			<u>80.02</u>
Viaero Wireless	595461 03042023	phone	394.20
Total Viaero Wireless			<u>394.20</u>
VVS Inc	3600:5273906	gen supplies	399.00
Total VVS Inc			<u>399.00</u>
Waggoner Insurance Agency	Treas Bond 04162023	Baily - Treasurer Bond 04162023	100.00
Total Waggoner Insurance Agency			<u>100.00</u>
Wells Fargo Card Services	0909 01232023	books	10.20
Total Wells Fargo Card Services			<u>10.20</u>
Woodward's Disposal Service, Inc.	NO9112-2917	shredder	40.00
Total Woodward's Disposal Service, Inc.			<u>40.00</u>
Yanda's Music And Pro Audio	631448	repairs	50.60
Yanda's Music And Pro Audio	631449	repairs	59.00
Yanda's Music And Pro Audio	631475	repairs	245.80
Yanda's Music And Pro Audio	632725	repairs	43.00
Yanda's Music And Pro Audio	633880	repairs	155.80
Total Yanda's Music And Pro Audio			<u>554.20</u>
Fund Number 01			<u>98,957.39</u>
Checking Account ID 1			<u>98,957.39</u>

Payroll Register - Totals

	<u>PIK/Gross</u>	<u>Amount</u>	<u>Expense/ Employer</u>	<u>Adjustment Amount</u>	<u>Check Total</u>	<u>Payee ID</u>	<u>Payee Name</u>	
<b>Check Date:</b>	<b>02/20/2023</b>	<b>Batch Description: SV Payroll 02202023</b>						
<b>Processing Month:</b>	<b>02/2023</b>	<b>Status: Calculated Successfully</b>						
<b>Checking Account ID:</b>	<b>1</b>							
<b>ADD</b>								
ACX1 Activity Bus W/RET			510.16					
ACX2NORET Activity Bus NO RET			1,043.00					
BUS1WRET Bus Driver W/RET			4,600.00					
BUS2NORET Bus Driver NO RET			10,700.00					
EXT1 Extra Act Pay W/ret			830.00					
HR1 Hourly W/ret			69,733.30					
HR2 Hourly W/o Ret			234.43					
OVT1 Overtime W/ret			907.70					
SUB1WRET Substitute W/RET			135.00					
SUB2WORET Substitute W/O RET			6,615.00					
VACATION Vacation			1,512.42					
			<u>96,821.01</u>					
<b>CONTRACT</b>								
ACS1 Activity Coaching 1			5,514.98					
ACS1NORET Activity Coaching 1- No RET			2,791.25					
ACS2 Activity Coaching 2			3,114.60					
ACS3 Activity Coaching 3			775.81					
ACS4 Activity Coaching 4			457.31					
ACS5 Activity Coaching 5			64.59					
ACS6 Activity Coaching 6			297.94					
EARLYRTMT Early Retirement			8,500.00					
LTD LTD			570.00					
SAL1WRET Salaried W/RET			275,265.10					
SAL2 Salary			450.00					
			<u>297,801.58</u>					
<b>DEDUCTION</b>								
125HEALTH 125 Health Care		950.00			950.00	SO125	SOUTH CENTRAL STATE BANK 125	
403B 403b		1,000.00			1,000.00	ESSDACK	Fidelity Investments	A
403BROTH 403bROTH		1,015.51			1,015.51	ESSDACK	Fidelity Investments	A
AFLACPOST AFLAC Post		644.38			644.38	AFLAC	Aflac	
AFLACPRE AFLAC Pre		4,071.35			4,071.35	AFLAC	Aflac	
BCBHSA HSA		3,318.11	7,020.85		10,338.96	BACABKHS	Banner Capital Bank- HSA	
DENTAL Dental		111.63	4,407.59		4,519.22	BLUECROS	Blue Cross Blue Shield	
GARNISH GARNML		250.00			250.00	NEBRASKAD3	Nebraska Department of Revenue	
GARNISHAA2 Garnishment		362.94			362.94	CREDITMANA	Credit Management Services Inc	
GARNISHJA Garnishment		707.34			707.34	CREDITMANA	Credit Management Services Inc	
HEALTH Health		625.27	97,746.58		98,371.85	BLUECROS	Blue Cross Blue Shield	
HLP SV- Lunch		1,129.50			1,129.50	HOTLUNCH	Hot Lunch Transfer	
HMANAUTO H.M. Auto Insur		539.56			539.56	HORAMANN	Horace Mann Insurance Co	
LEGALSHIEL LegalShield		86.75			86.75	LEGALSHIEL	LegalShield	
LIFE Life Insurance		1,045.43	199.99		1,245.42	PRINFINA	Principal Financial Group	
LTD Long Term Disab		2,141.16			2,141.16	PRINFINA	Principal Financial Group	
VISION Vision		929.10			929.10	PRINFINA	Principal Financial Group	
		<u>18,928.03</u>	<u>109,375.01</u>	<u>0.00</u>	<u>128,303.04</u>			
<b>RET DEDUCTION</b>								
RET RETIREMENT	362,998.63	35,501.29	26,680.41		62,181.70	SOUTHERNVA	Southern Valley School- General Clearing Account	
RET237 INCREASED RET	362,998.63		9,175.92		9,175.92	SOUTHERNVA	Southern Valley School- General Clearing Account	
		<u>35,501.29</u>	<u>35,856.33</u>	<u>0.00</u>	<u>71,357.62</u>			
<b>TAX</b>								
FIT FIT	348,736.41	23,941.69			23,941.69	EFTPS	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	A
FUTA FUTA	394,622.59							
MEDICARE MEDICARE	385,237.70	5,586.02	5,586.02		11,172.04	EFTPS	ELECTRONIC FEDERAL TAX	A

**Payroll Register - Totals**

	<u>PIK/Gross</u>	<u>Amount</u>	<u>Expense/ Employer</u>	<u>Adjustment Amount</u>	<u>Check Total</u>	<u>Payee ID</u>	<u>Payee Name</u>	
<b>Checking Account ID: 1</b>								
							PAYMENT SYSTEM	
SITNE SIT NE	348,736.41	12,237.71			12,237.71	SITNE	NEBRASKA DEPARTMENT OF REVENUE	A
SOCSEC SOC SEC	385,237.70	23,884.74	23,884.74		47,769.48	EFTPS	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	A
SUTANE SUTA NE	385,237.70							
WCNE WORK COMP NE	393,825.09							
		65,650.16	29,470.76	0.00	95,120.92			

