

## LEGISLATIVE BILL 1329

Approved by the Governor April 16, 2024

Introduced by Murman, 38; Brewer, 43; Ballard, 21.

A BILL FOR AN ACT relating to education; to amend sections 32-543, 32-811, 79-201, 79-205, 79-206, 79-207, 79-210, 79-2,141, 79-2,145, 79-474, 79-475, 79-520, 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, 79-1093, 79-1107, and 79-1108.03, Reissue Revised Statutes of Nebraska, sections 28-1204.04, 32-405, 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413, 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-8,150, 79-1045, 79-1084, 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 79-10,141, 79-1108.02, 79-11,159, 79-3105, 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022, and sections 28-1201, 28-1202.01, 79-101, 79-238, 79-239, 79-262.01, 79-2,146, 79-729, 79-8,145.01, 79-1054, 79-10,150, 79-3501, 79-3602, 79-3603, and 79-3703, Revised Statutes Supplement, 2023; to define and redefine terms; to change provisions relating to carrying a concealed handgun, possession of a firearm in certain school environments, the classification of school districts, excessive absenteeism and truancy, the enrollment option program, issuance and eligibility for certificates, permits, and endorsements issued by the Commissioner of Education, high school graduation requirements, student loan repayment assistance, innovation and improvement grant programs, the Summer Food Service Program, special education expenditures, programs for learners with high ability, behavioral health points of contact, state lottery funds used for education, behavioral awareness training, the College Pathway Program, and certain tax levy and bonding authority of school districts; to change requirements relating to certain training as prescribed; to provide for grants for public and private schools to provide emergency response mapping data to public safety agencies; to create the School Emergency Response Mapping Fund; to prohibit the use of certain maps in schools; to prohibit schools from taking certain debt collection actions relating to student meals; to eliminate an innovation grant program established by the department and a mental health first aid training program; to change provisions of the Nebraska Career Scholarship Act relating to scholarships, eligible programs of study, reports, and powers and duties; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-11,160, Revised Statutes Supplement, 2023.

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

Section 1. Section 28-1201, Revised Statutes Supplement, 2023, is amended to read:

28-1201 For purposes of sections 28-1201 to 28-1212.04, unless the context otherwise requires:

(1) Case means (a) a hard-sided or soft-sided box, container, or receptacle intended or designed for the primary purpose of storing or transporting a firearm or (b) the firearm manufacturer's original packaging. ~~This definition does not apply to section 28-1204.04;~~

(2) Concealed handgun means a handgun that is entirely obscured from view. If any part of the handgun is capable of being seen or observed by another person, it is not a concealed handgun;

(3) Firearm means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or frame or receiver of any such weapon;

(4) Fugitive from justice means any person who has fled or is fleeing from any peace officer to avoid prosecution or incarceration for a felony;

(5) Handgun means any firearm with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand;

(6) Home school means a school which: (a) Elects pursuant to section 79-1601 not to meet accreditation or approval requirements; and (b) is located in a personal residence;

(7) ~~(6)~~ Juvenile means any person under the age of eighteen years;

(8) ~~(7)~~ Knife means:

(a) Any dagger, dirk, knife, or stiletto with a blade over three and one-half inches in length and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury; or

(b) Any other dangerous instrument which is capable of inflicting cutting, stabbing, or tearing wounds and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury;

(9) ~~(8)~~ Knuckles and brass or iron knuckles means any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles;

(10) ~~(9)~~ Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger;

(11)(a) ~~(10)(a)~~ Minor means a person who is under twenty-one years of age.

(b) Minor does not include a person who is eighteen years of age or older if the person is (i) a member of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers' Training Corps or (ii) a peace officer or other duly authorized law enforcement officer;

(12)(a) ~~(11)(a)~~ Prohibited person means:

(i) A person prohibited from possessing a firearm or ammunition by state law, including, but not limited to, section 28-1206; or

(ii) A person prohibited from possessing a firearm or ammunition by 18 U.S.C. 922(d) or (g), as such section existed on January 1, 2023.

(b) This definition does not apply to the use of the term prohibited person in section 28-1206;

(13) ~~(12)~~ Qualified law enforcement officer and qualified retired law enforcement officer have the same meanings as in 18 U.S.C. 926B and 926C, respectively, as such sections existed on January 1, 2023;

(14)(a) ~~(13)~~ School means a public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, a public or private college, a junior college, or a university. ;

(b) School does not include a home school;

(15) ~~(14)~~ Short rifle means a rifle having a barrel less than sixteen inches long or an overall length of less than twenty-six inches; and

(16) ~~(15)~~ Short shotgun means a shotgun having a barrel or barrels less than eighteen inches long or an overall length of less than twenty-six inches.

Sec. 2. Section 28-1202.01, Revised Statutes Supplement, 2023, is amended to read:

28-1202.01 (1) Except as otherwise provided in this section and section 28-1204.04, a person, other than a minor or a prohibited person, may carry a concealed handgun anywhere in Nebraska, with or without a permit under the Concealed Handgun Permit Act.

(2) Except as provided in subsection (10) of this section, a person shall not carry a concealed handgun into or onto any place or premises where the person, persons, entity, or entities in control of the place or premises or employer in control of the place or premises has prohibited the carrying of concealed handguns into or onto the place or premises.

(3) Except as provided in subsection (10) of this section, a person shall not carry a concealed handgun into or onto any: Police, sheriff, or Nebraska State Patrol station or office; detention facility, prison, or jail; courtroom or building which contains a courtroom; polling place during a bona fide election; meeting of the governing body of a county, public school district, municipality, or other political subdivision; meeting of the Legislature or a committee of the Legislature; financial institution; professional or semiprofessional athletic event; building, grounds, vehicle, or sponsored activity or athletic event of any school; ~~public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, or a public or private college, junior college, or university~~; place of worship; hospital, emergency room, or trauma center; political rally or fundraiser; establishment having a license issued under the Nebraska Liquor Control Act that derives over one-half of its total income from the sale of alcoholic liquor; place where the possession or carrying of a firearm is prohibited by state or federal law; or any other place or premises where handguns are prohibited by state law.

(4)(a) A financial institution may authorize its security personnel to carry concealed handguns in the financial institution while on duty so long as each member of the security personnel, as authorized, is not otherwise prohibited by state law from possessing or carrying a concealed handgun and is in compliance with sections 28-1202.02 to 28-1202.04.

(b) A place of worship may authorize its security personnel to carry concealed handguns on its property if:

(i) Each member of the security personnel, as authorized, is not otherwise prohibited by state law from possessing or carrying a concealed handgun and is in compliance with sections 28-1202.02 to 28-1202.04;

(ii) Written notice is given to the congregation; and

(iii) For leased property, the carrying of concealed handguns on the property does not violate the terms of any real property lease agreement between the place of worship and the lessor.

(5) If a person, persons, entity, or entities in control of the place or premises or an employer in control of the place or premises prohibits the carrying of concealed handguns into or onto the place or premises and such place or premises are open to the public, a person does not violate this section unless the person, persons, entity, or entities in control of the place or premises or employer in control of the place or premises has posted conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises or has made a request, directly or through an authorized representative or management personnel, that the person remove the concealed handgun from the place or premises.

(6) A person carrying a concealed handgun in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public, used by any location listed in subsection (2) or (3) of this section, does not violate this section if, prior to exiting the vehicle,

the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, other than an autocytle, a hardened compartment securely attached to the motorcycle. This subsection does not apply to any parking area used by such location when the carrying of a concealed handgun into or onto such parking area is prohibited by federal law.

(7) An employer may prohibit employees or other persons from carrying concealed handguns in vehicles owned by the employer.

(8) A violation of this section is a Class III misdemeanor for a first offense and a Class I misdemeanor for any second or subsequent offense.

(9)(a) Except as provided in subdivision (9)(b) of this section, it is an affirmative defense to a violation of subsection (3) of this section that the defendant was engaged in any lawful business, calling, or employment at the time the defendant was carrying a concealed handgun and the circumstances in which the defendant was placed at the time were such as to justify a prudent person in carrying a concealed handgun for the defense of his or her person, property, or family.

(b) The affirmative defense provided for in this subsection:

(i) Does not prevent a prosecution for a violation of section 28-1204.04; and

(ii) Is not available if the defendant refuses to remove the concealed handgun from the place or premises after a person in control of the place or premises has made a request, directly or through an authorized representative or management personnel, that the defendant remove the concealed handgun from the place or premises.

(10) Subsections (2) and (3) of this section do not apply to a qualified law enforcement officer or qualified retired law enforcement officer carrying a concealed handgun pursuant to 18 U.S.C. 926B or 926C, respectively, as such sections existed on January 1, 2023.

(11) Action taken in compliance with section 28-1204.04 shall not be a violation of this section.

Sec. 3. Section 28-1204.04, Revised Statutes Cumulative Supplement, 2022, is amended to read:

28-1204.04 (1) Any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school. Unlawful possession of a firearm at a school is a Class IV felony.

(2) Subsection (1) of this section does This subsection shall not apply to:

(a) ~~The~~ the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve ~~Officers'~~ Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training; ~~τ~~

(b) ~~The~~ the possession of firearms by peace officers or other duly authorized law enforcement officers;

(c) The carrying of firearms by qualified law enforcement officers or qualified retired law enforcement officers carrying pursuant to 18 U.S.C. 926B or 926C, respectively, as such sections existed on January 1, 2023;

(d) Possession of a firearm by a person who is employed or when contracted by a school to provide school security or school event control services pursuant to a written policy adopted by such school that complies with subdivision (3)(a) of this section. This subdivision does not apply to a public elementary or secondary school in a Class III, IV, or V school district as defined in section 79-102; ~~τ~~ (e)

(e) Firearms ~~firearms~~ which may lawfully be possessed by the person receiving instruction, for instruction under the immediate supervision of an adult instructor; ~~τ~~

(f) Firearms ~~(d) firearms~~ which may lawfully be possessed by a member of a college or university firearm team, to include rifle, pistol, and shotgun disciplines, within the scope of such person's duties as a member of the team; ~~τ~~

(g) Firearms ~~(e) firearms~~ which may lawfully be possessed by a person employed by a college or university in this state as part of an agriculture or a natural resources program of such college or university, within the scope of such person's employment; ~~τ~~

(h) Firearms ~~(f) firearms~~ contained within a private vehicle operated by a nonstudent adult which are not loaded and (i) are enclosed in a case ~~encased~~ or (ii) are in a locked firearm rack that is on a motor vehicle; ~~τ~~

(i) Firearms ~~(g) firearms~~ which may lawfully be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard; ~~τ~~ or

(j) A ~~(h) a~~ handgun carried as a concealed handgun by a person other than a minor or prohibited person valid holder of a permit issued under the Concealed Handgun Permit Act in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public and used by a school if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, other than an autocytle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area, ~~except as prohibited by federal law. For purposes of this subsection, encased means enclosed in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part~~

of the firearm exposed.

(3)(a) A school board or other governing body of a school or school district may authorize the carrying of firearms by authorized security personnel in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event by adopting a written policy governing such conduct. Such written policy shall, at a minimum, include requirements for personal qualifications, training, appropriate firearms and ammunition, and appropriate use of force. This subdivision does not apply to a public elementary or secondary school in a Class III, IV, or V school district as defined in section 79-102.

(b) The State Board of Education shall, in consultation with the Nebraska State Patrol, develop a model policy relating to the authorization of the carrying of firearms by authorized security personnel as described in subdivision (3)(a) of this section. The policy shall include, but need not be limited to, the appropriate number of training hours required of such security personnel.

(4) (2) Any firearm possessed in violation of subsection (1) of this section shall be confiscated without warrant by a peace officer or may be confiscated without warrant by school administrative or teaching personnel. Any firearm confiscated by school administrative or teaching personnel shall be delivered to a peace officer as soon as practicable.

(5) (3) Any firearm confiscated by or given to a peace officer pursuant to subsection (4) (2) of this section shall be declared a common nuisance and shall be held by the peace officer prior to his or her delivery of the firearm to the property division of the law enforcement agency which employs the peace officer. The property division of such law enforcement agency shall hold such firearm for as long as the firearm is needed as evidence. After the firearm is no longer needed as evidence, it shall be destroyed in such manner as the court may direct.

(6)(a) (4) Whenever a firearm is confiscated and held pursuant to this section or section 28-1204.02, the peace officer who received such firearm shall cause to be filed within ten days after the confiscation a petition for destruction of such firearm. The petition shall be filed in the district court of the county in which the confiscation is made. The petition shall describe the firearm held, state the name of the owner, if known, allege the essential elements of the violation which caused the confiscation, and conclude with a prayer for disposition and destruction in such manner as the court may direct.

(b) At any time after the confiscation of the firearm and prior to court disposition, the owner of the firearm seized may petition the district court of the county in which the confiscation was made for possession of the firearm. The court shall release the firearm to such owner only if the claim of ownership can reasonably be shown to be true and either:

(i) The (a) the owner of the firearm can show that the firearm was taken from his or her property or place of business unlawfully or without the knowledge and consent of the owner and that such property or place of business is different from that of the person from whom the firearm was confiscated; or

(ii) The (b) the owner of the firearm is acquitted of the charge of unlawful possession of a handgun in violation of section 28-1204, unlawful transfer of a firearm to a juvenile, or unlawful possession of a firearm at a school.

(c) No firearm having significant antique value or historical significance as determined by the Nebraska State Historical Society shall be destroyed. If a firearm has significant antique value or historical significance, it shall be sold at auction and the proceeds shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

Sec. 4. Section 32-405, Revised Statutes Cumulative Supplement, 2022, is amended to read:

32-405 Any special election under the Election Act shall be held on the first Tuesday following the second Monday of the selected month unless otherwise specifically provided. No special election shall be held under the Election Act in April, May, June, October, November, or December of an even-numbered year unless it is held in conjunction with the statewide primary or general election. No special election shall be held under the Election Act in September of an even-numbered year except for a special election by a political subdivision pursuant to section 13-519 or 77-3444 to approve a property tax levy or exceed a property tax levy limitation. A special election for a Class I, II, III, IV, or V school district which is located in whole or in part in a county in which a city of the primary or metropolitan class is located may be held in conjunction with the primary or general election for a city of the primary or metropolitan class which is governed by a home rule charter.

Sec. 5. Section 32-543, Reissue Revised Statutes of Nebraska, is amended to read:

32-543 (1) If a caucus is held for nominations under section 79-549 for a Class I, II, or III school district, the board of education shall consist of six members to be elected by the registered voters of the school district at the statewide primary election. Two members shall be elected at each election for a term of six years. The members shall meet the qualifications found in section 79-543.

(2) Except as provided in subsection (1) of this section, members of the board of education of a Class I, II, or III school district shall be nominated at the statewide primary election and elected at the statewide general election. The board of education of a Class I, II, or III school district shall

have no fewer than five members and no more than nine members as provided in section 79-549 or 79-550, and the members shall be nominated and elected at large or by district or ward as provided in section 32-554 or nominated by district or ward and elected at large as provided in section 79-550. The number of members to be nominated at the statewide primary election and elected at the statewide general election and the terms for which they will be nominated and elected shall be determined by the election commissioner or county clerk with the aid of the elected secretary of the board of education of the district. The terms of office of members of such board shall expire on the first Thursday after the first Tuesday in January. Terms shall be staggered so that approximately one-half of the members are elected to the board at each general election for terms of four years. When it becomes necessary to establish the staggering of terms by electing members for terms of different duration at the same election, candidates receiving the greatest number of votes shall be elected for the longest terms. The members shall meet the qualifications found in section 79-543.

Sec. 6. Section 32-618, Revised Statutes Cumulative Supplement, 2022, is amended to read:

32-618 (1) The number of signatures of registered voters needed to place the name of a candidate upon the nonpartisan ballot for the general election shall be as follows:

(a) For each nonpartisan office other than members of the Board of Regents of the University of Nebraska and board members of a Class I, II, or III school district, at least ten percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the district or political subdivision in which the officer is to be elected, not to exceed two thousand;

(b) For members of the Board of Regents of the University of Nebraska, at least ten percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the regent district in which the officer is to be elected, not to exceed one thousand; and

(c) For board members of a Class I, II, or III school district, at least twenty percent of the total number of votes cast for the board member receiving the highest number of votes at the immediately preceding general election in the school district.

(2) The number of signatures of registered voters needed to place the name of a candidate for an office upon the partisan ballot for the general election shall be as follows:

(a) For each partisan office to be filled by the registered voters of the entire state, at least four thousand, and at least seven hundred fifty signatures shall be obtained in each congressional district in the state;

(b) For each partisan office to be filled by the registered voters of a county, at least twenty percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the county, not to exceed two thousand, except that the number of signatures shall not be required to exceed twenty-five percent of the total number of registered voters voting for the office at the immediately preceding general election; and

(c) For each partisan office to be filled by the registered voters of a political subdivision other than a county, at least twenty percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the political subdivision, not to exceed two thousand.

Sec. 7. Section 32-811, Reissue Revised Statutes of Nebraska, is amended to read:

32-811 (1)(a) If the names of candidates properly filed for nomination at the primary election for directors of natural resources districts, directors of public power districts, members of airport authority boards elected pursuant to sections 32-547 to 32-549, members of the boards of governors of community college areas, members of the boards of Class I, Class II, Class III, or Class V school districts which nominate candidates at a primary election, and officers of cities of the first or second class and cities having a city manager plan of government do not exceed two candidates for each position to be filled, any such candidates shall be declared nominated and their names shall not appear on any primary election ballots.

(b) If the number of candidates properly filed for the nomination of a political party at the primary election for any county officer elected pursuant to sections 32-517 to 32-529 does not exceed the number of candidates to be nominated by that party for that office, any such properly filed candidates shall be declared nominated and their names shall not appear on any primary election ballots.

(c) The official abstract of votes kept by the county or state shall show the names of such candidates with the statement Nominated Without Opposition. The election commissioner or county clerk shall place the names of such automatically nominated candidates on the general election ballot as provided in section 32-814 or 32-815.

(2) Candidates shall not appear on the ballot in the primary election for the offices listed in subsection (2) of section 32-606.

(3) If the number of candidates for delegates to a county or national political party convention are the same in number or less than the number of candidates to be elected, the names shall not appear on the primary election ballot and those so filed shall receive a certificate of election.

Sec. 8. Section 79-101, Revised Statutes Supplement, 2023, is amended to read:

79-101 For purposes of Chapter 79:

(1) School district means the territory under the jurisdiction of a single school board authorized by Chapter 79;

(2) School means a school under the jurisdiction of a school board authorized by Chapter 79;

(3) Legal voter means a registered voter as defined in section 32-115 who is domiciled in a precinct or ward in which he or she is registered to vote and which precinct or ward lies in whole or in part within the boundaries of a school district for which the registered voter chooses to exercise his or her right to vote at a school district election;

(4) Prekindergarten programs means all early childhood programs provided for children who have not reached the age of five by the date provided in section 79-214 for kindergarten entrance;

(5) Elementary grades means grades kindergarten through eight, inclusive;

(6) High school grades means all grades above the eighth grade;

(7) School year means (a) for elementary grades other than kindergarten, the time equivalent to at least one thousand thirty-two instructional hours and (b) for high school grades, the time equivalent to at least one thousand eighty instructional hours;

(8) Instructional hour means a period of time, at least sixty minutes, which is actually used for the instruction of students;

(9) Teacher means any certified employee who is regularly employed for the instruction of pupils in the public schools;

(10) Administrator means any certified employee such as superintendent, assistant superintendent, principal, assistant principal, school nurse, or other supervisory or administrative personnel who do not have as a primary duty the instruction of pupils in the public schools;

(11) School board means the governing body of any school district. Board of education has the same meaning as school board;

(12) Teach means and includes, but is not limited to, the following responsibilities: (a) The organization and management of the classroom or the physical area in which the learning experiences of pupils take place; (b) the assessment and diagnosis of the individual educational needs of the pupils; (c) the planning, selecting, organizing, prescribing, and directing of the learning experiences of pupils; (d) the planning of teaching strategies and the selection of available materials and equipment to be used; and (e) the evaluation and reporting of student progress;

(13) Permanent school fund means the fund described in section 79-1035.01;

(14) Temporary school fund means the fund described in section 79-1035.02;

(15) School lands means the lands described in section 79-1035.03. Educational lands has the same meaning as school lands;

(16) Community eligibility provision means the alternative to household applications for free and reduced-price meals in high-poverty schools enacted in section 104(a) of the federal Healthy, Hunger-Free Kids Act of 2010, section 11(a)(1) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1759a(a)(1), as such act and section existed on January 1, 2015, and administered by the United States Department of Agriculture; and

(17)(a) Certificate, certificated, or certified, when referring to an individual holding a certificate to teach, administer, or provide special services, also includes an individual who holds a permit issued by the Commissioner of Education pursuant to sections 79-806 to 79-815 or an alternative certificate to teach issued pursuant to section 79-8,145.01.

(b) Certificate, certificated, or certified, when referring to an individual holding a certificate to teach, also includes an individual who is granted a certificate in accordance with the Interstate Teacher Mobility Compact and section 79-816.01.

The State Board of Education may adopt and promulgate rules and regulations to define school day and other appropriate units of the school calendar.

Sec. 9. Section 79-102, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-102 School districts in this state are classified as follows:

(1) Class I includes any school district embracing territory having a population of fewer than one thousand five hundred inhabitants that maintains both elementary and high school grades under the direction of a single school board;

(2) Class II includes any school district embracing territory having a population of one thousand five hundred or more but fewer than five thousand inhabitants that maintains both elementary and high school grades under the direction of a single school board;

(3) ~~(1)~~ Class III includes any school district embracing territory having a population of five thousand or more but fewer than two hundred thousand less than one hundred fifty thousand inhabitants that maintains both elementary and high school grades under the direction of a single school board;

(4) ~~(2)~~ Class IV includes any school district embracing territory having a population of two one hundred thousand or more inhabitants with a city of the primary class within the territory of the district that maintains both elementary and high school grades under the direction of a single school board; and

(5) ~~(3)~~ Class V includes any school district whose employees participate in a retirement system established pursuant to the Class V School Employees

Retirement Act and which embraces territory having a city of the metropolitan class within the territory of the district that maintains both elementary grades and high school grades under the direction of a single school board and any school district with territory in a city of the metropolitan class created pursuant to the Learning Community Reorganization Act and designated as a Class V school district in the reorganization plan.

Sec. 10. Section 79-104, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-104 (1)(a) Whenever any Class I, II, III, or IV school district attains the number of inhabitants which requires its reclassification as a Class II, III, IV, or V school district, respectively, the Commissioner of Education shall reclassify such district as a district of the next higher class.

(b) Any reclassification pursuant to subdivision (1)(a) of this section shall become effective at the beginning of the next fiscal year after the order of the commissioner.

(2) On January 1, ~~2025~~ ~~2019~~, the commissioner shall reclassify any school district to the classification required by the changes made to section 79-102 by this legislative bill ~~Laws 2018, LB377~~, which reclassification shall be effective immediately.

(3) Within fifteen days after the reclassification of any school district pursuant to subsection (1) or (2) of this section, the commissioner shall notify the county clerk or election commissioner, of the county in which the greatest number of legal voters in the school district reside, of such change in classification and the effective date of such change.

Sec. 11. Section 79-201, Reissue Revised Statutes of Nebraska, is amended to read:

79-201 (1) For purposes of this section, a child is of mandatory attendance age if the child (a) will reach six years of age prior to January 1 of the then-current school year and (b) has not reached eighteen years of age.

(2)(a) ~~(2)~~ Except as provided in subsection (3) of this section, every person residing in a school district within the State of Nebraska who has legal or actual charge or control of any child who is of mandatory attendance age or is enrolled in a public school shall cause such child to enroll in, if such child is not enrolled, and attend regularly a public, private, denominational, or parochial day school which meets the requirements for legal operation prescribed in Chapter 79, or a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements, each day that such school is open and in session, except when excused by school authorities or when illness or severe weather conditions make attendance impossible or impracticable.

(b) A violation of this subsection is a Class III misdemeanor.

(3) Subsection (2) of this section does not apply in the case of any child who:

(a) Has obtained a high school diploma by meeting the graduation requirements established in section 79-729;

(b) Has completed the program of instruction offered by a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements;

(c) Has reached sixteen years of age and has been withdrawn from school pursuant to section 79-202;

(d)(i) Will reach six years of age prior to January 1 of the then-current school year, but will not reach seven years of age prior to January 1 of such school year, (ii) such child's parent or guardian has signed an affidavit stating that the child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year, and (iii) such affidavit has been filed by the parent or guardian with the school district in which the child resides;

(e)(i) Will reach six years of age prior to January 1 of the then-current school year but has not reached seven years of age, (ii) such child's parent or guardian has signed an affidavit stating that the parent or guardian intends for the child to participate in a school which has elected or will elect pursuant to section 79-1601 not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to subsection (3) of section 79-1601 on or before the child's seventh birthday, and (iii) such affidavit has been filed by the parent or guardian with the school district in which the child resides; or

(f) Will not reach six years of age prior to January 1 of the then-current school year and such child was enrolled in a public school and has discontinued the enrollment according to the policy of the school board adopted pursuant to subsection (4) of this section.

(4) The board shall adopt policies allowing discontinuation of the enrollment of students who will not reach six years of age prior to January 1 of the then-current school year and specifying the procedures therefor.

(5) Each school district that is a member of a learning community shall report to the learning community coordinating council on or before September 1 of each year for the immediately preceding school year the following information:

(a) All reports of violations of this section made to the attendance officer of any school in the district pursuant to section 79-209;

(b) The results of all investigations conducted pursuant to section 79-209, including the attendance record that is the subject of the investigation and a list of services rendered in the case;

(c) The district's policy on excessive absenteeism; and

(d) Records of all notices served and reports filed pursuant to section 79-209 and the district's policy on ~~excessive absenteeism~~ ~~habitual truancy~~.

Sec. 12. Section 79-205, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-205 Each school district and each private, denominational, or parochial school teacher in the public, private, denominational, and parochial schools of this state shall keep a record showing (1) the name, age, and address of each child enrolled. Each teacher in such school district or school shall record (2) the number and county of the school district in which the school is located, (3) the number of days each pupil was present and the number of days absent, and (4) the cause of absence. On the third day on which a the public, private, denominational, and parochial school is schools are in session at the beginning of each school year, each teacher shall send to the superintendent of a school district and each or administrator of a private, denominational, or parochial of the school shall compile a list of the pupils enrolled in such district or his or her school with the age, grade, and address of each pupil.~~

Sec. 13. Section 79-206, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-206 Each superintendent or administrator of a school district, using upon the receipt of the list specified in section 79-205, shall (1) compare the names of the children enrolled with the last census report on file in his or her office from such district, (2) prepare a list of all children resident in such district under his or her jurisdiction who are not attending school as provided in section 79-201, and (3) transmit the list to the officer or officers in such district whose duty it is to enforce the provisions of such section.~~

Sec. 14. Section 79-207, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-207 Whenever any child enters or withdraws from any school after the third day in which school is in session, each the teacher shall transmit at once the name of such child to the superintendent as specified in section 79-206 and the superintendent shall use such information in whatever way he or she deems necessary for the purpose of enforcing section 79-201. At the end of each week, each teacher shall report all absences and the cause of absence to the proper superintendent. At the close of each period, each teacher shall transmit to the superintendent a report showing (1) the name, age, and address of each child enrolled, (2) the number of half days each child was absent, (3) the number enrolled and the number attending on the last day of the period, and (4) the average daily attendance for the period. The provisions of this section requiring reports from each teacher shall not apply to individual teachers in schools employing more than one teacher but shall in such case apply to the head teacher, principal, or superintendent, or administrator, who shall obtain the required information from the teachers under his or her supervision or control. All reports and lists required in this section shall be as upon blanks prescribed by the Commissioner State Department of Education.~~

Sec. 15. Section 79-209, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-209 (1) In all school districts in this state, any superintendent, principal, teacher, or member of the school board who knows of any violation of subsection (2) of section 79-201 shall within three days report such violation to the attendance officer of the school, who shall immediately investigate the case. When of his or her personal knowledge or by report or complaint from any resident of the district, the attendance officer believes that there is a violation of subsection (2) of section 79-201, the attendance officer shall immediately investigate such alleged violation.

(2) All school boards shall 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 shall include a provision indicating how the school district will handle cases in which excessive absences are due to illness. The policy shall 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. Such services shall be provided upon twenty days of absence, and shall include, but not be limited to:

(a) ~~Written Verbal or written~~ 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 attempt to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall 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. The plan shall also consider, but not be limited to:

- (i) The physical, mental, or behavioral health of the child;
- (ii) Educational counseling;
- ~~(iii) Educational evaluation;~~
- ~~(iii)~~ (iv) Referral to community agencies for economic services;

~~(iv) (v)~~ Family or individual counseling;  
~~(v) (vi)~~ Assisting the family in working with other community services;  
and  
~~(vi) (vii)~~ Referral to restorative justice practices or services.

(3) The school may report to the county attorney of the county in which the person resides when the school has documented the efforts it has made as required by subsection (2) of this section that the collaborative plan to reduce barriers identified to improve regular attendance has not been successful and that the child has been absent more than twenty days per school year. The school shall notify the child's family in writing prior to referring the child to the county attorney. Failure by the school to document the efforts required by subsection (2) of this section is a defense to prosecution under section 79-201 and to adjudication for educational neglect under subdivision (3)(a) or of section 43-247 and habitual truancy under subdivision (3)(b) of section 43-247 based upon such absences. Illness that makes attendance impossible or impracticable shall not be the basis for referral to the county attorney.

(4) Nothing in this section shall preclude a county attorney from being involved at any stage in the process to address excessive absenteeism.

Sec. 16. Section 79-210, Reissue Revised Statutes of Nebraska, is amended to read:

~~79-210 Any person violating the provisions of sections 79-201 to 79-209 shall be guilty of a Class III misdemeanor.~~

The State Board of Education may adopt and promulgate rules and regulations to carry out sections 79-201 to 79-209.

Sec. 17. Section 79-234, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-234 (1) An enrollment option program is hereby established to enable any kindergarten through twelfth grade Nebraska student to attend a school in a Nebraska public school district in which the student does not reside subject to the limitations prescribed in section 79-238. The option shall be available once during elementary school, once during middle school or junior high school, and once during high school for a total of three times only once to each student prior to graduation, except that the option does not count toward such limitation if such option meets, or met at the time of the option, one of the following criteria: (a) The student relocates to a different resident school district, (b) the option school district merges with another district, (c) the student will have completed either the grades offered in the school building originally attended in the option school district or the grades immediately preceding the lowest grade offered in the school building for which a new option is sought, (d) the option would allow the student to continue current enrollment in a school district, (e) the option would allow the student to enroll in a school district in which the student was previously enrolled as a student, or (f) the student is an open enrollment option student. Sections 79-232 to 79-246 do not relieve a parent or guardian from the compulsory attendance requirements in section 79-201.

(2) The program shall not apply to any student who resides in a district which has entered into an annexation agreement pursuant to section 79-473, except that such student may transfer to another district which accepts option students.

Sec. 18. Section 79-237, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-237 (1) For a student to begin attendance as an option student in an option school district, the student's parent or legal guardian shall submit an application to the school board of the option school district between September 1 and March 15 for attendance during the following and subsequent school years. Except as provided in subsection (2) of this section, applications submitted after March 15 shall contain a release approval from the resident school district, or if the student is an option student at the time of such application and applying to become an option student at a subsequent option school district, a release approval from the option school district the student is attending at the time of such application, on the application form prescribed and furnished by the Commissioner State Department of Education pursuant to subsection (8) of this section. A district may not accept or approve any applications submitted after such date without such a release approval. The option school district the student is applying to attend shall provide the resident school district, and if applicable, the option school district the student is attending at the time of such application, with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission. The option school district the student is applying to attend shall notify, in writing, the parent or legal guardian of the student and the resident school district, and, if applicable, the option school district the student is attending at the time of the application, whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission. An option school district that is a member of a learning community may not approve an application pursuant to this section for a student who resides in such learning community to attend prior to school year 2017-18.

(2) A student who relocates to a different resident school district after February 1 or whose option school district merges with another district effective after February 1 may submit an application to the school board of an option school district for attendance during the current or immediately

~~following and subsequent school years unless the applicant is a resident of a learning community and the application is for attendance to begin prior to school year 2017-18 in an option school district that is also a member of such learning community.~~ Such application does not require the release approval of the resident school district or the option school district the student is attending at the time of such application. The option school district the student is applying to attend shall accept or reject such application within forty-five days.

(3) A parent or guardian may provide information on the application for an option school district that is a member of a learning community regarding the applicant's potential qualification for free or reduced-price lunches. Any such information provided shall be subject to verification and shall only be used for the purposes of subsection (4) of section 79-238. Nothing in this subsection requires a parent or guardian to provide such information. Determinations about an applicant's qualification for free or reduced-price lunches for purposes of subsection (4) of section 79-238 shall be based on any verified information provided on the application. If no such information is provided, the student shall be presumed not to qualify for free or reduced-price lunches for the purposes of subsection (4) of section 79-238.

(4) Applications for students who do not actually attend the option school district that the student applied to attend may be withdrawn in good standing upon mutual agreement by ~~both~~ the resident and option school districts involved.

(5) No option student shall attend an option school district for less than one school year unless the student relocates to a different resident school district, completes requirements for graduation prior to the end of his or her senior year, transfers to a private or parochial school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district or the previous option school district the student was attending immediately prior.

(6) Except as provided in subsection (5) of this section or, for open enrollment option students, in section 79-235.01, the option student shall attend the option school district until graduation unless the student relocates in a different resident school district, transfers to a private or parochial school, ~~or~~ chooses to return to the resident school district, or options into a subsequent option school district, except that no student may use the enrollment option program other than as provided in section 79-234.