Net Pay: 274,543.11  
 Cash Total: 569,324.69

Non - FIT Taxable Deductions	45,886.18
Non - SIT Taxable Deductions	45,886.18
Non - SOC SEC Taxable Deductions	9,384.89
Non - MEDICARE Taxable Deductions	9,384.89
Direct Deposits	274,543.11
Automatic Payments	97,136.43
Adds + Contracts + Deduction Adds	394,622.59

**Board Report - Board**

Vendor Name	Invoice Number	Description	Amount
Checking Account ID 6	Fund Number 06	NUTRITION FUND	
Cash-wa Distributing	13649801	food	129.71
Cash-wa Distributing	13649802	food	3,365.50
Cash-wa Distributing	13656657	food/supplies	1,926.43
Cash-wa Distributing	13665514	food	2,295.75
Cash-wa Distributing	13671861	food	1,279.10
Cash-wa Distributing	13680551	food/supplies	1,692.96
Cash-wa Distributing	4430071	food/supplies	1,414.39
Total Cash-wa Distributing			<u>12,103.84</u>
Hogeland's Market	228 02012023	food/supplies	113.97
Total Hogeland's Market			<u>113.97</u>
Hubert Company	875950	kitchen supplies	1,647.24
Total Hubert Company			<u>1,647.24</u>
Kelley's Super Market Inc	22222 02012023	food	67.83
Total Kelley's Super Market Inc			<u>67.83</u>
US Foods	3942702	food/supplies	2,840.98
US Foods	4112650	food/supplies	1,428.07
US Foods	4430076	food/supplies	1,505.68
US Foods	4430077	food	44.12
US Foods	5739954	food/supplies	1,517.75
Total US Foods			<u>7,336.60</u>
Fund Number 06			<u>21,269.48</u>
Checking Account ID 6			<u>21,269.48</u>

**Board Report - Board**

Vendor Name	Invoice Number	Description	Amount
Checking Account ID 6 SV General	Fund Number 06 PR 02202023	NUTRITION FUND LUNCH PR REIMBURSEMENT SEPT 22- FEB 23	89,146.44
Total SV General			<hr/> 89,146.44
Fund Number 06			<hr/> 89,146.44
Checking Account ID 6			<hr/> 89,146.44

Vendor Name	Invoice Number	Description	Amount
Checking Account ID 5	Fund Number 05	ACTIVITY FUND	
AIRBORNE ATHLETICS, INC	32030 2nd pmt	dr dish second 1/2 of pmt	3,122.50
Total AIRBORNE ATHLETICS, INC			3,122.50
Albrecht, Colton	ALBRECHT C 02142023	OFFICIAL SUB DIST GBB 02142023 2 games	189.00
Albrecht, Colton	ALBRECHT C 02162023	official sub districts GBB 02162023	114.00
Total Albrecht, Colton			303.00
Albrecht, Marty	ALBRECHT M 02162023	OFFICAL SUB DIST GBB 02162023	114.00
Total Albrecht, Marty			114.00
Amazon Capital Services	11R4-63GM-4HDM	Woods supplies	335.82
Amazon Capital Services	1P6W-R3CX-7JYJ	woods supplies	197.38
Amazon Capital Services	1RLH-WHHL-1KC6	speech supplies	335.89
Amazon Capital Services	1RVG-4RFW-3LHC ACT	training room supplies	51.57
Total Amazon Capital Services			920.66
Anderjaska, Wesley	ANDERJASKA 021623	OFFICIAL SUB DIST GBB 02132023	101.67
Total Anderjaska, Wesley			101.67
Arapahoe-Holbrook Public School	AB01162023VM	RPAC Vocal fees	87.00
Total Arapahoe-Holbrook Public School			87.00
Aufdenkamp, Henry	Aufdenkamp 02102023	District Wrestling Official/mileage	479.00
Total Aufdenkamp, Henry			479.00
Awards Unlimited	58054	medals	306.25
Awards Unlimited	58056	medals	292.35
Total Awards Unlimited			598.60
Ballou, Brad	Ballou 02042023	official SV JH BB Invite	100.00
Ballou, Brad	BALLOU 02132023	OFFICIAL GBB SUB DIST 02132023	101.67
Ballou, Brad	Official 02042023	Official JV BB 02042023	60.00
Total Ballou, Brad			261.67
Blum, Dale	Blum 02042023BB	Official VBB 02042023	150.00
Total Blum, Dale			150.00
Bose, Ann	Bose Ann 01172023	JV BOOK 01172023	30.00
Bose, Ann	Bose Ann 01312023	JV CLOCK 01312023	15.00
Total Bose, Ann			45.00
Bose, Kamden	BOSE KAMDEN 01032023	BJV BOOK 1 GAME	15.00
Bose, Kamden	BOSEKAMDEN 01062023	BJV BOOK 01062023	15.00
Bose, Kamden	BOSEKAMDEN 01092023	JV BOOK 01092023	15.00
Bose, Kamden	BOSEKAMDEN 01132023	BJV BOOK 01132023	15.00
Bose, Kamden	BOSEKAMDEN011020 23	BJV BOOK 01102023	15.00

Vendor Name	Invoice Number	Description	Amount
Total Bose, Kamden			75.00
Brown, Trevor	BROWNT 01062023	DUAL ALMA WR TIMER 01062023	30.00
Total Brown, Trevor			30.00
Burgeson, Chaston	BURGESON 01242023	JH BBB OFFICIAL 01242023	100.00
Burgeson, Chaston	Burgeson 02032023	official JV BB 02032023	130.00
Burgeson, Chaston	BURGESON 02132023	OFFICIAL JH BBB 02132023	100.00
Burgeson, Chaston	BURGESON C 02032023	owed from last game-only pd 50	10.00
Total Burgeson, Chaston			340.00
Calvert, Lyle	Calvert 02062023	OFFICIAL JV BB 02062023	60.00
Calvert, Lyle	Calvert 02132023	Official JH BB 02132023	100.00
Calvert, Lyle	V*Calvert 02132023	Official JH BB 02132023	(100.00)
Total Calvert, Lyle			60.00
Cambridge Public Schools	02112023	RPAC QUIZ BOWL 01112023	8.41
Total Cambridge Public Schools			8.41
Cash-wa Distributing	13649122	concessions supplies	1,162.72
Cash-wa Distributing	13657886	concessions supplies	1,199.92
Cash-wa Distributing	13665661	concessions supplies	557.60
Cash-wa Distributing	13673090	concessions supplie	274.25
Cash-wa Distributing	13680986	concessions supplies/Wrest Districts	939.86
Total Cash-wa Distributing			4,134.35
Cash	Cash 02072023	cash for Wrestling districts 2/9 2/10	1,200.00
Total Cash			1,200.00
Computer Hardware	151782	computer repair	624.95
Total Computer Hardware			624.95
Dueland, Jayce	DUELAND 02132023	OFFICIAL GBB SUB DIST 021323	101.67
Dueland, Jayce	DUELAND 02142023	OFFICIAL GBB SUB DIST 021423	189.00
Total Dueland, Jayce			290.67
Flavinger, Dustin	Flavinger 02102023	official Wrest Districts/mileage	513.00
Total Flavinger, Dustin			513.00
Flower Patch, The	015278	funeral flowers	69.95
Flower Patch, The	015292	senior night WR	24.00
Flower Patch, The	015330	flowers senior night BB	54.00
Total Flower Patch, The			147.95
Four Seasons Fund Raising	10048342	ffa fundraising	249.43
Four Seasons Fund Raising	10051659	fundraising ffa	16.89
Total Four Seasons Fund Raising			266.32
Geurink, Kevin	Geurink 02102023	Official District Wrestling/mileage	477.00
Total Geurink, Kevin			477.00
Gothenburg High School	578416	speech tourn entry fee	21.00
Total Gothenburg High School			21.00

Vendor Name	Invoice Number	Description	Amount
Graves, Matt	GRAVES 02142023	OFFICIAL GBB SUB DIST 021423 2 GAMES	189.00
Graves, Matt	GRAVES 02162023	OFFICIAL GBB SUB DIST 021623	114.00
Total Graves, Matt			<u>303.00</u>
Hamilton, Isaac	Hamilton 01242023	clock 2 games	30.00
Total Hamilton, Isaac			<u>30.00</u>
Hansen, Carson	Hansen 02072023	fundraiser for Carson Hansen	669.72
Total Hansen, Carson			<u>669.72</u>
Harlan County Meat Processors	02092023	hospitality	2,127.59
Total Harlan County Meat Processors			<u>2,127.59</u>
Holste, Sarah	Holste 02082023	auction items STUCO	24.95
Holste, Sarah	V*Holste 02082023	auction items STUCO	(24.95)
Total Holste, Sarah			<u>0.00</u>
Holste, Steph	Holste Steph 020823	auction items STUCO	24.95
Total Holste, Steph			<u>24.95</u>
Hosier, Ali	Hosier 02012023	auction item	66.15
Total Hosier, Ali			<u>66.15</u>
Huls, Ben	Huls 02032023	Official V BB 02032023	150.00
Total Huls, Ben			<u>150.00</u>
Hunt, David	HUNT 01242023	chips reimbursement	153.00
Total Hunt, David			<u>153.00</u>
Johnny's Selected Seeds	7208459.57	fundraiser	198.15
Total Johnny's Selected Seeds			<u>198.15</u>
Kelley's Super Market Inc	2222 02012023 Act	PBIS supplies	34.82
Kelley's Super Market Inc	22227 02012023	fruit ffa	72.60
Total Kelley's Super Market Inc			<u>107.42</u>
Kohler, Mckenzie	Kohler 02102023	District Wrestling -track wrestling	400.00
Total Kohler, Mckenzie			<u>400.00</u>
Kubik, Taylor	KUBIK 02062023	OFFICIAL JV HOLDREGE 02062023	60.00
Kubik, Taylor	Kubik 02132023	official JH BBB 02132023	100.00
Kubik, Taylor	V*Kubik 02132023	official JH BBB 02132023	(100.00)
Total Kubik, Taylor			<u>60.00</u>
Linden, Jeff	Linden 02102023	District Wrestling Official/mileage	545.00
Total Linden, Jeff			<u>545.00</u>
Minden High School	491271	speech tournament fees	45.00
Total Minden High School			<u>45.00</u>
Morris, Greg	Morris 02042023BB	oFFICIAL VBB 02042023	150.00

Vendor Name	Invoice Number	Description	Amount
Total Morris, Greg			150.00
Nebraska Council on Economic Education	FBLA 02012023	FBLA Loper Business Invite	165.00
Total Nebraska Council on Economic Education			165.00
Nebraska FBLA	SLCA 2023	FBLA SLC 2023	1,065.00
Total Nebraska FBLA			1,065.00
Nebraska FFA Asociation	702176dues	state/national dues	36.00
Total Nebraska FFA Asociation			36.00
Nebraska Schools Activities Association	1251	fees	50.00
Total Nebraska Schools Activities Association			50.00
Oxford Locker	61707	sandwiches	219.56
Total Oxford Locker			219.56
Oxford Super Market	13 20262023	concessions supplies	122.94
Total Oxford Super Market			122.94
Pepsi Cola Bottling Co	51668753	concessions supplies	781.25
Total Pepsi Cola Bottling Co			781.25
Perez, Rudy	Perez 02102023	announcing District Wrestling	150.00
Total Perez, Rudy			150.00
Polston, Terry	Polston 02042023	JV BB official 02042023	60.00
Total Polston, Terry			60.00
Roskop, Dennis	Roskop 02042023	Official SV JH BB INVITE	100.00
Total Roskop, Dennis			100.00
Schermer Pecan Company	INV22033	fundriasing ffa	396.72
Total Schermer Pecan Company			396.72
Schoeneman, Scott	SchoenemanS 02042023	Official VBB 02042023	150.00
Total Schoeneman, Scott			150.00
Trettel, Eric	Trettel 02032023	Official VBB 02032023	150.00
Total Trettel, Eric			150.00
U.S. Bank	2836 02062023 ACT	cc charges	4,638.09
Total U.S. Bank			4,638.09
Vacura, Thomas	Vacura	make up amt - only pd 50 last game	10.00
Vacura, Thomas	Vacura 01242024	JH BBB official	100.00
Vacura, Thomas	Vacura 02042023	Official SV JH BB INVITE 02042023	100.00
Vacura, Thomas	Vacura 02042023 JVBb	Official JV BB 02042023	60.00
Vacura, Thomas	VACURA 02132023	OFFICIAL JH BBB 02132023	100.00
Total Vacura, Thomas			370.00
Village Mercantile	2-5572	frames Dist WR	80.82