(7) In each case of cancellation pursuant to subsections (5) and (6) of this section, the student's parent or legal guardian shall provide written notification to the school board of the option school district or districts and the resident school district on forms prescribed ~~and furnished~~ by the Commissioner of Education ~~department~~ under subsection (8) of this section in advance of such cancellation.

(8) The application and cancellation forms shall be prescribed ~~and furnished~~ by the Commissioner State Department of Education.

(9) An option student who subsequently chooses to attend a private or parochial school and who is not an open enrollment option student shall be automatically accepted to return to either the resident school district or option school district upon the completion of the grade levels offered at the private or parochial school. If such student chooses to return to the option school district, the student's parent or legal guardian shall submit another application to the school board of the option school district which shall be automatically accepted, and the deadlines prescribed in this section shall be waived.

Sec. 19. Section 79-238, Revised Statutes Supplement, 2023, is amended to read:

79-238 (1)(a) Except as provided in this section and sections 79-235.01 and 79-240, the school board of the option school district shall adopt by resolution specific capacity standards for acceptance and rejection of applications.

(b) Capacity for special education services operated by an option school district shall be determined on a case-by-case basis. If an application for option enrollment received by a school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, such application shall be evaluated by the director of special education services of the school district or the director's designee who shall determine if the school district and the appropriate class, grade level, or school building in such school district has the capacity to provide the applicant the appropriate services and accommodations.

(c) For all other students, standards may include the capacity of a program, class, grade level, or school building. Capacity shall be determined by setting a maximum number of option students that a district will accept in any program, class, grade level, or school building, based upon available staff, facilities, projected enrollment of resident students, and projected number of students with which the option school district will contract based on existing contractual arrangements.

(d) To facilitate option enrollment, school districts shall annually establish, publish, and report the capacity for each school building under such district's control pursuant to procedures, criteria, and deadlines established by the State Board Department of Education. Except as otherwise provided in this section, a school board may by resolution, prior to October 15 of each

school year, declare a program, a class, or a school unavailable to option students for the next school year due to lack of capacity. Standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as provided in section 79-266.01. False or substantively misleading information submitted by a parent or guardian on an application to an option school district may be cause for the option school district to reject a previously accepted application if the rejection occurs prior to the student's attendance as an option student.

(2) The school board of every school district shall also adopt specific standards and conditions for acceptance or rejection of a request for release of a resident or option student submitting an application to an option school district after March 15 under subsection (1) of section 79-237. Standards shall not include that a request occurred after the deadline set forth in this subsection.

(3) Any option school district that is not a member of a learning community shall give first priority for enrollment to siblings of option students, except that the option school district shall not be required to accept the sibling of an option student if the district is at capacity except as provided in subsection (1) of section 79-240.

(4) Any option school district that is in a learning community shall give first priority for enrollment to siblings of option students enrolled in the option school district, second priority for enrollment to students who have previously been enrolled in the option school district as an open enrollment student, third priority for enrollment to students who reside in the learning community and who contribute to the socioeconomic diversity of enrollment at the school building to which the student will be assigned pursuant to section 79-235, and final priority for enrollment to other students who reside in the learning community. The option school district shall not be required to accept a student meeting the priority criteria in this section if the district is at capacity as determined pursuant to subsection (1) of this section except as provided in section 79-235.01 or 79-240. For purposes of the enrollment option program, a student who contributes to the socioeconomic diversity of enrollment at a school building within a learning community means (a) a student who does not qualify for free or reduced-price lunches when, based upon the certification pursuant to section 79-2120, the school building the student will be assigned to attend either has more students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community or provides free meals to all students pursuant to the community eligibility provision or (b) a student who qualifies for free or reduced-price lunches based on information collected voluntarily from parents and guardians pursuant to section 79-237 when, based upon the certification pursuant to section 79-2120, the school building the student will be assigned to attend has fewer students qualifying for free or reduced-price lunches than the average percentage of such students in all school buildings in the learning community and does not provide free meals to all students pursuant to the community eligibility provision.

Sec. 20. Section 79-239, Revised Statutes Supplement, 2023, is amended to read:

79-239 (1) If an application is rejected by the option school district or if the resident school district rejects a request for release under subsection (1) of section 79-237, the rejecting school district shall provide written notification to the parent or guardian stating (a) the specific reasons for the rejection including, for students with an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or with a diagnosed disability as defined in section 79-1118.01, a description of services and accommodations required that the school district does not have the capacity to provide, and (b) the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

(2) The parent or legal guardian may appeal a rejection to the State Board of Education by filing a written request, together with a copy of the rejection notice, with the State Board of Education. Such request and copy of the notice must be received by the board within thirty days after the date the notification of the rejection was received by the parent or legal guardian. Such hearing shall be held in accordance with the Administrative Procedure Act and shall determine whether the procedures of sections 79-234 to 79-241 have been followed. Any rejection based upon capacity limitations established under section 79-238 shall be the responsibility of the school district to prove in any appeal filed with the state board.

(3)(a) Beginning July 1, 2024, and on or before July 1 of each year thereafter, each school district shall provide to the State Department of Education, on forms prescribed by the department, information prescribed by the Commissioner of Education relating to all applications rejected by the option school district. Such information shall include, but not be limited to, (a) the number of applications rejected in each public school in such district, (b) an explanation why each application was rejected, (c) whether each application for option enrollment indicated that the student had an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or had been identified as a student diagnosed with a disability as defined in section 79-1118.01, and (d) whether information regarding the requirements of subsection (4) of section 79-238 was provided to the applicant.

(b) The ~~Commissioner State Department~~ of Education shall annually compile the information received pursuant to this subsection and provide a report on such information electronically to the Legislature beginning on September 1, 2024, and on or before September 1 of each year thereafter. The State Board of Education may adopt and promulgate rules and regulations to carry out this subsection.

Sec. 21. Section 79-262.01, Revised Statutes Supplement, 2023, is amended to read:

79-262.01 (1) On or before July 1, 2025, the State Department of Education shall develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school. The model policy shall include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently such training shall be required. The length of such training shall be a reasonable amount as determined by each school board.

(2) On or before August 1, 2025, each school district shall develop and adopt a policy consistent with or comparable to the model policy developed by the State Department of Education pursuant to subsection (1) of this section, which shall be a requirement for accreditation in accordance with section 79-703. Such policy shall be filed with the Commissioner of Education. The policy developed and adopted by a school district pursuant to this subsection shall be included with any notifications required under the Student Discipline Act.

(3)(a) Beginning in school year 2026-27, each school district shall ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district policy developed and adopted in accordance with subsection (2) of this section. Such training shall be provided by the school district or such school district's educational service unit. The length of such training shall be a reasonable amount as determined by the school board.

(b) Each school district shall, either independently, or through the educational service unit of which such school district is a member, develop and provide behavioral awareness and intervention training to employees from such school who have behavioral management responsibilities. If such training is provided by the educational service unit, such training shall be available to any educational service unit employee and any member school district employee that works in a school and has behavioral management responsibilities. Such training shall be consistent with the model policy developed by the State Department of Education pursuant to subsection (1) of this section.

(4) The State Board of Education may adopt and promulgate rules and regulations to carry out this section.

Sec. 22. Section 79-2,141, Reissue Revised Statutes of Nebraska, is amended to read:

79-2,141 (1) On or before March 1, 2010, the department shall develop and adopt a model dating violence policy to assist school districts in developing policies for dating violence.

(2) On or before July 1, 2010, each school district shall develop and adopt a specific policy to address incidents of dating violence involving students at school, which shall be made a part of the requirements for accreditation in accordance with section 79-703. Such policy shall include a statement that dating violence will not be tolerated.

(3) To ensure notice of a school district's dating violence policy, the policy shall be published in any school district handbook, manual, or similar publication that sets forth the comprehensive rules, procedures, and standards of conduct for students at school.

(4) Each school district shall provide dating violence training to staff deemed appropriate by a school district's administration. The dating violence training shall include, but not be limited to, basic awareness of dating violence, warning signs of dating violence, and the school district's dating violence policy. The dating violence training may be provided by any school district or combination of school districts, an educational service unit, or any combination of educational service units. The length of such training shall be a reasonable amount as determined by each school board.

(5) Each school district shall inform the students' parents or legal guardians of the school district's dating violence policy. If requested, the school district shall provide the parents or legal guardians a copy of the school district's dating violence policy and relevant information.

(6) This section does not prevent a victim of dating violence from seeking redress under any other available law, either civil or criminal, and does not create or alter any existing tort liability.

Sec. 23. Section 79-2,145, Reissue Revised Statutes of Nebraska, is amended to read:

79-2,145 The State Board of Education, based on the recommendations of the state school security director appointed pursuant to section 79-2,143, may adopt and promulgate rules and regulations establishing minimum school security standards on or before July 1, 2016. Any rules or regulations that create a training requirement shall ensure that such training requirement shall be reasonable in length.

Sec. 24. Section 79-2,146, Revised Statutes Supplement, 2023, is amended to read:

79-2,146 (1) Beginning in school year 2023-24, all public school employees who interact with students and any other appropriate personnel, as determined

by the school superintendent, shall receive ~~at least one hour of~~ behavioral and mental health training with a focus on suicide awareness and prevention training each year. The length of such training shall be a reasonable amount as determined by each school board. 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 and parents and guardians aware of services and supports for behavioral and mental health issues. This training shall be provided within the framework of existing inservice training programs offered by the State Department of Education or as part of required professional development activities.

(2) The department, in consultation with organizations including, but not limited to, the Nebraska State Suicide Prevention Coalition, the Nebraska chapter of the American Foundation for Suicide Prevention, the Behavioral Health Education Center of Nebraska, the National Alliance on Mental Illness Nebraska, and other organizations and professionals with expertise in behavioral and mental health and suicide prevention, shall develop a list of approved training materials to fulfill the requirements of subsection (1) of this section. Such materials shall include training on how to identify appropriate mental health services, both within the school and also within the larger community, and when and how to refer youth and their families to those services. Such materials may include programs that can be completed through self-review of suitable behavioral and mental health and suicide prevention materials.

(3) The department may adopt and promulgate rules and regulations to carry out this section.

Sec. 25. Section 79-407, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-407 (1) The territory within the corporate limits of each incorporated municipality in the State of Nebraska that is not in part within the boundaries of a learning community, together with such additional territory and additions to such municipality as may be added thereto, as declared by ordinances to be boundaries of such municipality, having a population of less than one thousand five hundred inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, including such adjacent territory as now is or hereafter may be attached for school purposes, shall constitute a Class I school district, except that nothing in this section shall be construed to change the boundaries of any school district that is a member of a learning community. The school district shall be a body corporate and possess all the usual powers of a corporation for public purposes and may sue and be sued, purchase, hold, and sell such personal and real property, and control such obligations as are authorized by law.

(2) The territory within the corporate limits of each incorporated municipality in the State of Nebraska that is not in part within the boundaries of a learning community, together with such additional territory and additions to such municipality as may be added thereto, as declared by ordinances to be boundaries of such municipality, having a population of one thousand five hundred or more but fewer than five thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, including such adjacent territory as now is or hereafter may be attached for school purposes, shall constitute a Class II school district, except that nothing in this section shall be construed to change the boundaries of any school district that is a member of a learning community. The school district shall be a body corporate and possess all the usual powers of a corporation for public purposes and may sue and be sued, purchase, hold, and sell such personal and real property, and control such obligations as are authorized by law.

(3) The territory within the corporate limits of each incorporated municipality in the State of Nebraska that is not in part within the boundaries of a learning community, together with such additional territory and additions to such municipality as may be added thereto, as declared by ordinances to be boundaries of such municipality, having a population of five thousand or more but fewer than two hundred less than one hundred fifty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, including such adjacent territory as now is or hereafter may be attached for school purposes, shall constitute a Class III school district, except that nothing in this section shall be construed to change the boundaries of any school district that is a member of a learning community. The school district shall be a body corporate and possess all the usual powers of a corporation for public purposes and may sue and be sued, purchase, hold, and sell such personal and real property, and control such obligations as are authorized by law.

Sec. 26. Section 79-413, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-413 (1) The State Committee for the Reorganization of School Districts created under section 79-435 may create a new school district from other districts or change the boundaries of any district that is not a member of a learning community upon receipt of petitions signed by sixty percent of the legal voters of each district affected. If the petitions contain signatures of at least sixty-five percent of the legal voters of each district affected, the state committee shall approve the petitions.

(2) Petitions proposing to change the boundaries of existing school districts that are not members of a learning community through the transfer of a parcel of land, not to exceed six hundred forty acres, shall be approved by the state committee when the petitions involve the transfer of land between Class I, II, III, or IV school districts or when there would be an exchange of parcels of land between Class I, II, III, or IV school districts and the petitions have the approval of at least sixty-five percent of the school board of each affected district.

(3)(a) Petitions proposing to create a new school district or to change the boundary lines of existing school districts that are not members of a learning community, any of which involves the transfer of more than six hundred forty acres, shall, when signed by at least sixty percent of the legal voters in each district affected, be submitted to the state committee. The state committee shall, within forty days after receipt of the petition, hold one or more public hearings and review and approve or disapprove such proposal.

(b) If there is a bond election to be held in conjunction with the petition, the state committee shall hold the petition until the bond election has been held, during which time names may be added to or withdrawn from the petitions. The results of the bond election shall be certified to the state committee.

(c) If the bond election held in conjunction with the petition is unsuccessful, no further action on the petition is required. If the bond election is successful, within fifteen days after receipt of the certification of the bond election results, the state committee shall approve the petition and notify the county clerk to effect the changes in district boundary lines as set forth in the petitions.

(4) Any person adversely affected by the changes made by the state committee may appeal to the district court of any county in which the real estate or any part thereof involved in the dispute is located. If the real estate is located in more than one county, the court in which an appeal is first perfected shall obtain jurisdiction to the exclusion of any subsequent appeal.

(5) A signing petitioner may withdraw his or her name from a petition and a legal voter may add his or her name to a petition at any time prior to the end of the period when the petition is held by the state committee. Additions and withdrawals of signatures shall be by notarized affidavit filed with the state committee.

Sec. 27. Section 79-451, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-451 Within thirty days after the classification of the reorganized school districts by the county clerk under section 79-450, the state committee shall appoint from among the legal voters of each new school district created the number of school board members specified in the plan of reorganization. A reorganized school district shall be formed and organized and shall have a school board not later than April 1 following the last legal action, as prescribed in section 79-450, necessary to effect the changes in boundaries as set forth in the plan of reorganization, although the physical reorganization of such reorganized school district may not take effect until June 1. The first board shall be appointed on an at-large basis, and all boards shall be elected at large until such time as school districts are established as provided in section 32-554.

In appointing the first school board of a Class I, II, or III school district, the terms of approximately one-half of the members shall expire on the first Thursday after the first Tuesday in January after the first even-numbered year following their appointment and the terms of the remaining members shall expire on the first Thursday after the first Tuesday in January after the second even-numbered year following their appointment.

The school board so appointed shall proceed at once to organize in the manner prescribed by law.

Sec. 28. Section 79-458, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-458 (1) Any freeholder or freeholders, person in possession or constructive possession as vendee pursuant to a contract of sale of the fee, holder of a school land lease under section 72-232, or entrant upon government land who has not yet received a patent therefor may file a petition on or before June 1 for all other years with a board consisting of the county assessor, county clerk, and county treasurer, asking to have any tract or tracts of land described in the petition set off from an existing school district in which the land is situated and attached to a different school district which is contiguous to such tract or tracts of land if:

(a)(i) The school district in which the land is situated is a Class I, II, or III school district which has had an average daily membership in grades nine through twelve of less than sixty for the two consecutive school fiscal years immediately preceding the filing of the petition;

(ii) Such Class I, II, or III school district has voted pursuant to section 77-3444 to exceed the maximum levy established pursuant to subdivision (2)(a) of section 77-3442, which vote is effective for the school fiscal year in which the petition is filed or for the following school fiscal year;

(iii) The high school in such Class I, II, or III school district is within fifteen miles on a maintained public highway or maintained public road of another public high school; and

(iv) Neither school district is a member of a learning community; or

(b) Except as provided in subsection (7) of this section, the school

district in which the land is situated, regardless of the class of school district, has approved a budget for the school fiscal year in which the petition is filed that will cause the combined levies for such school fiscal year, except levies for bonded indebtedness approved by the voters of such school district and levies for the refinancing of such bonded indebtedness, to exceed the greater of (i) one dollar and twenty cents per one hundred dollars of taxable valuation of property subject to the levy or (ii) the maximum levy authorized by a vote pursuant to section 77-3444.

For purposes of determining whether a tract of land is contiguous, all petitions currently being considered by the board shall be considered together as a whole.

(2) The petition shall state the reasons for the proposed change and shall show with reference to the land of each petitioner: (a) That (i) the land described in the petition is either owned by the petitioner or petitioners or that he, she, or they hold a school land lease under section 72-232, are in possession or constructive possession as vendee under a contract of sale of the fee simple interest, or have made an entry on government land but have not yet received a patent therefor and (ii) such tract of land includes all such contiguous land owned or controlled by each petitioner; (b) that the conditions of subdivision (1)(a) or (1)(b) of this section have been met; and (c) that such petition is approved by a majority of the members of the school board of the district to which such land is sought to be attached.