**Board Report - Board**

Vendor Name	Invoice Number	Description	Amount
Total Village Mercantile			<u>80.82</u>
Watson, Issac	Watson	corrected amt - only pd 50 last game	10.00
Watson, Issac	Watson 02032023	Official JV BB 02032023	<u>60.00</u>
Total Watson, Issac			70.00
Watson, Spencer	WATSONS 01242023	JH BBB OFFICIAL 01242023	<u>100.00</u>
Total Watson, Spencer			100.00
Watson, Todd	Watson 02042023	Official SV JH BB INVITE 02042023	100.00
Watson, Todd	Watson 02042023JVBB	OFFICIAL JVBB 02042023	60.00
Watson, Todd	Watson T 02032023	Official JV BB 02032023	<u>60.00</u>
Total Watson, Todd			220.00
White, Emily	White 02072023	pbis	<u>30.15</u>
Total White, Emily			30.15
Wischmeier, Travis	Wischmeier 02032023	Official VBB 02032023	<u>150.00</u>
Total Wischmeier, Travis			150.00
Zimmerman Printing & Shirt Shack	66921	sponsor banners	<u>217.01</u>
Total Zimmerman Printing & Shirt Shack			217.01
Fund Number 05			<u>28,724.27</u>
Checking Account ID 5			<u>28,724.27</u>

**Board Report - Board**

Vendor Name	Invoice Number	Description	Amount
Checking Account ID 8	Fund Number 08	BUILDING FUND	
U.S. Bank	2836 02062023 BLDG	CC Charges - fans bus barn	1,234.20
Total U.S. Bank			<hr/> 1,234.20
Fund Number 08			<hr/> 1,234.20
Checking Account ID 8			<hr/> 1,234.20

**PRINCIPAL'S CONTRACT OF EMPLOYMENT**  
**SOUTHERN VALLEY SCHOOLS**  
**2023-2024**

**THIS CONTRACT** is made by and between the Board of Education of the Southern Valley Schools, District No., 540, located in Furnas County in the State of Nebraska, hereinafter referred to as "**the Board**", and Mark Grove, hereinafter referred to as "**the Principal**".

**WITNESSETH:** The Board hereby agrees to employ the Administrator and the Administrator hereby agrees to accept such employment as Principal of Southern Valley Elementary and to the following terms and conditions:

**SECTION 1. TERM OF CONTRACT.** The Principal shall be employed for a period of one year, beginning on the 1st day of July, 2023, and expiring on the 30th day of June, 2024.

**SECTION 2. SALARY.** In consideration of an annual salary of \$115,000.00 to be paid the first year and of the further agreements and considerations hereinafter stated, the Principal agrees to perform faithfully administrative duties for the District as prescribed by the laws of the State of Nebraska and by the rules and regulations promulgated by the Board of Education. Said annual salary shall be paid in equal installments in accordance with the policy of the Board governing payment of other professional staff employees of the District.

**SECTION 3. PROFESSIONAL STATUS.** The Principal hereby affirms that he/she is not under contract with another School Board or Board of Education covering any part of or all of the same term provided in this Contract. The Principal further affirms that throughout the term of this Contract he/she will hold a valid and appropriate certificate to act as K-6 Principal in the State of Nebraska, which certificate shall be registered in the office of the Superintendent of Schools as required by law.

**SECTION 4. PRINCIPAL'S DUTIES:** The duties of the Principal shall be as described in the BOARD OF EDUCATION POLICY MANUAL, which duties shall be performed in accordance with standards and goals, established by the Superintendent of Schools. The Principal agrees to devote his/her time, skill, labor and attention to his/her duties as Principal throughout the term of this Contract;

provided, however, the Principal may undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations with approval of the Superintendent.

**SECTION 5. DISCHARGE.** Throughout the term of this Contract, discharge of the Principal's contract shall occur only after mutual agreement of the parties or in compliance with Nebraska Statutes.

**SECTION 6. DISABILITY.** Should the Principal be unable to perform his/her duties by reason of illness, accident or other disability beyond his/her control, and such disability shall continue for more than his/her accumulated sick leave during any school year, the Board may in its discretion make a proportioned reduction from the salary stipulated herein. If such disability is permanent, irreparable, or of such a nature as to make performance of his/her duties impossible, the Board may in its discretion terminate this Contract, whereupon the respective rights, duties and obligations of the parties hereunder shall terminate, with the exception of any benefits to be paid to the Principal under any insurance coverage furnished by the District.

**SECTION 7. TRANSPORTATION.** The Board shall provide the Principal transportation required in the performance of his/her official duties or shall reimburse them for such transportation at the rate as set forth by the Board of Education on an annual basis.

**SECTION 8. SICK and PERSONAL LEAVE.** The Principal shall be allowed 10 days per year the first year and 10 ten days per year thereafter accumulative to 45 days. Two days of personal leave and one may be carried over for a maximum of three.

**SECTION 9. PROFESSIONAL DEVELOPMENT.** The Principal shall continue his/her professional development by attending appropriate professional meetings at the local, state, and national levels with the approval of the Superintendent. The district shall pay for membership the Nebraska Council of School Administrators, NASSP, or NAESP or another organization mutually agreed upon by the Principal and Superintendent.

**SECTION 10. FRINGE BENEFITS.** The Principal shall receive all fringe benefits of employment, which are granted other certificated employees of the District. In this case that would be Family Health Insurance.

**SECTION 11. NO PENALTY FOR RELEASE OR RESIGNATION.**

There shall be no penalty for release or resignation by the Principal from his Contract; provided no resignation shall become effective until expiration of the contract unless accepted by the Board and the Board shall fix the time at which the resignation shall take effect.

**SECTION 12. GOVERNING LAWS.** The parties shall be governed by all applicable state and federal laws, rules, and regulations in performance of his/her respective duties and obligations under this contract.

**SECTION 13. AMENDMENTS TO BE IN WRITING.** This Contract may be modified or amended only by a writing duly authorized and executed by the Superintendent and the Board.

**SECTION 14. SEVERABILITY.** If any portion of this Contract shall be declared invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity or enforceability of the remaining provisions of this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract on the dates indicated below.

Executed by the Board this 13th day of June, 2023.

\_\_\_\_\_  
Board President

\_\_\_\_\_  
Board Secretary

Executed by the Administrator this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Principal

**PRINCIPAL'S CONTRACT OF EMPLOYMENT**  
**SOUTHERN VALLEY SCHOOLS**  
**2023-2024**

**THIS CONTRACT** is made by and between the Board of Education of the Southern Valley Schools, District No., 540, located in Furnas County in the State of Nebraska, hereinafter referred to as "**the Board**", and Joshua Lanik, hereinafter referred to as "**the Principal**".

**WITNESSETH:** The Board hereby agrees to employ the Administrator and the Administrator hereby agrees to accept such employment as 7-12 Principal of Southern Valley High School and to the following terms and conditions:

**SECTION 1. TERM OF CONTRACT.** The Principal shall be employed for a period of one year, beginning on the 27th day of July, 2023, and expiring on the 8th day of June, 2024.

**SECTION 2. SALARY.** In consideration of an annual salary of \$97,500 to be paid the first year and of the further agreements and considerations hereinafter stated, the Principal agrees to perform faithfully administrative duties for the District as prescribed by the laws of the State of Nebraska and by the rules and regulations promulgated by the Board of Education. Said annual salary shall be paid in equal installments in accordance with the policy of the Board governing payment of other professional staff employees of the District.

**SECTION 3. PROFESSIONAL STATUS.** The Principal hereby affirms that he/she is not under contract with another School Board or Board of Education covering any part of or all of the same term provided in this Contract. The Principal further affirms that throughout the term of this Contract he/she will hold a valid and appropriate certificate to act as 7-12 Principal in the State of Nebraska, which certificate shall be registered in the office of the Superintendent of Schools as required by law.

**SECTION 4. PRINCIPAL'S DUTIES:** The duties of the Principal shall be as described in the BOARD OF EDUCATION POLICY MANUAL, which duties shall be performed in accordance with standards and goals, established by the Superintendent of Schools. The Principal agrees to devote his/her time, skill, labor and attention to his/her duties as Principal throughout the term of this Contract;

provided, however, the Principal may undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations with approval of the Superintendent.

**SECTION 5. DISCHARGE.** Throughout the term of this Contract, discharge of the Principal's contract shall occur only after mutual agreement of the parties or in compliance with Nebraska Statutes.

**SECTION 6. DISABILITY.** Should the Principal be unable to perform his/her duties by reason of illness, accident or other disability beyond his/her control, and such disability shall continue for more than his/her accumulated sick leave during any school year, the Board may in its discretion make a proportioned reduction from the salary stipulated herein. If such disability is permanent, irreparable, or of such a nature as to make performance of his/her duties impossible, the Board may in its discretion terminate this Contract, whereupon the respective rights, duties and obligations of the parties hereunder shall terminate, with the exception of any benefits to be paid to the Principal under any insurance coverage furnished by the District.

**SECTION 7. TRANSPORTATION.** The Board shall provide the Principal transportation required in the performance of his/her official duties or shall reimburse them for such transportation at the rate as set forth by the Board of Education on an annual basis.

**SECTION 8. SICK and PERSONAL LEAVE.** The Principal shall be allowed 10 days per year the first year and 10 ten days per year thereafter accumulative to 45 days. 4 days of personal leave are available per year.

**SECTION 9. PROFESSIONAL DEVELOPMENT.** The Principal shall continue his/her professional development by attending appropriate professional meetings at the local, state, and national levels with the approval of the Superintendent. The district shall pay for membership the Nebraska Council of School Administrators, NASSP, or NAESP or another organization mutually agreed upon by the Principal and Superintendent.

**SECTION 10. FRINGE BENEFITS.** The Principal shall receive all fringe benefits of employment, which are granted other certificated employees of the District. In this case that would be Family Health Insurance.

**SECTION 11. NO PENALTY FOR RELEASE OR RESIGNATION.**

There shall be no penalty for release or resignation by the Principal from his Contract; provided no resignation shall become effective until expiration of the contract unless accepted by the Board and the Board shall fix the time at which the resignation shall take effect.

**SECTION 12. GOVERNING LAWS.** The parties shall be governed by all applicable state and federal laws, rules, and regulations in performance of his/her respective duties and obligations under this contract.

**SECTION 13. AMENDMENTS TO BE IN WRITING.** This Contract may be modified or amended only by a writing duly authorized and executed by the Superintendent and the Board.

**SECTION 14. SEVERABILITY.** If any portion of this Contract shall be declared invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity or enforceability of the remaining provisions of this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract on the dates indicated below.

Executed by the Board this 13th day of February, 2023.

\_\_\_\_\_  
Board President

\_\_\_\_\_  
Board Secretary

Executed by the Administrator this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Principal

	A	B	C	D							
	Regular/ELL/Title Para	SPED Para	2nd Language Fluent Para	High Needs SPED Para, Full time Sub							
1	\$14.00	\$14.75	\$15.50	\$16.25							
2	\$14.42	\$15.19	\$15.97	\$16.74							
3	\$14.85	\$15.65	\$16.44	\$17.24							
4	\$15.30	\$16.12	\$16.94	\$17.76							
5	\$15.76	\$16.60	\$17.45	\$18.29							
6	\$16.23	\$17.10	\$17.97	\$18.84							
7	\$16.72	\$17.61	\$18.51	\$19.40							
8	\$17.22	\$18.14	\$19.06	\$19.99							
9	\$17.73	\$18.68	\$19.63	\$20.59							
10	\$18.27	\$19.25	\$20.22	\$21.20							
11	\$18.81	\$19.82	\$20.83	\$21.84							
12	\$19.38	\$20.42	\$21.46	\$22.49							
13	\$19.96	\$21.03	\$22.10	\$23.17							
14	\$20.56	\$21.66	\$22.76	\$23.86							
15	\$21.18	\$22.31	\$23.45	\$24.58							
16	\$21.81	\$22.98	\$24.15	\$25.32							
17	\$22.47	\$23.67	\$24.87	\$26.08							
18	\$23.14	\$24.38	\$25.62	\$26.86							

Add ons for PARA:

\$.50/hr for riding the bus

\$.50/hr for being MANDT Trained. (We will pay for cost of training)

\$.50/hr for having a teaching certificate

Administration will determine how many High Needs para's are needed

Administration and the SPED department will determine which students are in the high needs category.