(3) The petition shall be verified by the oath of each petitioner. Notice of the filing of the petition and of the hearing on such petition before the board constituted as prescribed in subsection (1) or (4) of this section shall be given at least ten days prior to the date of such hearing by one publication in a legal newspaper of general circulation in each district and by posting a notice on the outer door of the schoolhouse in each district affected thereby, and such notice shall designate the territory to be transferred. Following the filing of a petition pursuant to this section, such board shall hold a public hearing on the petition and shall approve or disapprove the petition on or before July 15 following the filing of the petition based on a determination of whether the petitioner has complied with all requirements of this section. If such board approves the petition, such board shall change the boundaries of the school districts so as to set off the land described in the petition and attach it to such district pursuant to the petition with an effective date of August 15 following the filing of the petition, which actions shall cause such transfer to be in effect for levies set for the year in which such transfer takes effect.

(4) Petitions requesting transfers of property across county lines shall be addressed jointly to the county clerks of the counties concerned, and the petitions shall be acted upon by the county assessors, county clerks, and county treasurers of the counties involved as one board, with the county clerk of the county from which the land is sought to be transferred acting as chairperson of the board.

(5) Appeals may be taken from the action of such board or, when such board fails to act on the petition, on or before August 1 following the filing of the petition, to the district court of the county in which the land is located on or before August 10 following the filing of the petition, in the same manner as appeals are now taken from the action of the county board in the allowance or disallowance of claims against the county. If an appeal is taken from the action of the board approving the petition or failing to act on the petition, the transfer shall occur effective August 15 following the filing of the petition, which actions shall cause such transfer to be in effect for levies set for the year in which such transfer takes effect, unless action by the district court prevents such transfer.

(6) This section does not apply to any school district located on an Indian reservation and substantially or totally financed by the federal government.

(7) For school districts that have approved a budget for school fiscal year 2007-08 that will cause the combined levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, to exceed the greater of (a) one dollar and twenty cents per one hundred dollars of taxable valuation of property subject to the levy or (b) the maximum levy authorized by a vote pursuant to section 77-3444, the school boards of such school districts may adopt a binding resolution stating that the combined levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, for school fiscal year 2008-09 shall not exceed the greater of (i) one dollar and twenty cents per one hundred dollars of taxable valuation of property subject to the levy or (ii) the maximum levy authorized by a vote pursuant to section 77-3444. On or before May 9, 2008, such binding resolutions shall be filed with the Auditor of Public Accounts and the county assessors, county clerks, and county treasurers for all counties in which the school district has territory. If such binding resolution is filed on or before May 9, 2008, land shall not be set off and attached to another district pursuant to subdivision (2)(b) of this section in 2008.

(8) Nothing in this section shall be construed to detach obligations for voter-approved bonds from any tract of land.

Sec. 29. Section 79-470, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-470 (1) No district shall contract for the instruction of all of its pupils with another a ~~Class III, IV, or V~~ school district for more than two

consecutive years.

(2) The State Committee for the Reorganization of School Districts shall dissolve and attach to a neighboring school district or districts any school district which, for two consecutive years, contracts for the instruction of all of its pupils with another a Class III, IV, or V school district.

(3) The dissolution of any school district pursuant to this section shall be effected in the manner prescribed in section 79-498. When such dissolution would create extreme hardships on the pupils or the school district affected, the State Board of Education may, on application by the school board of the school district, waive the dissolution of the school district on an annual basis.

(4) Nothing in this section shall be construed as an extension of the limitations on contracting for the instruction of the pupils of a school district contained in section 79-598.

Sec. 30. Section 79-473, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-473 (1) If the territory annexed by a change of boundaries of a city or village which lies within a Class I, II, or III school district as provided in section 79-407 has been part of a Class IV or Class V school district prior to such annexation, a merger of the annexed territory with the Class I, II, or III school district shall become effective only if the merger is approved by a majority of the members of the school board of the Class IV or V school district and a majority of the members of the school board of the Class I, II, or III school district within ninety days after the effective date of the annexation ordinance, except that a merger shall not become effective pursuant to this section if such merger involves a school district that is a member of a learning community.

(2) Notwithstanding subsection (1) of this section, when territory which lies within a Class I, II, or III school district or which does not lie within a Class IV or V school district is annexed by a city or village pursuant to section 79-407, the affected school board of the city or village school district and the affected school board or boards serving the territory subject to the annexation ordinance shall meet within thirty days after the effective date of the annexation ordinance if neither school district is a member of a learning community and negotiate in good faith as to which school district shall serve the annexed territory and the effective date of any transfer. During the process of negotiation, the affected boards shall consider the following criteria:

(a) The educational needs of the students in the affected school districts;

(b) The economic impact upon the affected school districts;

(c) Any common interests between the annexed or platted area and the affected school districts and the community which has zoning jurisdiction over the area; and

(d) Community educational planning.

If no agreement has been reached within ninety days after the effective date of the annexation ordinance, the territory shall transfer to the school district of the annexing city or village ten days after the expiration of such ninety-day period unless an affected school district petitions the district court within the ten-day period and obtains an order enjoining the transfer and requiring the boards of the affected school districts to continue negotiation. The court shall issue the order upon a finding that the affected board or boards have not negotiated in good faith based on one or more of the criteria listed in this subsection. The district court shall require no bond or other surety as a condition for any preliminary injunctive relief. If no agreement is reached after such order by the district court and additional negotiations, the annexed territory shall become a part of the school district of the annexing city or village.

(3) Whenever an application for approval of a final plat or replat is filed for territory which lies within the zoning jurisdiction of a city of the first or second class and does not lie within the boundaries of a Class IV or V school district, the boundaries of a school district that is a member of a learning community, the boundaries of any county in which a city of the metropolitan class is located, or the boundaries of any county that has a contiguous border with a city of the metropolitan class, the affected school board of the school district within the city of the first or second class or its representative and the affected board or boards serving the territory subject to the final plat or replat or their representative shall meet within thirty days after such application and negotiate in good faith as to which school district shall serve the platted or replatted territory and the effective date of any transfer based upon the criteria prescribed in subsection (2) of this section.

If no agreement has been reached prior to the approval of the final plat or replat, the territory shall transfer to the school district of the city of the first or second class upon the filing of the final plat unless an affected school district petitions the district court within ten days after approval of the final plat or replat and obtains an order enjoining the transfer and requiring the affected boards to continue negotiation. The court shall issue the order upon a finding that the affected board or boards have not negotiated in good faith based on one or more of the criteria listed in subsection (2) of this section. The district court shall require no bond or other surety as a condition for any preliminary injunctive relief. If no agreement is reached after such order by the district court and additional negotiations, the platted

or replatted territory shall become a part of the school district of the city of the first or second class.

For purposes of this subsection, plat and replat apply only to (a) vacant land, (b) land under cultivation, or (c) any plat or replat of land involving a substantive change in the size or configuration of any lot or lots.

(4) Notwithstanding any other provisions of this section, all negotiated agreements relative to boundaries or to real or personal property of school districts reached by the affected school boards shall be valid and binding, except that such agreements shall not be binding on reorganization plans pursuant to the Learning Community Reorganization Act.

Sec. 31. Section 79-474, Reissue Revised Statutes of Nebraska, is amended to read:

79-474 Whenever an existing school district or a part thereof is merged into a Class I, II, or III school district under the provisions of section 79-407 or 79-473, the property included in such school district or part thereof which is merged into the Class I, II, or III school district shall continue to be liable for any bonded indebtedness incurred by the school district of which it was a part prior to such merger and the property included in such school district or part thereof which is merged into the Class I, II, or III school district shall not be liable for any bonded indebtedness incurred by the Class I, II, or III school district prior to such merger.

Sec. 32. Section 79-475, Reissue Revised Statutes of Nebraska, is amended to read:

79-475 Whenever an existing school district, or a part thereof, is merged into a Class I, II, III, or IV school district under the provisions of section 79-407, 79-408, or 79-473, such merger shall be effective on July 1 immediately following the effective date of the change of city or village boundaries which caused the merger pursuant to section 79-407, 79-408, or 79-473.

Sec. 33. Section 79-499, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-499 (1) If the fall school district membership or the average daily membership of an existing Class I, II, or III school district shows fewer than forty-five students in grades kindergarten through twelve, the district shall submit a plan for developing cooperative programs with other school districts, including the sharing of curriculum and certificated and noncertificated staff, to the State Committee for the Reorganization of School Districts. The cooperative program plan shall be submitted by the school district by September 1 of the year following such fall school district membership or average daily membership report. A cooperative program plan shall not be required if there is no school within fifteen miles from such district on a reasonably improved highway. The state committee shall review the plan and provide advice and communication to such school district and other school districts.

(2) If for two consecutive years the fall school district membership, or for two consecutive years the average daily membership, of an existing Class I, II, or III school district is fewer than forty-five students in grades kindergarten through twelve as determined by the Commissioner of Education, such school district shall, except as provided in subsection (3) of this section, be dissolved pursuant to the procedures described in subdivision (3) (b) of this section through the order of the state committee if the school district is within fifteen miles on a reasonably improved highway of another school.

This subsection does not apply to any school district located on an Indian reservation and substantially or totally financed by the federal government.

(3)(a) Any Class I, II, or III school district which is the only public school district in the county and which has a fall school district membership or an average daily membership of fewer than forty-five students in grades kindergarten through twelve shall be subject to this subsection until such school district reaches a fall school district membership or an average daily membership in grades kindergarten through twelve of at least forty-five students or such school district dissolves. Such school district may continue to operate if:

(i) The plan submitted pursuant to subsection (1) of this section provides a broad-based curriculum as determined by the state committee; and

(ii) At a districtwide election held the second Tuesday of November by whatever means the county conducts balloting, in the second consecutive school year that the fall school district membership for grades kindergarten through twelve is fewer than forty-five students, a majority of voters approve a ballot issue to continue to operate the school district for the immediately following four school years. If such ballot issue succeeds and the school district remains subject to this subsection, such school board or board of education shall conduct a public hearing and, after receiving testimony at the public hearing, vote whether to continue to operate the school district every four years thereafter. If such ballot issue or such vote of the school board or board of education fails, the school district shall be dissolved pursuant to the procedures described in subdivision (3)(b) of this section.

(b) The state committee shall dissolve the school district and attach the territory to other school districts based on the preferences of each landowner if such preference is provided in the time and manner required by the state committee and would transfer such parcels to a school district with a boundary contiguous to the school district being dissolved. Landowners submitting such preferences shall sign a statement that the district of preference is the district which children who might reside on the property, at the time of the dissolution or in the future, would be expected to attend. For property for

which a preference is not provided in the time and manner required by the state committee, the state committee shall transfer such property to one or more of the school districts with boundaries contiguous to the district being dissolved in a manner that will best serve children who might reside on such property, at the time of the dissolution or in the future, and that will, to the extent possible, create compact and contiguous districts.

(4) For purposes of this section, when calculating fall school district membership or average daily membership, a resident school district as defined in section 79-233 shall not count students attending an option district as defined in such section and a Class I, II, or III school district shall not count foreign exchange students and nonresident students who are wards of the court or state.

Sec. 34. Section 79-4,108, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-4,108 (1) Unified system means two or more Class I, II, or III school districts participating in an interlocal agreement under the Interlocal Cooperation Act with approval from the State Committee for the Reorganization of School Districts. The interlocal agreement shall provide:

(a) For a minimum term of three school years;

(b) That all property tax and state aid resources shall be shared by the unified system;

(c) That a board composed of school board members, with at least one school board member from each district, shall determine the general fund levy, within the limitations placed on school districts and multiple-district school systems pursuant to section 77-3442, to be applied in all participating districts and shall determine the distribution of property tax and state aid resources within the unified system. For purposes of section 77-3442, the multiple-district school system shall include all of the districts participating in the unified system;

(d) That certificated staff will be employees of the unified system. For any certificated staff employed by the unified system, tenure and seniority as of the effective date of the interlocal agreement shall be transferred to the unified system and tenure and seniority provisions shall continue in the unified system except as provided in sections 79-850 to 79-858. If a district withdraws from the unified system or if the interlocal agreement expires and is not renewed, certificated staff employed by a participating district immediately prior to the unification shall be reemployed by the original district and tenure and seniority as of the effective date of the withdrawal or expiration shall be transferred to the original district. The certificated staff hired by the unified system but not employed by a participating district immediately prior to the unification shall be subject to the reduction-in-force policy of the unified system;

(e) That the participating districts shall pay obligations of the unified system pursuant to sections 79-850 to 79-858 on a pro rata basis based on the adjusted valuations if a district withdraws from the unified system or if the interlocal agreement expires and is not renewed; and

(f) The permissible method or methods for accomplishing the partial or complete termination of the interlocal agreement and for disposing of assets and liabilities upon such partial or complete termination.

Additional provisions in the interlocal agreement shall be determined by the participating districts and shall encourage cooperation within the unified system.

(2) Application for unification shall be made to the state committee. The application shall contain a copy of the interlocal agreement signed by the president of each participating school board. The state committee shall approve or disapprove applications for unification within forty days after receipt of the application. If the interlocal agreement complies with subsection (1) of this section and all school boards of the participating districts have approved the interlocal agreement, the state committee shall approve the application. Unification agreements shall be effective on June 1 following approval from the state committee for status as a unified system or on the date specified in the interlocal agreement, except that the date shall be on or after June 1 and on or before September 1 for a specified year. The board established in the interlocal agreement may begin meeting any time after the application has been approved by the state committee.

(3) Upon granting the application for unification, the State Department of Education shall recognize the unified system as a single Class I, II, or III district for state aid, budgeting, accreditation, enrollment of students, state programs, and reporting. Except as otherwise required by the department, the unified system shall submit a single report document for each of the reports required of school districts pursuant to Chapter 79 and shall submit a single budget document pursuant to the Nebraska Budget Act and sections 13-518 to 13-522.

(4) The school districts participating in a unified system shall retain their separate identities for all purposes except those specified in this section, and participation in a unified system shall not be considered a reorganization.

Sec. 35. Section 79-4,129, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-4,129 (1) Within thirty days after the classification of the reorganized school districts by the county clerk under section 79-4,128, the state committee shall appoint from among the legal voters of each new school district created the number of school board members specified in the plan of

reorganization. A reorganized school district shall be formed and organized and shall have a school board not later than April 1 following the last legal action, as prescribed in section 79-4,128, necessary to effect the changes in boundaries as set forth in the plan of reorganization, although the physical reorganization of such reorganized school district shall take effect July 1 following the classification of the reorganized school districts under section 79-4,128. The first board shall be appointed on an at-large basis, and all boards shall be elected at large until such time as election districts are established as provided in section 32-554.

(2) In appointing the first school board of a Class I, II, or III school district, the terms of approximately one-half of the members shall expire on the first Thursday after the first Tuesday in January after the first even-numbered year following their appointment and the terms of the remaining members shall expire on the first Thursday after the first Tuesday in January after the second even-numbered year following their appointment. Thereafter all Class I, II, or III district school boards shall be elected to terms of four years.

(3) In appointing the first school board of a Class IV school district, the members shall be appointed so that the terms of three members shall expire on the third Monday in May of the first odd-numbered year following their appointment and the terms of four members shall expire on the third Monday in May of the second odd-numbered year following their appointment. Thereafter all Class IV district school boards shall be elected to terms of four years.

(4) In appointing the first school board of a Class V school district after a reorganization under this section with a nine-member board serving terms of four years, the terms of the members shall expire as provided in section 32-545. All Class V district school boards shall be elected to terms of four years.

(5) The school boards appointed under this section shall proceed at once to organize in the manner prescribed by law.

Sec. 36. Section 79-501, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-501 The school board or board of education of a Class I, II, III, or IV school district shall have the care and custody of the schoolhouse and other property of the district and shall have authority to hire a superintendent and the required number of teachers and other necessary personnel.

Sec. 37. Section 79-520, Reissue Revised Statutes of Nebraska, is amended to read:

79-520 The board of education of a Class I, II, or III school district has power to select its own officers and make its own rules and regulations not inconsistent with any statute applicable to such district. No member of the board, except the secretary, shall accept or receive any compensation for services performed in discharging the duties of his or her office.

Sec. 38. Section 79-524, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-524 The school board of any Class I, II, III, or IV school district shall establish a permanent and continuing census or enumeration of school children in the school district. The list in writing of the names of the children and taxpayers shall not be required to be reported, but the names of all of the children belonging to such school district, from birth through twenty years of age, shall instead be kept in a depository maintained by such school district and subject to inspection at all times. Such record shall not or need not include the names of all the taxpayers in the district.

Sec. 39. Section 79-525, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-525 The school board or board of education of a Class I, II, III, or IV school district shall (1) provide the necessary appendages for the schoolhouse, (2) keep the same in good condition and repair during the time school is taught in the schoolhouse, and (3) keep an accurate account of all expenses incurred. Such account shall be prepared by the secretary, audited by the president and treasurer, and, on their written order, paid out of the general school fund.

Sec. 40. Section 79-526, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-526 (1) The school board or board of education of a Class I, II, III, or IV school district has responsibility for the general care and upkeep of the schools, shall provide the necessary supplies and equipment, and, except as otherwise provided, has the power to cause pupils to be taught in such branches and classified in such grades or departments as may seem best adapted to a course of study which the board shall establish with the consent and advice of the State Department of Education. The board shall make provision for pupils that may enter at any time during the school year. The board shall have a record kept of the advancement of all pupils in each branch of study. The board shall make rules and regulations as it deems necessary for the government and health of the pupils and devise any means as may seem best to secure the regular attendance and progress of children at school.

(2) The school board may make expenditures for supplies, equipment, travel, meals, and lodging for school programs and activities, including extracurricular and interscholastic activities, appropriate for the benefit, government, and health of pupils enrolled in the school district.

Sec. 41. Section 79-534, Reissue Revised Statutes of Nebraska, is amended to read:

79-534 All Class I, II, or III school districts shall be under the direction and control of the boards of education elected pursuant to section

32-543.

Sec. 42. Section 79-547, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-547 (1) Except as otherwise provided in section 79-550, the school board or board of education of a Class I, II, or III school district shall consist of six members.

(2) In addition to the members specified in subsection (1) of this section, such school boards or boards of education may include one or more student members selected pursuant to section 79-559.

Sec. 43. Section 79-549, Reissue Revised Statutes of Nebraska, is amended to read:

79-549 (1) The school board of any Class I, II, or III school district that is a member of a learning community may place before the legal voters of the school district the issue of whether to begin to have a caucus for nominations by adopting a resolution to place the issue before the legal voters and certifying the issue to the election commissioner or county clerk prior to September 1 for placement on the ballot at the next statewide general election. The legal voters of the school district may also have the issue placed on the ballot at the statewide general election by circulating a petition and gathering the signatures of the legal voters residing within the school district at least equal to seven percent of the number of persons registered to vote in the school district at the last statewide primary election. The petitions shall be filed with the election commissioner or county clerk for signature verification on or before August 15 prior to a statewide general election. If the election commissioner or county clerk determines that the appropriate number of legal voters signed the petition, he or she shall place the issue on the ballot for the next statewide general election. The issue shall not be placed on the ballot again within four years after voting on the issue at a statewide general election.

(2) Any Class I, II, or III school district that nominated school board members by caucus pursuant to this section as it existed immediately before July 14, 2006, shall continue such procedure until the legal voters of the district vote not to continue to have a caucus for nominations pursuant to subsection (3) of this section. A caucus shall be held pursuant to subsection (5) of this section not less than seventy days prior to the holding of the election to nominate two or more candidates for each vacancy to be voted upon at the election to be held in conjunction with the statewide primary election pursuant to subsection (1) of section 32-543. No candidate nominated shall have his or her name placed upon the ballot for the general election unless, not more than ten days after his or her nomination, he or she files with the secretary of the school board a written statement accepting the nomination. The secretary of the school board shall certify the names of the candidates to the election commissioner or county clerk who shall prepare the official ballot listing the names as certified and without any area designation. All legal voters residing within the school district shall be permitted to vote at such election.

(3) The school board may place before the legal voters of the school district the issue of whether to continue to have a caucus for nominations by adopting a resolution to place the issue before the legal voters and certifying the issue to the election commissioner or county clerk prior to September 1 for placement on the ballot at the next statewide general election. The legal voters of the school district may also have the issue placed on the ballot at the statewide general election by circulating a petition and gathering the signatures of the legal voters residing within the school district at least equal to seven percent of the number of persons registered to vote in the school district at the last statewide primary election. The petitions shall be filed with the election commissioner or county clerk for signature verification on or before August 15 prior to a statewide general election. If the election commissioner or county clerk determines that the appropriate number of legal voters signed the petition, he or she shall place the issue on the ballot for the next statewide general election. The issue shall not be placed on the ballot again within four years after voting on the issue at a statewide general election.

(4) If the legal voters vote not to continue to have a caucus, the school board shall determine the number of members to be nominated and elected as provided in subsection (2) of section 32-543. The terms of the members in office at the time of the vote shall be extended to the first Thursday after the first Tuesday in January after the expiration of their terms. At the first general election following the vote, a number of members receiving the greatest number of votes shall be elected for a term of four years and a number of members receiving the next greatest number of votes shall be elected for a term of two years so that approximately one-half of the school board members are elected every two years.

(5) A school district which uses a caucus for nominations shall develop rules and procedures for conducting the caucus which will ensure:

(a) Publication of the rules and procedures by multiple sources if necessary so that every resident of the school district has access to information on the process for placing a name in nomination and voting at the caucus;

(b) Facilities for voting at the caucus which comply with the federal Americans with Disabilities Act of 1990 and which will accommodate a reasonably anticipated number of legal voters;

(c) Election security which will provide for a fair and impartial

election, including the secrecy of the ballot, one vote per legal voter, and only legal voters of the school district being allowed to vote;

(d) Equal access to all legal voters of the school district, including the presence of an interpreter at the caucus at the expense of the school district and ballots for the blind and visually impaired to provide access to the process by all legal voters of the school district;

(e) Adequate time and opportunity for legal voters of the school district to exercise their right to vote; and

(f) Notification of nomination to the candidates and to the secretary of the school board.

The rules and regulations shall be approved by the election commissioner or county clerk prior to use for a caucus.

Sec. 44. Section 79-550, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-550 (1) The school board of a Class I, II, or III school district may, by resolution adopted in an odd-numbered year, provide for a change in the number of members on the school board to a minimum of five members and a maximum of nine members to be effective at the beginning of the term of office for school board members elected at the next statewide general election. The school board shall include in the resolution:

(a) A statement of the change in number of members to be added to or eliminated from the school board;

(b) A statement that the change does not take effect until the beginning of the term of office for school board members elected at the next statewide general election;

(c) If the members are not nominated or elected by district or ward in the school district:

(i) If the change in number adds members to the school board, a statement of the number of members to be elected at the next statewide general election, including the members whose terms are expiring and the additional members, and the number of such members to be elected to four-year terms and the number of such members to be elected to two-year terms so that approximately one-half of the total number of members are elected at each statewide general election. The members receiving the highest number of votes shall be elected to four-year terms, and the members receiving the next highest number of votes shall be elected to two-year terms; and

(ii) If the change in number decreases the number of members on the school board, a statement of the number of members to be elected at the next statewide general election, if any, and at the subsequent statewide general election, if necessary, and the number of such members to be elected at such elections to four-year terms and the number of such members to be elected at such elections to two-year terms so that approximately one-half of the total number of members are elected at each statewide general election. The members receiving the highest number of votes shall be elected to four-year terms, and the members receiving the next highest number of votes shall be elected to two-year terms; and

(d) If the members are nominated or elected by district or ward in the school district:

(i) The changes to the boundaries of districts or wards;

(ii) A statement that the changes to the boundaries are effective for purposes of nominating or electing, as applicable, members to the school board beginning with the next statewide primary and general elections but that the changes in boundaries are not effective for purposes of representation until the beginning of the term of office for school board members elected at the next statewide general election;

(iii) A statement of which districts or wards, as changed, are on the ballot at the next statewide primary or general election, as applicable, and whether the members elected from such districts or wards are being elected for four-year terms or two-year terms;

(iv) A statement specifying the newly established districts which each member will represent for the remainder of his or her term, if necessary;

(v) If the change in number adds members to the school board, a statement of the number of members to be elected at the next statewide general election, including the members whose terms are expiring and the additional members, and the districts or wards of such members to be elected to four-year terms and the districts or wards of such members to be elected to two-year terms so that approximately one-half of the total number of members are elected at each statewide general election; and

(vi) If the change in number decreases the number of members on the school board, a statement of the number of members to be elected at the next statewide general election, if any, and at the subsequent statewide general election, if necessary, and the districts or wards of such members to be elected at such elections to four-year terms and the districts or wards of such members to be elected at such elections to two-year terms so that approximately one-half of the total number of members are elected at each statewide general election.

(2) If the members of the school board of a Class I, II, or III school district are nominated and elected by district or ward, the board may by resolution provide for the nomination of the members by district or ward and the election of the members at large. If the members are nominated by district or ward and elected at large, the board may by resolution provide for the nomination and election of the members by district or ward.

(3) Any Class I, II, or III school district which has a nine-member school board on January 1, 2015, may continue to have a nine-member school board

without complying with the requirements of this section.

Sec. 45. Section 79-554, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-554 In all meetings of a school board of a Class I, II, or III school district, a majority of the members shall constitute a quorum for the transaction of business. Regular meetings shall be held on or before the third Monday of every month. All meetings of the board shall be subject to the Open Meetings Act. Special meetings may be called by the president or any two members, but all members shall have notice of the time and place of meeting. If a school district is participating in an approved unified system as provided in section 79-4,108, regular meetings of such district's school board shall be held at least twice during the school year.

Sec. 46. Section 79-555, Reissue Revised Statutes of Nebraska, is amended to read:

79-555 The regular meetings of the board of education of a Class I, II, or III school district shall be held as provided in section 79-554. Special meetings may be held as circumstances may demand, and all meetings of the board shall be open to the public.

Sec. 47. Section 79-559, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-559 (1) The school board or board of education of any Class I, II, III, or IV school district may include at least one nonvoting member who is a public high school student from the district. If the board elects to include such a nonvoting student member, the student member shall serve for a term of one year, beginning on September 1, and shall be the student body or student council president, the senior class representative, or a representative elected from and by the entire student body, as designated by the voting members of the board.

(2) Any nonvoting student member of the board has the privilege of attending all open meetings of the board but shall be excluded from executive sessions.

Sec. 48. Section 79-564, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-564 At the first meeting of each school board or board of education elected in a Class I, II, or III school district, and annually thereafter, the board shall elect from among its members a president and vice president. The board shall also elect a secretary who need not be a member of the board. If the secretary is a member of the board, an assistant secretary may be named and his or her duties and compensation set by the board.

Sec. 49. Section 79-569, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-569 The president of the school board of a Class I, II, III, or IV school district shall: (1) Preside at all meetings of the district; (2) countersign all orders upon the treasury for money to be disbursed by the district and all warrants of the secretary on the county treasurer for money raised for district purposes or apportioned to the district by the county treasurer; (3) administer the oath to the secretary and treasurer of the district when such an oath is required by law in the transaction of the business of the district; and (4) perform such other duties as may be required by law of the president of the board. He or she is entitled to vote on any issue that may come before any meeting.

Sec. 50. Section 79-570, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-570 If at any district meeting of a Class I, II, III, or IV school district any person conducts himself or herself in a disorderly manner and persists in such conduct after notice by the president or person presiding, the president or person presiding may order such person to withdraw from the meeting and, if the person refuses, may order any person or persons to take such person into custody until the meeting is adjourned.

Sec. 51. Section 79-572, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-572 The president of a Class I, II, III, or IV school district shall appear for and on behalf of the district in all suits brought by or against the district.

Sec. 52. Section 79-576, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-576 The secretary of a Class I, II, III, or IV school district shall be clerk of the school board and of all meetings when present, but if he or she is not present, the school board may appoint a clerk for the time being, who shall certify the proceedings to the secretary to be recorded by him or her.

Sec. 53. Section 79-577, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-577 The secretary of a Class I, II, III, or IV school district shall (1) record all proceedings of the district in a book furnished by the district to be kept for that purpose, (2) preserve copies of all reports, and (3) safely preserve and keep all books and papers belonging to the office.

Sec. 54. Section 79-578, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-578 The secretary of a Class I, II, III, or IV school district shall take, or cause to be taken by some person appointed for the purpose by a majority vote of the school board, the census of the school district and then make or cause to be made a list in writing of the names of all the children belonging to such district, from birth through twenty years of age, together

with the names of all the taxpayers in the district. A copy of the list, verified by oath of the person taking such census or by affidavit appended to or endorsed on the list, setting forth that it is a correct list of the names of all children belonging in the district from birth through twenty years of age and that it reflects such information as of June 30, shall be maintained as provided in section 79-524.

Sec. 55. Section 79-579, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-579 Whenever a secretary or president of the school board of a Class I, II, III, or IV school district refuses to sign orders on the treasurer or the treasurer thinks best to refuse the payment of orders drawn upon him or her, the difficulty shall be referred for adjudication to the county attorney, who shall proceed at once to investigate the matter. If the county attorney finds that the officer complained of refuses through contumacy or for insufficient reasons, the county attorney, on behalf of the district, shall apply to the proper court for a writ of mandamus to compel the officer to perform his or her duty.

Sec. 56. Section 79-580, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-580 The secretary of the school board or board of education of each Class I, II, or III school district shall, within ten days after any regular or special meeting of the board, publish one time in a legal newspaper published in or of general circulation in such district a list of the claims, arising on contract or tort, allowed at the meeting. The list shall set forth the name of the claimant and the amount and nature of the claim allowed, to consist of not more than ten words in stating the nature of each such claim. The secretary shall likewise cause to be published a concise summary of all other proceedings of such meetings. Publication of such claims or proceedings in a legal newspaper shall not be required unless the publication can be done at an expense not exceeding the rates provided by law for the publication of proceedings of county boards.

Sec. 57. Section 79-581, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-581 The secretary of any school board or board of education of a Class I, II, or III school district failing or neglecting to comply with the provisions of section 79-580 shall be guilty of a Class V misdemeanor. In the discretion of the court, the judgment of conviction may provide for the removal from office of such secretary for such failure or neglect.

Sec. 58. Section 79-586, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-586 The treasurer of each Class I, II, III, or IV school district shall, within ten days after his or her election, execute to the county and file with the secretary a bond or evidence of equivalent insurance coverage of not less than five hundred dollars in any instance and not more than double the amount of money, as nearly as can be ascertained, to come into his or her hands as treasurer at any one time, which bond shall be signed by either a personal surety or a surety company or companies of recognized responsibility as surety or sureties, to be approved by the president and secretary, conditioned for the faithful discharge of the duties of the office. The bond when approved or evidence of equivalent insurance coverage shall be filed by the secretary in the office of the county treasurer of the county in which the school district is situated. If the treasurer fails to execute such bond or provide evidence of such insurance coverage, the office shall be declared vacant by the school board or board of education and the board shall immediately appoint a treasurer who shall be subject to the same conditions and possess the same powers as if elected to that office. The treasurer shall have no power or authority to withdraw or disburse the money of the district prior to filing the bond or evidence of equivalent insurance coverage provided for in this section.

Sec. 59. Section 79-587, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-587 The treasurer of each Class I, II, III, or IV school district shall apply for and receive from the county treasurer all school money apportioned to or collected for the district by the county treasurer, upon order of the secretary countersigned by the president. The treasurer shall pay out all money received by him or her, on the order of the secretary countersigned by the president of such district.

Sec. 60. Section 79-588, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-588 The treasurer of a Class I, II, III, or IV school district shall keep a record in which the treasurer shall enter all the money received and disbursed by him or her, specifying particularly (1) the source from which money has been received, (2) to what fund it belongs, and (3) the person or persons to whom and the object for which the same has been paid out. The treasurer shall present to the district, at each annual meeting, a report in writing containing a statement of all money received during the preceding year and of the disbursement made with the items of such disbursements and exhibit the vouchers therefor. At the close of the treasurer's term of office, he or she shall settle with the school board and shall hand over to his or her successor the records and all receipts, vouchers, orders, and papers coming into his or her hands as treasurer of the district, together with all money remaining in his or her hands as such treasurer.

Sec. 61. Section 79-589, Reissue Revised Statutes of Nebraska, is amended to read:

79-589 In a Class I, II, or III school district which lies outside of the corporate limits of any city or village or of which more than one-half is geographically within a city of the metropolitan class, the board of education shall elect one of its members, other than the secretary, as treasurer of the school district and the provisions of section 79-590 shall not apply to the selection of a treasurer of such a district. The treasurer shall prepare and submit in writing a monthly report of the state of the finances of the district and pay school money only upon warrants signed by the president of the board or, in the president's absence, by the vice president, and countersigned by the secretary. The treasurer shall give a bond or evidence of equivalent insurance coverage payable to the school district in such sum as may be fixed by the board. Such bond shall be signed by one or more surety companies of recognized responsibility. The cost of such bond or insurance coverage shall be paid by the school district.

Sec. 62. Section 79-590, Reissue Revised Statutes of Nebraska, is amended to read:

79-590 The board of education of a Class I, II, or III school district may employ a treasurer for such district who shall be paid a salary, to be fixed by the board, of not to exceed one thousand two hundred dollars per annum. If the board does not employ such a treasurer, the city treasurer or deputy city treasurer of the city which is within such district shall be ex officio treasurer of the school district. He or she shall attend all meetings of the board when required so to do, prepare and submit in writing a monthly report of the state of the district's finances, and pay school money only upon warrants signed by the president of the board or, in the president's absence, by the vice president, and countersigned by the secretary. If the city treasurer or his or her deputy acts as ex officio treasurer of the school district, he or she shall be paid for such services by the school district a sum to be fixed by the board. The treasurer of such district, or the city treasurer or deputy city treasurer acting as ex officio treasurer, shall give a bond or evidence of equivalent insurance coverage payable to the county in such sum as may be fixed by the board of education. Such bond shall be signed by one or more surety companies of recognized responsibility. The cost of such bond or insurance coverage shall be paid by the school district.