	A	B	C	D	E	F							
	Elementary Office Assistant	Secondary Office Assistant	Kitchen	Custodian	Head Cook	Maintenance /custodian							
1	\$12.00	\$14.00	\$14.50	\$14.75	\$15.50	\$16.00							
2	\$12.36	\$14.42	\$14.94	\$15.19	\$15.97	\$16.48							
3	\$12.73	\$14.85	\$15.38	\$15.65	\$16.44	\$16.97							
4	\$13.11	\$15.30	\$15.84	\$16.12	\$16.94	\$17.48							
5	\$13.51	\$15.76	\$16.32	\$16.60	\$17.45	\$18.01							
6	\$13.91	\$16.23	\$16.81	\$17.10	\$17.97	\$18.55							
7	\$14.33	\$16.72	\$17.31	\$17.61	\$18.51	\$19.10							
8	\$14.76	\$17.22	\$17.83	\$18.14	\$19.06	\$19.68							
9	\$15.20	\$17.73	\$18.37	\$18.68	\$19.63	\$20.27							
10	\$15.66	\$18.27	\$18.92	\$19.25	\$20.22	\$20.88							
11	\$16.13	\$18.81	\$19.49	\$19.82	\$20.83	\$21.50							
12	\$16.61	\$19.38	\$20.07	\$20.42	\$21.46	\$22.15							
13	\$17.11	\$19.96	\$20.67	\$21.03	\$22.10	\$22.81							
14	\$17.62	\$20.56	\$21.29	\$21.66	\$22.76	\$23.50							
15	\$18.15	\$21.18	\$21.93	\$22.31	\$23.45	\$24.20							
16	\$18.70	\$21.81	\$22.59	\$22.98	\$24.15	\$24.93							
17	\$19.26	\$22.47	\$23.27	\$23.67	\$24.87	\$25.68							
18	\$19.83	\$23.14	\$23.97	\$24.38	\$25.62	\$26.45							

Administration will determine where to place on scale based on experience in the field or related field.

**SOUTHERN VALLEY SCHOOLS  
MASTER CONTRACT - PROFESSIONAL STAFF  
2023-2024**

These rules and regulations agreed upon by the Furnas County School District # 540 Board of Education, a/k/a: Southern Valley Board of Education, (hereinafter referred to as the "Board") and the Furnas County School District # 540 Education Association, a/k/a: Southern Valley Education Association, (hereinafter referred to as the "Association") shall continue in full force until amended and/or altered by a new agreement. All agreements heretofore agreed upon by both parties are hereby superseded by this agreement.

**ARTICLE I**

**RECOGNITION**

The Board recognizes the Association as the official negotiating representative for all certificated personnel, excluding the Superintendent and Principals, for the purposes of collective bargaining with respect to wages, hours, and other terms and conditions of employment.

**ARTICLE II**

**PROCEDURES**

**Section 1. GROUND RULES**

Negotiating shall be conducted within the following rules:

- (a) The Board of Education's position shall be one of counter-proposing.
- (b) All agreements on individual items reached at the negotiations table are tentative until the entire master contract is signed by both parties.
- (c) Caucuses may be called by the chairperson of either party. The time allotted shall be agreed upon by both parties.
- (d) Local media shall be allowed to attend negotiations sessions excluding caucuses.
- (e) All releases of information to the media must bear the signature of the chairpersons from both the Board and the Teachers Organization (SVEA).
- (f) Each negotiations team shall consist of three members.
- (g) The Board shall have a maximum of two weeks in which to respond to proposals presented by the Association.
- (h) Any or all of the adopted ground rules may be temporarily suspended by mutual agreement of both parties.

**Section 2. IMPASSE**

- (a) The provisions of Nebraska State Law, Section 48-801 et. seq., shall be followed in an attempt to resolve an impasse should such occur. The Board and the Association will each pay fees and expenses for their fact-finding representative and the fees and expenses for the third member of the fact-finding group shall be borne equally by the two parties.

(b) The Board recognizes and accepts its legal and moral obligation to honor the negotiated agreement during the effective term of each agreement. In addition, however, it is the Board's unequivocal position to retain the right to determine all other terms and conditions of employment which have not been agreed to through professional negotiations or which are declared by the Board to be the sole prerogative of management to impose.

### **ARTICLE III**

## **AGREEMENT**

### **Section 1. BASE SALARY**

- (a) Base Salary will be \$37,250.00 with a 4X5 schedule for 2023-2024. (See attachment.)
- (b) All teachers shall be placed on the proper horizontal and vertical step as determined by degrees, graduate hours, and years of experience. Years of experience in other districts will be as determined by Board policy. Teachers will be allowed to move horizontally more than one column per year if they have taken enough classes to do so. However, teachers will only be allowed to move vertically one step per year. For example, if a teacher would get stuck at the bottom of the BA+0 column for two years, then take classes to move to the BA+9 column, they cannot drop steps to match their years of experience. They can only move vertically one step per year.
- (c) Coaching salaries for head coaches and assistant coaches shall be determined according to the attached schedule. (See attachment.)
- (d) Junior High coaching salaries shall be determined according to the attached schedule. (See attachment.)
- (e) Activity sponsorship position salaries shall be determined according to the attached schedule. (See attachment.)
- (f) Ticket-takers, score-keepers, and clock-operators shall be paid \$15.00 per event/evening. Not to include the Southern Valley Wrestling Invitational.
- (g) A newly hired certificated staff member may receive one half (1/2) of their first (1st) month's contracted salary on September 1st of the year contracted. The second half (1/2) shall be paid September 20th. All other certificated staff shall be paid in 12 installments.
- (h) Any teacher who is teaching a dual credit course will receive \$200 per class they teach. The remaining money received from a college or university for the class will be pooled in a fund to be used as scholarship money for the students who choose to take the class.

## **Section 2. Extra Duty**

1. The Board and the Association agree that for the 2023-2024 school year teachers given extra-duty assignments will be paid for each additional assignment with a wage calculated as a percentage of the base salary. This wage will be paid in addition to the teacher's normal teaching salary. Rates of pay for extra-duty assignments are established by the salary schedule in Appendix B and are incorporated by reference. If the extra duty activity has too many/not enough participants, representatives from both the School Board and SVEA negotiations team along with the AD will meet to consider the options moving forward. If a sport/activity is canceled, the sponsor/coach will be notified in writing and no compensation shall be given to a sponsor/coach of that activity.
2. Extra Duty Movement. An employee can advance on the extra duty schedule. For example, a first year coach will be considered in year one. The coach then will move based on their experience there after. All previous years of coaching/sponsoring at the same/equal level will be accepted with the exception of someone moving from a varsity position to a lower level position. In this case, they will be granted their years of experience in such a move.
3. Placing a new sport/activity on the schedule should be completed during the negotiations process. When an opportunity arises for a new extra-duty assignment outside of the negotiations window, a committee made up of one person from the SVEA negotiations team, school board negotiations team, and the activities/athletic director will meet to make an addendum to the master contract to add such an assignment. The addendum must be passed by both the school board and SVEA.
4. All guidance and goals on these positions will be in the Activities/Athletic Coaches Handbook.

## **Section 3. INSURANCE**

### **(A.) HEALTH INSURANCE**

The Board of Education will provide health insurance comparable in coverage to the previous year's carrier. Dual Health Insurance option is available to staff.

### **(B.) LONG TERM DISABILITY**

The Board will pay the premium for LTD.

### **(C.) Life Insurance**

The board will provide a \$20,000 life insurance policy at no cost to the employee.

## **Section 4. LEAVE**

### **(a) PROFESSIONAL LEAVE (2-3 Days Allowed)**

The Professional leave category is provided to allow for attendance at professional meetings

which deal directly with the educational program in Southern Valley Schools. Meetings staff members are asked to attend by the administration do not require the use of leave time. One day of Professional Leave may be used in the area of extra duty assignments. Two days are provided for Professional Leave each year and one day may be carried over to the next year. Professional Leave requests must have administrative approval and may not accumulate beyond three days.

**(b) PERSONAL LEAVE (4 days allowed)**

The Personal Leave category is provided to allow professional staff members to attend to transactions of a personal nature that can not reasonably be handled outside of the regular school day. One personal day requires no administrative approval, and all others require administrative approval. A staff member may use up to two (2) additional personal days, assessed the current sub rate per day to cover the related cost of a sub. Staff members will not be reimbursed if these additional days go unused. If a staff member uses more than the 4 + 2 days, the employee will reimburse the school at the rate of 1/184<sup>th</sup> of their teaching salary. Personal days may be sold back to the district at the sub rate per day.

**(c) BEREAVEMENT (5 Days Allowed)**

Bereavement Leave will be based on an "Honor System". Persons planning to use Bereavement Leave should notify the Administration as soon as possible. The Board of Education has retained the option of revoking the "Honor System" at anytime it is deemed to be unsuccessful. If a staff member were to need more than the 5 days for bereavement, staff may use sick days.

**(d) APPROVAL**

All requests for leave are subject to administrative approval **except for one Personal Day.**

**Section 5. SICK LEAVE/ADDITIONAL PERSONAL DAY**

**(a) REGULAR SICK LEAVE**

Professional staff shall be allowed eight (8) days sick leave per year accumulative to a maximum of forty-five (45) days. That certified staff member may also be reimbursed for up to seven (7) sick days they would lose over the maximum amount of 45 at an amount of \$40/day. Teachers who have taught ten (10) or more years in the Southern Valley School District shall receive severance pay upon their ceasing employment with the Southern Valley School District. Such pay shall be for each day of accumulated sick leave (maximum of 45 days) at a rate of (1/4) of teacher's daily earnings. The daily earnings will be based on the amount of the teacher's last contract year. In the event of the teacher's death, and the ten (10) year requirements have been met, the teacher's beneficiary shall receive compensation.

(b) **SICK LEAVE CONTRIBUTION**

Sick leave contribution is a method where by certificated staff members with unused sick leave may contribute to staff members that have exhausted their regular sick leave. The staff member in need may apply for up to five (5) days of contributed sick leave per year. Applications shall be made after the absence has occurred and the days must be applied to absences already incurred.

**Procedures for applying:**

1. The staff member must submit a written request to the building Principal and explain why the additional leave is needed.
2. The building Principal will present the request to an oversight committee, with the sole authority to approve or disapprove the request. The committee will consist of the building Principal(s) (Ex: Request is made by a teacher of special classes), the SVEA Association representative from each building, the SVEA President and a member of the School Board.
3. If a 2/3 majority of the committee votes to accept the request, the building principals will notify all staff members of the need for contributions of unused sick leave. Staff members who wish to contribute will complete a form that will allow them to contribute one sick day to the applicant. The forms will be returned to the building Principal. The names of contributors will be kept anonymous to the applicant.
4. The building Principal will submit the forms to the Superintendent for his information.

**Section 6. GRIEVANCE PROCEDURE**

(a) Definition - A grievance is any claim by the association, or a teacher that there has been a violation, misinterpretation, or misapplication of the terms of this agreement. A grievance will be considered abandoned if not pursued within the time limits set out in the procedure.

(b) Purpose - The purpose of the procedure set forth herein is to resolve differences concerning conditions of employment covered by the Master Contract.

(c) Level I - The parties acknowledge that it is usually most desirable for an employee and his supervisor to resolve problems through free and informal communications. However, should such informal process fail to satisfy the teacher and/or the association, the teacher and/or association may present grievance in writing to the supervisor who will arrange a meeting with the association within five (5) calendar days of the receipt of the written grievance. The supervisor must provide a written reply to the aggrieved teacher and the association within five (5) calendar days of the meeting. A grievance may be submitted no later than ten (10) calendar

days from the date of the individual or Association awareness or when they should have been aware of the event leading to the grievance.

(d) Level II - If the grievance is not resolved in Level I, the association shall refer the grievance to the Superintendent within five (5) calendar days of the written reply of Level I. He shall arrange a meeting with the association within five (5) calendar days of his receipt of the appeal.

(e) Level III - If the grievance is not resolved in Level II, or the Level II time limit expires without the issuance of the Superintendent's written reply, the association will arrange for a meeting between the association's representatives and the Board. This meeting will take place at the discretion of the committee but not later than fourteen (14) days after receipt of a written request from the association to bring the grievance to Level III. Upon conclusion of the hearings, the Board will provide the association their written decision within five (5) calendar days.

(f) Level IV - Within twenty five (25) school days after receiving the written appeal, the Board of Education or a committee there from, shall meet with the aggrieved person and with the representatives of the Professional and Board committee for the purpose of resolving the grievance. The decision of the Board of Education shall be rendered in writing within five school days.

(g) Level V - Impasse Resolution

(1) If the Professional and Board committee, through the local association chooses not to accept the decision of the Board of Education, the Board and the Association shall be considered at impasse and the grievance may be submitted to fact-finding provided the written request of the Association is made within thirty (30) school days after the completion of Level II - Step Four.