Sec. 63. Section 79-594, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-594 The school board in a Class I, II, III, or IV school district may also elect at any regular meeting one superintendent of public instruction with such salary as the board deems best and may enter into contract with him or her at its discretion, for a term not to exceed three years.

Sec. 64. Section 79-5,104, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-5,104 The school board or board of education of any Class I, II, or III school district may, in its discretion, pay the regular school tuition for any pupil residing in such school district and attending a school outside such school district when, in the opinion of the board, the best interests of the pupil or the school district may so require.

Sec. 65. Section 79-5,105, Reissue Revised Statutes of Nebraska, is amended to read:

79-5,105 If the board of education of a Class I, II, III, IV, or V school district finds it desirable that children of school age or any grade or grades thereof residing on federal property situated in the vicinity of a city of the metropolitan class be given instruction outside the boundaries of such district of the character provided by law for children within the district, under the direction and control of the board of education and that the same is not detrimental to the interests of the school district, the board of education may enter into a contract with the federal government or any agency thereof to provide supervisory services in the construction of school facilities and to maintain and operate schools for the children of residents of such federal installations.

Sec. 66. Section 79-5,106, Reissue Revised Statutes of Nebraska, is amended to read:

79-5,106 The provisions of giving instructions outside a Class I, II, III, IV, or V school district as provided in section 79-5,105 shall not apply where existing facilities are now available.

Sec. 67. Section 79-611, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-611 (1) The school board of any school district shall provide free transportation, partially provide free transportation, or pay an allowance for transportation in lieu of free transportation as follows:

(a) When a student attends an elementary school in his or her own school district and lives more than four miles from such elementary school as measured by the shortest route that must actually and necessarily be traveled by motor vehicle to reach the student's residence;

(b) When a student is required to attend an elementary school outside of his or her own school district and lives more than four miles from such elementary school as measured by the shortest route that must actually and necessarily be traveled by motor vehicle to reach the student's residence;

(c) When a student attends a secondary school in his or her own Class I, II, or III school district and lives more than four miles from such secondary school as measured by the shortest route that must actually and necessarily be traveled by motor vehicle to reach the student's residence. This subdivision does not apply to any elementary-only school district that merged with a high-

school-only school district to form a new Class I, II, or III school district on or after January 1, 1997, and before June 16, 2006; and

(d) When a student, other than a student in grades ten through twelve in a Class V school district, attends an elementary or junior high school in his or her own Class V school district and lives more than four miles from such elementary or junior high school as measured by the shortest route that must actually and necessarily be traveled by motor vehicle to reach the student's residence.

(2)(a) For school years prior to school year 2017-18 and as required pursuant to subsection (3) of section 79-241, the school board of any school district that is a member of a learning community shall provide free transportation for a student who resides in such learning community and attends school in such school district if (i) the student is transferring pursuant to the open enrollment provisions of section 79-2110, qualifies for free or reduced-price lunches, lives more than one mile from the school to which he or she transfers, and is not otherwise disqualified under subdivision (2)(c) of this section, (ii) the student is transferring pursuant to the open enrollment provisions of section 79-2110, is a student who contributes to the socioeconomic diversity of enrollment at the school building he or she attends, lives more than one mile from the school to which he or she transfers, and is not otherwise disqualified under subdivision (2)(c) of this section, (iii) the student is attending a focus school or program and lives more than one mile from the school building housing the focus school or program, or (iv) the student is attending a magnet school or program and lives more than one mile from the magnet school or the school housing the magnet program.

(b) For purposes of this subsection, student who contributes to the socioeconomic diversity of enrollment at the school building he or she attends has the definition found in section 79-2110. This subsection does not prohibit a school district that is a member of a learning community from providing transportation to any intradistrict student.

(c) For any student who resides within a learning community and transfers to another school building pursuant to the open enrollment provisions of section 79-2110 and who had not been accepted for open enrollment into any school building within such school district prior to September 6, 2013, the school board is exempt from the requirement of subdivision (2)(a) of this section if (i) the student is transferring to another school building within his or her home school district or (ii) the student is transferring to a school building in a school district that does not share a common border with his or her home school district.

(3) The transportation allowance which may be paid to the parent, custodial parent, or guardian of students qualifying for free transportation pursuant to subsection (1) or (2) of this section shall equal two hundred eighty-five percent of the mileage rate provided in section 81-1176, multiplied by each mile actually and necessarily traveled, on each day of attendance, beyond which the one-way distance from the residence of the student to the school exceeds three miles. Such transportation allowance does not apply to students residing in a learning community who qualify for free or reduced-price lunches.

(4) Whenever students from more than one family travel to school in the same vehicle, the transportation allowance prescribed in subsection (3) of this section shall be payable as follows:

(a) To the parent, custodial parent, or guardian providing transportation for students from other families, one hundred percent of the amount prescribed in subsection (3) of this section for the transportation of students of such parent's, custodial parent's, or guardian's own family and an additional five percent for students of each other family not to exceed a maximum of one hundred twenty-five percent of the amount determined pursuant to subsection (3) of this section; and

(b) To the parent, custodial parent, or guardian not providing transportation for students of other families, two hundred eighty-five percent of the mileage rate provided in section 81-1176 multiplied by each mile actually and necessarily traveled, on each day of attendance, from the residence of the student to the pick-up point at which students transfer to the vehicle of a parent, custodial parent, or guardian described in subdivision (a) of this subsection.

(5) When a student who qualifies under the mileage requirements of subsection (1) of this section lives more than three miles from the location where the student must be picked up and dropped off in order to access school-provided free transportation, as measured by the shortest route that must actually and necessarily be traveled by motor vehicle between his or her residence and such location, such school-provided transportation shall be deemed partially provided free transportation. School districts partially providing free transportation shall pay an allowance to the student's parent or guardian equal to two hundred eighty-five percent of the mileage rate provided in section 81-1176 multiplied by each mile actually and necessarily traveled, on each day of attendance, beyond which the one-way distance from the residence of the student to the location where the student must be picked up and dropped off exceeds three miles.

(6) The board may authorize school-provided transportation to any student who does not qualify under the mileage requirements of subsection (1) of this section and may charge a fee to the parent or guardian of the student for such service. No transportation payments shall be made to a family for mileage not actually traveled by such family. The number of days the student has attended

school shall be reported monthly by the teacher to the board of such public school district.

(7) No more than one allowance shall be made to a family irrespective of the number of students in a family being transported to school.

(8) No student shall be exempt from school attendance on account of distance from the school.

Sec. 68. Section 79-729, Revised Statutes Supplement, 2023, is amended to read:

79-729 (1) The Legislature recognizes the importance of assuring that all persons who graduate from Nebraska high schools possess certain minimum levels of knowledge, skills, and understanding. Each high school student shall complete a minimum of two hundred high school credit hours prior to graduation. At least eighty percent of the minimum credit hours shall be core curriculum courses prescribed by the State Board of Education.

(2) For students attending a public school:

(a) Beginning in school year 2023-24, at least five of the minimum credit hours shall be a high school course in personal finance or financial literacy; and

(b) Beginning in school year 2027-28, at least five of the minimum credit hours shall include computer science and technology education as required under section 79-3304.

(3)(a) Beginning in school year 2024-25, each public high school student shall complete and submit to the United States Department of Education a Free Application for Federal Student Aid prior to graduating from such high school except as otherwise provided in this subsection.

(b) A public high school student shall not be required to comply with subdivision (3)(a) of this section if:

(i) A parent or legal guardian of or a person standing in loco parentis to such student signs and submits to the school principal the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section indicating that such parent, legal guardian, or person standing in loco parentis authorizes such student to decline to complete and submit a Free Application for Federal Student Aid;

(ii) The school principal or the school principal's designee signs ~~and submits~~ the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section authorizing such student to decline to complete and submit a Free Application for Federal Student Aid for good cause as determined by the school principal or the school principal's designee; or

(iii) A student who is nineteen years of age or older or is an emancipated minor signs and submits the appropriate form prescribed by the Commissioner of Education pursuant to subdivision (3)(c) of this section stating that such student declines to complete and submit a Free Application for Federal Student Aid.

(c) The Commissioner of Education shall prescribe the forms to be used by each public high school for purposes of compliance with subdivision (3)(b) of this section. Such forms shall be made available:

(i) By each public high school to students, parents and legal guardians of students, and persons standing in loco parentis to students; and

(ii) In English, Spanish, and any other language spoken by a majority of the students enrolled in any English learner program at such public high school.

(d) The school principal or the school principal's designee of each public high school shall provide such compliance information to the school district or governing authority for such public high school and to the State Department of Education without disclosing, for any student who has complied with the requirements of this subsection, personally identifiable information distinguishing whether such compliance was pursuant to subdivision (3)(a) or (b) of this section. Such school principal or school principal's designee shall provide separately the aggregate number of students who have not complied with this subsection, who complied pursuant to subdivision (3)(a) of this section, and who complied pursuant to subdivision (3)(b) of this section, unless otherwise prohibited by federal or state law regarding the confidentiality of student educational information.

(e) On or before December 31, 2025, and on or before December 31 of each year thereafter, the Commissioner of Education shall electronically submit a report with the information received by the State Department of Education pursuant to subdivision (3)(d) of this section to the Clerk of the Legislature.

(4) The State Board of Education may establish recommended statewide graduation guidelines.

(5) This section does not apply to high school students whose individualized education programs prescribe a different course of instruction.

(6) For purposes of this section, high school means grades nine through twelve and credit hour shall be defined by appropriate rules and regulations of the State Board of Education but shall not be less than the amount of credit given for successful completion of a course which meets at least one period per week for at least one semester.

(7) The State Board of Education ~~may shall~~ adopt and promulgate rules and regulations as necessary to implement this section. Such rules and regulations ~~may shall~~ include, but ~~are not~~ be limited to:

(a) A timeline for the distribution of the Free Application for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section by public high schools and for the submission of the Free Application

for Federal Student Aid and the forms prescribed pursuant to subdivision (3)(c) of this section; and

(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 under subdivision (3)(b) of this section if a student wishes to decline to complete and submit a Free Application for Federal Student Aid; and

(iii) The method by which a student shall provide proof to the public high school that such student has completed and submitted the Free Application for Federal Student Aid or a form prescribed pursuant to subdivision (3)(c) of this section. ~~;~~ and

~~(c) A requirement for each public high school to report the number of students who completed and submitted a Free Application for Federal Student Aid and the number of students who instead submitted a form prescribed pursuant to subdivision (3)(c) of this section.~~

Sec. 69. Section 79-810, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-810 (1) Certificates and permits shall be issued by the commissioner upon application on forms prescribed and provided by him or her which shall include the applicant's social security number.

(2) Each certificate or permit issued by the commissioner shall indicate the area of authorization to teach, provide special services, or administer and any areas of endorsement for which the holder qualifies. During the term of any certificate or permit issued by the commissioner, additional endorsements may be made on the certificate or permit if the holder submits an application, meets the requirements for issuance of the additional endorsements, and pays a nonrefundable fee as set by the commissioner, not to exceed fifty-five dollars.

(3) The department shall make available on a portal on the department's website the option or ability for an individual with a certificate or permit to apply for an endorsement. Such portal shall also include a list of courses that an individual with a certificate or permit may take to add an endorsement to such certificate or permit. The commissioner shall allow an individual with a certificate or permit the following alternative methods of obtaining an endorsement:

(a) Taking a subject-specific content examination in designated endorsement areas and indicating such subject as an endorsement on such individual's certificate or permit based solely on passage of the examination;  
or

(b) Completing an approved program of equivalent professional education in a designated endorsement area that is provided by an accredited public school.

(4) ~~(3)~~ The Certification Fund is created. Any fee received by the department under sections 79-806 to 79-815 shall be remitted to the State Treasurer for credit to the fund. The fund shall be used by the department in paying the costs of certifying educators pursuant to such sections and to carry out subsection (3) of section 79-808. For issuance of a certificate or permit valid in all schools, the nonrefundable fee shall be set by the commissioner, not to exceed seventy-five dollars, except that the commissioner shall designate a portion of the fee, not to exceed seventeen dollars, that shall be credited to the Professional Practices Commission Fund which is created for use by the department to pay for the provisions of sections 79-859 to 79-871. For issuance of a certificate or permit valid only in nonpublic schools, the nonrefundable fee shall be set by the commissioner, not to exceed fifty-five dollars. Any money in the Certification Fund or the Professional Practices Commission Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 70. Section 79-813, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-813 (1)(a) The board shall authorize the issuance of a certificate or permit to any applicant for such certificate or permit who:

(i) Is a military spouse or has been offered employment to teach, administer, or provide special services by an accredited school district in Nebraska or an approved and accredited private, denominational, or parochial school in Nebraska;

(ii) Holds a valid certificate or permit, ~~currently~~ in force in another state at the time of application, to teach, administer, or provide special services;

(iii) Has held such certificate or permit for at least one year;

(iv) Is in good standing in all states in which the applicant holds where a certificate or permit to teach, administer, or provide special services ~~is held~~;

(v) Does not have any pending investigation or complaint ~~investigations or complaints~~ against any such certificate or permit;

(vi) Meets all residency and background check requirements otherwise required for a Nebraska certificate or permit; and

(vii) Pays any applicable fees.

(b) The commissioner shall verify that the applicant for a certificate or permit under this subsection meets the requirements of subdivisions (a)(iv) and (v) of this subsection. Such applicant shall not be required to meet the human relations training requirement under section 79-808 to obtain such certification or permit. Such certificate or permit shall be valid for at least

three years and shall include the same or similar endorsements to teach in all subject areas for which the applicant had been certified to teach in such other state if a similar endorsement is offered in Nebraska.

(c) A preliminary permit shall be issued to an applicant upon submission of the application, payment of the applicable fees, and the successful completion of the criminal history record information check as provided in section 79-814.01. The preliminary permit shall remain in force until the commissioner completes the review of all requirements in subdivision (1)(a) of this section and either issues a certificate or permit or notifies the applicant of the reason such certificate or permit cannot be issued.

(d) The board shall adopt and promulgate rules and regulations to (i) expedite the processing of an application submitted under this subsection by an applicant whose spouse is serving on active duty at the time of such submission and (ii) specify the documentation necessary to establish the applicant's status as a spouse of a person who is serving on active duty at the time of such submission.

(e) For purposes of this subsection:

(i) Active duty means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. chapters 1209 and 1211; and

(ii) Military spouse has the same meaning as in section 38-118.01.

(2)(a) The board shall authorize the issuance of a certificate or permit to any applicant for such certificate or permit who:

(i) Holds a valid certificate or permit to teach in force in another state at the time of application;

(ii) Is in good standing in all states in which the applicant holds a certificate or permit to teach;

(iii) Does not have any pending investigation or complaint against any such certificate or permit;

(iv) Meets all residency and background check requirements otherwise required for a Nebraska certificate or permit; and

(v) Pays any applicable fees.

(b) The commissioner shall verify that the applicant for a teaching certificate or permit under this subsection meets the requirements of subdivisions (2)(a)(ii) and (iii) of this section. Such applicant shall not be required to meet the human relations training requirement under section 79-808 to obtain such certification or permit. Such certificate or permit shall include the same or similar endorsements to teach in all subject areas for which the applicant had been certified to teach in such other state if a similar endorsement is offered in Nebraska.

(c) A conditional permit shall be issued to an applicant upon submission of the application, payment of the applicable fees, and the successful completion of the criminal history record information check as provided in section 79-814.01. The conditional permit shall remain in force until the commissioner completes the review of all the requirements of subdivision (2)(a) of this section and either issues a certificate or permit to teach or notifies the applicant of the reason such certificate or permit cannot be issued.

(d) The department shall make available on a portal on the department's website the option or ability for individuals to apply for a certificate to teach pursuant to this subsection.

(3) (2) In addition to certificates and permits issued pursuant to subsections subsection (1) and (2) of this section, the board may authorize the issuance of other certificates or permits to applicants who hold a valid certificate or permit currently in force in another state if the requirements for the certificate or permit held by the applicant are comparable and equivalent to those required for a similar type of certificate or permit issued under sections 79-806 to 79-815.

Sec. 71. Section 79-8,145.01, Revised Statutes Supplement, 2023, is amended to read:

79-8,145.01 (1) In addition to certificates issued pursuant to section 79-806 to 79-815, the Commissioner of Education shall, subject to subsections (2) and (3) of this section, issue an alternative certificate to teach on a full-time basis to any applicant who:

(a) Possesses a baccalaureate 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 ten years; and

(iii) The program requires candidates to pass a subject area examination and a the pedagogy examination, known as the professional teaching knowledge examination, to receive a documentation of successful completion of certificate under such program.

(2) An alternative A certificate issued by the Commissioner of Education under this section only authorizes an individual to teach the subject and educational levels for which the individual has successfully completed an alternative teacher certification program.