(2) The selection of a fact-finder may be made by obtaining a mutually acceptable person. If a fact-finder cannot be agreed upon within ten (10) days after submission to fact-finding, a panel shall be selected. In either event, the time allocation of thirty (30) days for the fact-finder(s) to report its findings shall be followed.

(3) The decision of the fact-finder(s) shall conclude consideration of the grievance under these procedures.

(4) The cost of fact-finding shall be shared equally by both parties.

(h) Miscellaneous

(1) Group Grievance - If, in the judgment of the Association, a grievance affects a group or class of teachers, the Association may submit such grievance in writing to the Superintendent directly and the processing of such grievance shall begin at Level II. The Association may process such a grievance through all levels of the grievance procedure even though the aggrieved person does not wish to do so.

(2) Forms - Forms for filing grievances, serving notices, taking appeals, making reports and

recommendations, and other necessary documents shall be prepared jointly by the Superintendent and the Association and given appropriate distribution so as to facilitate operation of the grievance procedure.

- (3) Grievance File - All documents, communications and records dealing with the processing of a grievance shall be filed in a separate grievance file and shall not be kept in the personnel file of any of the participants.

**Section 7. LENGTH OF WORK YEAR**

The length of the work year shall be 184 working days.

**Section 8. MANAGEMENT RIGHTS**

(a) Subject only to the limitations contained in this agreement, the Board retains the exclusive right to manage its business including (but not limited to) the right to determine the methods and means by which its operations are to be carried on, to hire, assign, and direct the staff and to conduct its operations in an effective manner.

(b) As the legislative body charged with the operation of the Southern Valley Schools, it is acknowledged that the Board has the final responsibility of establishing the educational policies of Southern Valley Schools.

Both the Board and the Association agree this contract constitutes a complete agreement on all matters and if other proposals have been made or considered, they have been withdrawn in consideration of this contract.

**SOUTHERN VALLEY SCHOOLS  
BOARD OF EDUCATION**

**SOUTHERN VALLEY EDUCATION  
ASSOCIATION**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_



**SOUTHERN VALLEY EXTRA DUTY PAY SCHEDULE 2023-24**

**Base= \$37,250**

<u>Activity</u>	<u>Steps</u>
Head SB	1-2 yrs = 10%
Head FB	3-4 yrs = 12%
Head VB	5-6 yrs = 14%
Head BBB	7+ yrs = 15%
Head GBB	
Head WR	
Head TR	
Head Golf	

<u>Activity</u>	<u>Steps</u>
Asst SB	1-2 yrs = 7%
Asst FB	3-4 yrs = 8%
Asst CC	5-6 yrs = 9%
Asst VB	7+ yrs = 10%
Asst BBB	
Asst GBB	
Asst WR	
Asst TR	
Bowling-Co	
Asst GWR	

<u>Activity</u>	<u>Steps</u>
LEA Rep	1-2 yrs = 10%
FFA	3-4 yrs = 12%
	5+ yrs = 15%

<u>Activity</u>	<u>Steps</u>
Concession Stand	1-2 yrs = 5%
Speech- Co	3-4 yrs = 6%
Yearbook	5-6 yrs = 7%
FBLA	
One Act- Co	
Mock Trial	
FCCLA	

<u>Activity</u>	<u>Steps</u>
Cheer- Co	1-2 yrs = 10%
	3-4 yrs = 12%

<u>Activity</u>	<u>Percent</u>
Head JH FB	2%
Head JH VB	
Head JH GBB	
Head JH BBB	
Head JH WR	
Head JH TR	
Asst JH FB	
Asst JH VB	
Asst JH GBB	
Asst JH BBB	
Asst JH WR	
Asst JH TR	
Jr Class Spon- Co	
NHS	
Unified Bowling	
FPS	
Quiz Bowl HS	
Quiz Bowl JH	
Quiz Bowl ELEM- Co	

<u>Activity</u>	<u>Pay</u>	<u>Steps</u>
Drivers Ed	\$5,000.00	Flat Rate
Teammates X 2	\$1,500.00	
Calendar	\$500.00	
Sound/Lighting	\$300.00	
JH/HS Student Council- Co	\$300.00	
EL Student Council	150/per	
ELEM Quiz Bowl Cordinator	50/per	
JH/HS Quiz Bowl Cordinator	50/per	

# Southern Valley Schools 2023-2024

**Aug 11, 14- Teacher Workdays**  
Inservice

**Aug 15 - First Day of School**  
(Friday Dismissal Schedule)

AUGUST '23						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER '23						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**Sept 4- Labor Day**  
(No School)

**Sept 13 - No School**  
In-service 10:00-2:00  
PT Conf (2:30-7:30)

**Oct 2 – ESU 11 Inservice Day**  
**Oct 13 - End of 1<sup>st</sup> Quarter (41)**

**Oct 16 –First day of 2<sup>nd</sup> Quarter**

**Oct 27 - Fall Break**

OCTOBER '23						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER '23						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

**Nov 8– Friday Dismissal** (In-service)

**Nov 22 - 12:30 Dismissal**

**Nov 23-24 - Thanksgiving Break**  
(No School)

**Dec 8- SV WR Invite**  
(No School for Students)

**Dec 21 - End of 2<sup>nd</sup> Quarter (45)** (Friday Dismissal)

**Dec 23-27- NSAA Moratorium**  
First Semester- Total Days 86

DECEMBER '23						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY '24						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**Jan 3 - Teacher Workday/Inservice**  
(No School)

**Jan 4- School Resumes**

**Jan 17 – Friday Dismissal** (In-service)

**Feb 15– P/T Conf (3:00-9:00)**  
(Friday Dismissal for Students)

**Feb 16 – Spring Break**  
(No School)

FEBRUARY '24						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH '24						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**Mar 7, 8 - Spring Break**  
(No School)

**Mar 6 - End of 3<sup>rd</sup> Quarter (44)**

**Mar 11 - Start of 4<sup>th</sup> Quarter**

**March 29 – Easter Break**

**April 1 - Easter Break**  
(No School)

APRIL '24						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY '24						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**May 4 - Graduation 1:00**

**May 6- SV JH Invite**  
(12:30 Dismissal)

**May 15 - Last Day of School**  
- End of 4<sup>th</sup> Quarter (46)

**May 16- Teacher Workday**

**Second Semester- 90 Total Days**