(3) Issuance of an alternative certificate to teach pursuant to this section shall also be subject to any rules, regulations, or procedures established pursuant to subdivisions (1)(c) and (f) of section 79-808 and section 79-810 a criminal history record information check pursuant to section 79-814.01 and payment of any required fees.

(4) An individual who receives an alternative certificate to teach

pursuant to this section shall:

(a) Participate in a school district clinical experience for one semester in such individual's first semester of employment as a teacher pursuant to this section; and

(b) 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.

Sec. 72. Section 79-8,150, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-8,150 Applications prescribed by the Commissioner of Education for student loan repayment assistance must be submitted no later than June 10, 2023, and no later than June 10 of each year thereafter, ~~on a form developed by the department.~~ The Commissioner of Education department shall determine whether to approve or deny each application and shall notify each applicant of such determination no later than September 10, 2023, and no later than September 10 of each year thereafter. Repayment assistance awarded under the program shall be paid, in whole or in part as provided in section 79-8,151, no later than November 10, 2023, and no later than November 10 of each year thereafter.

Sec. 73. Section 79-1045, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1045 The county treasurer shall, within twenty days after receiving the apportionment under section 79-1044, apportion the amount as follows: (1) To each school district lying wholly or partly within any such forest reserve, an amount equal to the actual per pupil cost for each pupil actually residing in that part of the district which is within such forest reserve, but this apportionment per pupil shall not exceed the average annual cost per pupil, based on average daily attendance within that county; and (2) of the remaining amount, one-fifth to the public road fund of the county, one-fifth equally to the several school districts in the county, and the remaining three-fifths to the several school districts in the county pro rata according to the enumeration of scholars last returned by the districts. The county treasurer shall, with the approval of the county board, have authority to retain the money to be allocated under this subdivision to Class I, II, or III school districts of the county to be used for the establishment and support of a county circulating library for Class I, II, or III school districts. A school district which has failed to sustain a school taught by a legally qualified teacher for the length of time required by law shall not be entitled to receive any portion of the Forest Reserve Fund.

Sec. 74. Section 79-1054, Revised Statutes Supplement, 2023, is amended to read:

79-1054 (1)(a) This subsection applies until July 1, 2024.

(b) The State Board of Education shall establish a competitive innovation grant program with funding from the Nebraska Education Improvement Fund pursuant to section 79-3501. Grantees shall be a school district, an educational service unit, or a combination of entities that includes at least one school district or educational service unit. For grantees that consist of a combination of entities, a participating school district or educational service unit shall be designated to act as the fiscal agent and administer the program funded by the grant. The state board shall only award grants pursuant to applications that the state board deems to be sufficiently innovative and to have a high chance of success.

(c) An application for a grant pursuant to this subsection shall describe:

(i) Specific measurable objectives for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce;

(ii) The method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the Legislature on or before July 1, 2019;

(iii) The potential for the project to be both scalable and replicable; and

(iv) Any cost savings that could be achieved by reductions in other programs if the funded program is successful.

(d) Based on evaluations received on or before July 1, 2019, for each grant, the State Board of Education shall recommend the grant project as:

(i) Representing a best practice;

(ii) A model for a state-supported program; or

(iii) A local issue for further study.

(e) On or before December 1, 2017, and on or before December 1 of each year thereafter, the state board shall electronically submit a report to the Clerk of the Legislature on all such grants, including, but not limited to, the results of the evaluations for each grant. The state board may adopt and promulgate rules and regulations to carry out this subsection, including, but not limited to, application procedures, selection procedures, and annual evaluation reporting procedures.

~~(2)(a) This subsection applies beginning July 1, 2024.~~

~~(b) The State Board of Education shall establish innovation grant programs in areas, including, but not limited to, (i) mental health first aid, (ii) early literacy, (iii) quality instructional materials, (iv) personalized learning through digital education, or (v) other innovation areas identified by the board. It is the intent of the Legislature that such grant programs shall~~

be funded using lottery funds under section 79-3501. Grantees shall be a school district, an educational service unit, or a combination of entities that includes at least one school district or educational service unit.

~~(c) An application for participating in an innovation grant pursuant to this subsection shall describe:~~

~~(i) Specific measurable objectives for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce;~~

~~(ii) Participation in a method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the Legislature on or before July 1 of each year;~~

~~(iii) The potential for the grant program to be both scalable and replicable; and~~

~~(iv) Any cost savings that could be achieved by reductions in other programs if the grant program is successful.~~

~~(d) Based on evaluations received on or before July 1 of each year for each grant program, the State Board of Education shall recommend the grant program as:~~

~~(i) Representing a best practice;~~

~~(ii) A model for a state-supported program; or~~

~~(iii) A local issue for further study.~~

~~(e) On or before December 1 of each year, the state board shall electronically submit a report to the Clerk of the Legislature on all such grant programs, including, but not limited to, the results of the evaluations for each grant program. The state board may adopt and promulgate rules and regulations to carry out this subsection, including, but not limited to, application procedures, selection procedures, and annual evaluation reporting procedures.~~

~~(2)(a) (3)(a) This subsection applies beginning July 1, 2024.~~

~~(b) The State Board of Education shall establish an improvement grant program in areas including, but not limited to, (i) teacher recruitment and retention, (ii) improvement for schools and school districts, (iii) improvement in student performance in the subject areas of reading and mathematics, and (iv) other improvement areas identified by the state board. Such grants shall be funded using lottery funds under section 79-3501.~~

~~(c) On or before December 1 of each calendar year, the state board shall electronically submit a report to the Clerk of the Legislature on all such grant programs, including, but not limited to, the recipients of the programs and evaluations of the effectiveness of each grant program. The state board may adopt and promulgate rules and regulations to carry out this subsection.~~

~~(3)(a) (4)(a) This subsection applies beginning January 1, 2024.~~

~~(b) For purposes of this subsection, learning platform means a three-dimensional, game-based learning platform for use by middle school and high school students.~~

~~(c)(i) The State Board of Education shall establish a an innovation grant program to procure or purchase an annual license for learning platforms for use in schools to engage students in coursework and careers in science, technology, engineering, entrepreneurship, and mathematics. Such grants shall be funded using lottery funds pursuant to section 79-3501.~~

~~(ii) The State Board of Education shall establish standards that a learning platform shall meet in the subject areas of chemistry, and physical science, business, and mathematics. The state board shall develop the criteria to a plan related to how the state board shall prioritize the grant applications.~~

~~(iii) A developer may apply to the Commissioner State Department of Education on forms and in a manner prescribed by the state board department for a grant under this subsection for a learning platform that:~~

~~(A) Is designed to teach information related to chemistry, and physical science, business, or mathematics;~~

~~(B) Aligns with the standards established by the state board relating to chemistry, and physical science, business, or mathematics;~~

~~(C) Connects such standards with real-world technologies and applications;~~

~~(D) Highlights science, technology, engineering, entrepreneurship, and mathematics career pathways in Nebraska; and~~

~~(E) Meets any additional requirements set out by the State Board of Education.~~

~~(iv) Any developer that receives a grant under this subsection shall provide access to and use of its learning platform to all Nebraska school districts.~~

~~(v) Any grant awarded pursuant to this subsection shall be awarded by July 1 of each year.~~

~~(d) On or before December 1 of each calendar year, the state board shall electronically submit a report to the Clerk of the Legislature on the grant program, including, but not limited to, the recipients of the program and evaluations of the effectiveness of the grant program. The State Board of Education may adopt and promulgate rules and regulations to carry out this subsection.~~

~~(4)(a) (5)(a) The State Department of Education Improvement Innovative Grant Fund is created. The fund shall be administered by the State Department of Education and shall consist of transfers pursuant to section 79-3501, repayments of grant funds, and interest payments received in the course of~~

administering this section. The fund shall be used to carry out this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(b) Of the ten percent of funds transferred to the fund pursuant to section 79-3501, eight and three-fourths percent shall be used for improvement innovation grants pursuant to subsection (3) ~~(4)~~ of this section and the remaining one and one-fourth percent shall be used for ~~innovation and improvement~~ grants pursuant to subsection ~~subsections~~ (2) and ~~(3)~~ of this section.

Sec. 75. Section 79-1084, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1084 The school board of a Class I, II, or III school district shall annually, on or before September 30, report in writing to the county board and, for years prior to 2017, the learning community coordinating council if the school district is a member of a learning community the entire revenue raised by taxation and all other sources and received by the school board for the previous school fiscal year and a budget for the ensuing school fiscal year broken down generally as follows: (1) The amount of funds required for the support of the schools during the ensuing school fiscal year; (2) the amount of funds required for the purchase of school sites; (3) the amount of funds required for the erection of school buildings; (4) the amount of funds required for the payment of interest upon all bonds issued for school purposes; and (5) the amount of funds required for the creation of a sinking fund for the payment of such indebtedness. The secretary shall publish, within ten days after the filing of such budget, a copy of the fund summary pages of the budget one time at the legal rate prescribed for the publication of legal notices in a legal newspaper published in and of general circulation in such city or village or, if none is published in such city or village, in a legal newspaper of general circulation in the city or village. The secretary of the school board failing or neglecting to comply with this section shall be deemed guilty of a Class V misdemeanor and, in the discretion of the court, the judgment of conviction may provide for the removal from office of such secretary for such failure or neglect. For Class I, II, or III school districts that are not members of a learning community, the county board shall levy and collect such taxes as are necessary to provide the amount of revenue from property taxes as indicated by all the data contained in the budget and the certificate prescribed by this section, at the time and in the manner provided in section 77-1601.

Sec. 76. Section 79-1093, Reissue Revised Statutes of Nebraska, is amended to read:

79-1093 (1) The board of education of a Class I, II, III, IV, or V school district may contract for (a) machine accounting and payroll processing services, (b) disbursing school funds as ordered by the board of education, (c) paying net salaries or wages earned by professional and other personnel employed by the board of education, (d) remitting to appropriate collection agencies sums withheld from salaries and wages, and (e) any other computerized service which the board of education deems necessary or desirable. Payment of salaries and wages as provided in this section shall be made to the employee in bank credit or cash, as the employee may specify.

(2) The bank or fiscal agent under contract as provided in this section shall furnish to the board of education a report at the end of each month detailing (a) the sums received for deposit in the school district account, (b) the amount disbursed to payees as designated by the secretary or authorized clerk of the board of education, and (c) the unexpended balance in the school district account. This section does not modify, limit, waive, or abrogate the responsibility and the liability of the contracting board of education for the security and safe custody of school funds as required by law or for their proper use and application to school district indebtedness as provided by law.

Sec. 77. Section 79-10,110.02, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-10,110.02 (1) On and after April 19, 2016, the school board of any school district may make a determination that an additional property tax levy is necessary for a specific abatement project to address an actual or potential environmental hazard, accessibility barrier, life safety code violation, life safety hazard, school safety infrastructure concern, or mold which exists within one or more existing school buildings or the school grounds of existing school buildings controlled by the school district. Such determination shall not include abatement projects related to the acquisition of new property, the construction of a new building, the expansion of an existing building, or the remodeling of an existing building for purposes other than the abatement of environmental hazards, accessibility barriers, life safety code violations, life safety hazards, school safety infrastructure concerns, or mold. Upon such determination, the school board may, not later than the date provided in section 13-508, make and deliver to the county clerk of such county in which any part of the school district is situated an itemized estimate of the amounts necessary to be expended for such abatement project, any insurance proceeds or other anticipated funds that will be received by the school district related to the abatement project, the period of years for which the property tax will be levied for such project, and the estimated amount of the levy for each year of the period based on the taxable valuation of the district at the time of issuance. The period of years for such levy shall not exceed ten years and the levy for such project when combined with all other levies pursuant to this section and section 79-10,110 shall not exceed three cents per one hundred

dollars of taxable valuation. Nothing in this section shall affect levies pursuant to section 79-10,110.

(2) The county clerk shall levy such taxes and such taxes shall be collected by the county treasurer at the same time and in the same manner as county taxes are collected and when collected shall be paid to the treasurer of the district. A separate abatement project account shall be established for each project by the school district. Taxes collected pursuant to this section shall be credited to the appropriate account to cover the project costs.

(3) For purposes of this section:

(a) Abatement includes, but is not limited to, any related inspection and testing, any maintenance to reduce, lessen, put an end to, diminish, moderate, decrease, control, dispose of, eliminate, or remove the issue causing the need for abatement, any related restoration or replacement of material or property, any related architectural and engineering services, and any other action to reduce or eliminate the issue causing the need for abatement in existing school buildings or on the school grounds of existing school buildings under the board's control;

(b) Accessibility barrier means anything which impedes entry into, exit from, or use of any building or facility by all people; and

(c) Environmental hazard means any contamination of the air, water, or land surface or subsurface caused by any substance adversely affecting human health or safety if such substance has been declared hazardous by a federal or state statute, rule, or regulation.

(4) For the purpose of paying amounts necessary for the abatement project, the board may borrow money, establish a sinking fund, and issue bonds and other evidences of indebtedness of the district, which bonds and other evidences of indebtedness shall be secured by and payable from an irrevocable pledge by the district of amounts received in respect of the tax levy provided for by this section and any other funds of the district available therefor. Bonds and other evidences of indebtedness issued by a district pursuant to this subsection shall not constitute a general obligation of the district or be payable from any portion of its general fund levy. The total principal amount of bonds for abatement projects pursuant to this section shall not exceed the total amount specified in the itemized estimate described in subsection (1) of this section.

(5) A district may exceed the maximum levy of three cents per one hundred dollars of taxable valuation authorized by this section in any year in which (a) the taxable valuation of the district is lower than the taxable valuation in the year in which the district last issued bonds pursuant to this section and (b) such maximum levy is insufficient to meet the combined annual principal and interest obligations for all bonds issued pursuant to this section and section 79-10,110. The amount generated from a district's levy in excess of three cents per one hundred dollars of taxable valuation shall not exceed the combined annual principal and interest obligations for such bonds minus the amount generated by levying three cents per one hundred dollars of taxable valuation.

Sec. 78. Section 79-10,114, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-10,114 No school property of any kind belonging to any Class I, II, III, or IV school district shall be sold by the school board or board of education except at a regular meeting of the board and with an affirmative recorded vote of at least two-thirds of all the members of the board. Proceeds of sale of school property sold as provided in this section may be held separately from other funds of the school district and may be used for any school purpose as the board may determine, including, but not limited to, acquiring sites for school buildings or teacherages and purchasing existing buildings for use as school buildings or teacherages, including the sites upon which such buildings are located, and the erection, alteration, equipping, and furnishing of school buildings or teacherages.

Sec. 79. Section 79-10,117, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-10,117 The legal voters of any Class I, II, or III school district have the power, at an election or at any annual or special meeting, to (1) direct the purchasing or leasing of any appropriate site and the building, hiring, or purchasing of a teacherage for the purpose of providing housing facilities for the school employees of the district, (2) determine the amount necessary to be expended for such purposes the succeeding year, and (3) vote on a tax on the property of the district for the payment of the amount.

Sec. 80. Section 79-10,118, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-10,118 A tax to establish a special fund for the building, hiring, or purchasing of a teacherage for the purpose of providing housing facilities for the school employees of any Class I, II, or III district may be levied when authorized by fifty-five percent of the legal voters voting on the proposition. The notice of the proposal to establish such special fund shall include the sum to be raised or the amount of the tax to be levied, the period of years, and the time of its taking effect. If fifty-five percent of the legal voters voting at any such election vote in favor of the proposition, the result of such election shall be certified to the county board which, upon being satisfied that all the requirements have been substantially complied with, shall cause the proceedings to be entered upon the record of the county board and shall make an order that the levy be made in accordance with the election result and collected as other taxes.

Sec. 81. Section 79-10,141, Revised Statutes Cumulative Supplement, 2022,

is amended to read:

79-10,141 (1) Because children are susceptible to hunger in the summertime, resulting in negative health effects, the Legislature intends, as a state nutrition and health policy, that the State of Nebraska's participation in the Summer Food Service Program of the United States Department of Agriculture be strengthened where it is needed to provide adequate nutrition for children.

(2) To encourage participation and utilization of the Summer Food Service Program, the department shall:

(a) Provide information to sponsors concerning the benefits and availability of the Summer Food Service Program; and

(b) Award grants of up to fifteen thousand dollars on a competitive basis to sponsors approved by the department. Grants awarded under this section may be used for nonrecurring expenses incurred in initiating or expanding services under the Summer Food Service Program, including, but not limited to, the acquisition of equipment, salaries of staff, training of staff in new capacities, outreach efforts to publicize new or expanded services under the Summer Food Service Program, minor alterations to accommodate new equipment, computer point-of-service systems for food service, transportation costs associated with food delivery to accommodate rural noncongregate meal service, and the purchase of vehicles for transporting food to sites. Funds may be expended up to the full cost of a qualifying expense incurred by a sponsor in initiating or expanding the services under the Summer Food Service Program, and if the funds are expended solely for the benefit of child nutrition programs administered by the department, no proration of the expense shall be required. Funds shall not be used for food, computers, except point-of-service systems, or capital outlay. The total amount of grants awarded under this section shall be limited to one hundred thousand dollars per fiscal year.

(3) In awarding grants under this section, the department shall give preference in the following order of priority to:

(a) Sponsors located within the boundaries of school districts in which fifty percent or more of the students apply and qualify for free and reduced-price lunches or located within the boundaries of a census tract in which fifty percent or more of the children fall under the poverty threshold as defined by the United States Department of Agriculture;

(b) Sponsors in which health or education activities are emphasized; and

(c) Sponsors that participate in the Summer Food Service Program at the time of grant application.

(4) Sponsors may apply for grants under this section by:

(a) Submitting to the department a plan to start or expand services under the Summer Food Service Program;

(b) Agreeing to operate the Summer Food Service Program for a period of not less than two years; and

(c) Assuring that the expenditure of funds from state and local resources for the maintenance of other child nutrition programs administered by the department shall not be diminished as a result of grants received under this section.

Sec. 82. Section 79-10,150, Revised Statutes Supplement, 2023, is amended to read:

79-10,150 (1) On or before January 15 of each school fiscal year, a school district with expected special education expenditures that total (a) at least fifty thousand dollars annually or (b) one-half percent or more of such school district's annual budget, whichever is greater, may submit an application as prescribed by the Commissioner State Department of Education to the State Department of Education department for a payment from the Education Future Fund to cover an extraordinary increase in special education expenditures pursuant to the requirements of this section. Such application shall 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.

(2) The department shall 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 one hundred seven percent for each applicant school district.

(3) Each applicant school district shall qualify for a maximum payment equal to the difference of the special education expenditures for the current school fiscal year submitted pursuant to subsection (1) of this section minus the amount calculated pursuant to subsection (2) of this section for such school district for such school fiscal year.

(4) The department shall make a payment to each applicant school district on or before January 31 for the school fiscal year in which the application is submitted. Such payment shall equal the maximum payment determined pursuant to subsection (3) of this section, except that if the sum of all maximum payments for applicant school districts for such school fiscal year exceeds the available balance for such purpose in the Education Future Fund, each payment shall be reduced proportionally so that the sum of all payments for applicant school districts for such school fiscal year equals the available balance for such purpose in the fund.

Sec. 83. Section 79-1107, Reissue Revised Statutes of Nebraska, is amended to read:

79-1107 For purposes of sections 79-1106 to 79-1108.03:

(1) Approved accelerated or differentiated curriculum programs means academic programs that serve the educational needs of learners with high

ability developed and approved under section 79-1108;

(2) Department means the State Department of Education; and

(3) Learner with high ability means a student that performs, or has the capacity to perform, at greater levels in one or more domains of instruction in comparison to individuals of the same age, educational experience, or environment who gives evidence of high performance capability in such areas as intellectual, creative, or artistic capacity or in specific academic fields and who requires accelerated or differentiated curriculum programs in order to develop those abilities capabilities fully.

Sec. 84. Section 79-1108.02, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-1108.02 (1) The department shall, annually on or before October 15, distribute funds appropriated for purposes of this section to (a) local systems as defined in section 79-1003 or (b) a combination of school districts annually on or before October 15. The funds distributed pursuant to this section shall be distributed based on a pro rata share of the eligible costs submitted in grant applications.

(2) Local systems or combinations of school districts may apply to the department for base funds and matching funds pursuant to this section to be spent on approved accelerated or differentiated curriculum programs. Each eligible local system or combination of school districts shall receive one-tenth of one percent of the appropriation as base funds plus a pro rata share of the remainder of the appropriation based on identified students participating in an accelerated or differentiated curriculum program, up to ten percent of the prior year's fall membership as defined in section 79-1003, as matching funds. Eligible local systems or combinations of school districts shall:

(a) Provide an approved accelerated or differentiated curriculum program for students identified as learners with high ability;

(b) Provide funds from other sources for the approved accelerated or differentiated curriculum program greater than or equal to fifty percent of the matching funds received pursuant to this subsection;

(c) Provide an accounting of the funds received pursuant to this section, funds required by subdivision (b) of this subsection, and the total cost of the program on or before August 1 of the year following the receipt of funds in a manner prescribed by the department, not to exceed one report per year; and

(d) Provide data regarding the academic progress of students participating in the accelerated or differentiated curriculum program in a manner prescribed by the department, not to exceed one report per year.

If a local system or combination of school districts will not be providing the necessary matching funds pursuant to subdivision (b) of this subsection, the local system or combination of school districts shall request a reduction in the amount received pursuant to this subsection such that the local system or combination of school districts will be in compliance with such subdivision. Local systems or combinations of school districts not complying with the requirements of this subsection shall not be ineligible for grant funds eligible local systems in the following year.

Sec. 85. Section 79-1108.03, Reissue Revised Statutes of Nebraska, is amended to read:

79-1108.03 The State Board of Education shall adopt and promulgate rules and regulations to implement sections 79-1105 to 79-1108.03, including criteria for the approval of accelerated or differentiated curriculum programs, consistent methods for identification of learners with high ability, and data requirements for measuring academic progress of students participating in the accelerated or differentiated curriculum programs.

Sec. 86. Section 79-11,159, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-11,159 (1) On or before August 1, 2023, each school district shall designate one or more behavioral health points of contact for each school building or other division as determined by the school district. A behavioral health point of contact may be an administrator, a school nurse, a school psychologist, or another designated person affiliated with such school building or other division. Each behavioral health point of contact shall have knowledge of community behavioral health service providers and other resources available for students and families.

(2) On or before August 1, 2023, and on or before each August 1 thereafter, the State Department of Education, in consultation with the Division of Behavioral Health of the Department of Health and Human Services, shall provide each school district with a registry of state and local behavioral health resources available to work with students and families by geographic area. The registry shall be updated at least annually and include resources for both school-based services and services accessible by students' families outside of school.

(3) Each behavioral health point of contact shall coordinate access to community behavioral health services for students and families and facilitate access to services during the school day at the school the student attends. Except as provided in section 43-2101, such facilitation shall be approved by the student's parent or guardian. In addition, the behavioral health point of contact shall also be responsible for the duties set forth in section 79-3603.

(4) Before the beginning of school year 2023-24, and before the beginning of each school year thereafter, each school district shall report the designated behavioral health points of contact to the State Department of Education.

Sec. 87. Section 79-3105, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-3105 The department shall provide training for the members of any threat assessment team serving a public or nonpublic school. Such training shall provide the knowledge and skill to allow threat assessment teams to work collaboratively to conduct threat assessments, engage in crisis intervention, increase awareness of concerning behavior among school staff, students, and the public, and interrupt violence in the planning stage to thwart potential harm to persons and property. Such training shall be reasonable in length.

Sec. 88. (1) For purposes of this section:

(a) Mapping data means maps relating to a school building or school property with data for an efficient emergency response to such school building or school property that meets the requirements of this section; and

(b) Public safety agency means a local, county, or state agency consisting of members who serve a public or governmental agency or political subdivision in an official capacity, with or without compensation, as either peace officers, firefighters, or emergency care providers as defined in section 38-1206.04.

(2)(a) A school board of a school district or a governing authority of an approved or accredited private, denominational, or parochial school in this state may vote to adopt a policy in accordance with this section to provide mapping data to public safety agencies for use in response to emergencies.

(b) A school board or a governing authority that adopts such a policy shall provide mapping data in an electronic or digital format to assist public safety agencies in responding to an emergency at a school.

(c) The mapping data shall, at a minimum, meet all of the following requirements:

(i) Be compatible with and able to be integrated into software platforms used by public safety agencies that provide emergency services to the specific school for which the data is provided without requiring:

(A) The purchase of additional software by such public safety agencies; or

(B) The integration of third-party software to view the data;

(ii) Be a finished map product in a file format easily accessible using a standard or open-source file reader, depending on the needs of the school and the public safety agency;

(iii) Be provided in a printable format;

(iv) Be verified for accuracy, during production and annually, through a walk-through of the school campus;

(v) Give an indication of what direction is true north;

(vi) Include accurate floor plans overlaid on accurate, verified aerial imagery of the school campus;

(vii) 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 using standard labeling rules set by the State Department of Education;

(viii) Contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties using standard labeling rules set by the State Department of Education; and

(ix) Be overlaid with a grid and coordinates.

(3) The school board of each school district and the governing authority of each approved or accredited private, denominational, or parochial school that adopts a policy in accordance with this section shall annually (a) certify to the appropriate public safety agencies that the mapping data required to be provided under subsection (2) of this section is accurate or (b) if such information has changed, provide the appropriate public safety agencies with updated mapping data.

(4) A school board of a school district that adopts a policy in accordance with this section may apply to the State Department of Education in a manner prescribed by the Commissioner of Education for a grant to cover the costs of providing payment to vendors on behalf of the school district to facilitate the implementation of mapping data in accordance with this section for such school district. Such application shall include a copy of the appropriate school policy, an estimate from a vendor on the cost of providing such mapping data that meets the requirements of subdivision (2)(c) of this section, and any other information the department may require.

(5)(a) An approved or accredited private, denominational, or parochial school may apply to and contract with the appropriate educational service unit in the school's geographical area in a manner prescribed by the educational service unit for purposes of covering the costs of facilitating mapping data in accordance with this section.

(b) An educational service unit may apply to the State Department of Education, in a manner prescribed by the Commissioner of Education, for a grant to cover the costs of providing payments to vendors on behalf of an approved or accredited private, denominational, or parochial school which contracts with such educational service unit to facilitate the implementation of mapping data in accordance with this section for such school. The educational service unit shall include with such application the information provided to the educational service unit by the school, which shall include a copy of the appropriate school policy, an estimate from a vendor on the cost of providing such mapping data that meets the requirements of subdivision (2)(c) of this section, and any other information the department may require.

(6) It is the intent of the Legislature that grants awarded pursuant to this section shall be funded from the School Emergency Response Mapping Fund.

(7) The State Board of Education may adopt and promulgate rules and regulations to carry out this section.

Sec. 89. (1) The School Emergency Response Mapping Fund is created. The fund shall be administered by the State Department of Education and consist of any money transferred by the Legislature and any gifts, grants, or bequests. The department shall use the money in the fund for grants related to facilitating the implementation of mapping data in accordance with section 88 of this act. Any funds available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) It is the intent of the Legislature to transfer five hundred twenty-five thousand dollars from the General Fund to the School Emergency Response Mapping Fund for fiscal year 2024-25 for the purpose of providing such grants.

Sec. 90. (1) Except as provided in subsection (2) of this section, beginning in school year 2024-25, a public school shall not allow the use of a Mercator projection map in school. A public school shall only use the Gall-Peters projection map or a similar cylindrical equal-area projection map or the AuthaGraph projection map for display or use in the classroom.

(2) A Mercator projection map may be used in a classroom if such map is:

(a) Used in conjunction with other projection maps in a teaching exercise to demonstrate that all maps are flawed in some way and different map projections serve different functions and may affect how an individual views the world; or

(b)(i) Part of any (A) book or material obtained prior to the effective date of this act, (B) geographic information system, or (C) computer program that renders a three-dimensional representation of Earth based primarily on satellite imagery, such as Google Earth or similar software; and

(ii) A Gall-Peters projection map or a similar cylindrical equal-area projection map or an AuthaGraph projection map is displayed in the classroom or shown to students during the lesson in which a Mercator projection map is used.

(3) Nothing in this section shall be construed to require a school to dispose of or replace any book or material used in the classroom or obtained prior to the effective date of this act.

(4) The school board of each public school district shall adopt a policy to implement the requirements of this section.

Sec. 91. (1) For purposes of this section, debt collection agency means any person or entity that collects or attempt to collect, directly or indirectly, debts due or asserted to be owed or due to another. Debt collection agency does not include the Department of Revenue or any programs administered by the department or a school, school district, school board, or board of education.

(2) No school board or board of education of a school district shall:

(a) Use a debt collection agency to collect or attempt to collect, directly or indirectly, debts due or assessed to be owed for outstanding debts on a school lunch or breakfast account of a student at such school district; or

(b) Assess or collect any interest, fees, or other monetary penalties for outstanding debts on a school lunch or breakfast account of a student at such school district.

Sec. 92. Section 79-3501, Revised Statutes Supplement, 2023, is amended to read:

79-3501 (1) For fiscal years through fiscal year 2023-24, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred to the Nebraska Education Improvement Fund.

(2) For fiscal years 2024-25 through 2028-29, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred as follows:

(a) Eight percent to the Behavioral Training Cash Fund;

(b) Two percent to the College Pathway Program Cash Fund;

(c) Seven percent to the Community College Gap Assistance Program Fund;

(d) Ten percent to the State Department of Education Improvement Innovative Grant Fund;

(e) Three percent to fund distance education incentives pursuant to section 79-1337;

(f) One percent to the Door to College Scholarship Fund;

(g) Eight percent to the Excellence in Teaching Cash Fund;

(h) One and one-half percent to the Expanded Learning Opportunity Grant Fund;

(i) One and one-half percent to the Mental Health Training Cash Fund; and

(j) Fifty-eight percent to the Nebraska Opportunity Grant Fund.

(3) For fiscal year 2029-30 and each fiscal year thereafter, the money available to be used for education pursuant to subdivision (3)(b) of section 9-812 shall be transferred as the Legislature may direct.

(4)(a) The Nebraska Education Improvement Fund is created. The fund shall consist of money transferred pursuant to subsection (1) of this section and any other funds transferred by the Legislature. The fund shall be allocated, after actual and necessary administrative expenses, as provided in this subsection for fiscal years 2016-17 through 2023-24. A portion of each allocation for fiscal year 2023-24 may be retained by the agency to which the allocation is made or the agency administering the fund to which the allocation is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the allocation,

except that no amount of the allocation to the Nebraska Opportunity Grant Fund may be used for such purposes.

(b) For fiscal years 2017-18 through 2023-24, an amount equal to ten percent of the revenue received by the Nebraska Education Improvement Fund in the prior fiscal year shall be retained in the fund at all times plus any interest earned during the current fiscal year. The balance of the fund on July 26, 2024, less three percent of the money received for the fourth quarter of fiscal year 2023-24, shall be transferred to the Behavioral Training Cash Fund.

(c) For fiscal year 2023-24, the Nebraska Education Improvement Fund shall be allocated as follows:

(i) One percent of the allocated funds to the Expanded Learning Opportunity Grant Fund to carry out the Expanded Learning Opportunity Grant Program Act;

(ii) Seventeen percent of the allocated funds to the State Department of Education Improvement Innovative Grant Fund to be used for competitive innovation grants pursuant to section 79-1054;

(iii) Nine percent of the allocated funds to the Community College Gap Assistance Program Fund to carry out the community college gap assistance program;

(iv) Eight percent of the allocated funds to the Excellence in Teaching Cash Fund to carry out the Excellence in Teaching Act;

(v) Sixty-two percent of the allocated funds to the Nebraska Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in conjunction with appropriations from the General Fund; and

(vi) Three percent of the allocated funds to fund distance education incentives pursuant to section 79-1337.

(d) For fiscal year 2029-30 and each fiscal year thereafter, the Nebraska Education Improvement Fund shall be allocated as the Legislature may direct.

(e) Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(5) A portion of each transfer pursuant to subdivisions (2)(c), (e), (f), (g), (h), and (i) of this section may be retained by the agency administering the fund to which such transfer is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the transfer.

(6)(a) On or before September 20, 2022, and on or before each September 20 thereafter, (i) any department or agency receiving a transfer or acting as the administrator for a fund receiving a transfer pursuant to subsection (2) or (4) of this section, (ii) any recipient or subsequent recipient of money from any such fund, and (iii) any service contractor responsible for managing any portion of any such fund or any money disbursed from any such fund on behalf of any entity shall prepare and submit an annual report to the Auditor of Public Accounts in a manner prescribed by the auditor for the immediately preceding July 1 through June 30 fiscal year detailing information regarding the use of such fund or such money.

(b) The Auditor of Public Accounts shall annually compile a summary of the annual reports received pursuant to subdivision (6)(a) of this section, any audits related to transfers pursuant to subsection (2) or (4) of this section conducted by the Auditor of Public Accounts, and any findings or recommendations related to such transfers into a consolidated annual report and shall submit such consolidated annual report electronically to the Legislature on or before January 1, 2023, and on or before each January 1 thereafter.

(c) For purposes of this subsection, recipient, subsequent recipient, or service contractor means a nonprofit entity that expends funds transferred pursuant to subsection (2) or (4) of this section to carry out a state program or function, but does not include an individual who is a direct beneficiary of such a program or function.

(7) On or before December 31, 2027, the Education Committee of the Legislature shall electronically submit recommendations to the Clerk of the Legislature 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 2029-30.

Sec. 93. Section 79-3602, Revised Statutes Supplement, 2023, is amended to read:

79-3602 (1)(a) Beginning in school year 2024-25, the Educational Service Unit Coordinating Council shall (i) ensure annual behavioral awareness training is available statewide and (ii) develop, implement, and administer an ongoing statewide teacher support system.

(b) Beginning in school year 2026-27, each school district shall ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training. The length of such training shall be a reasonable amount as determined by each school board. Each administrator, teacher, paraprofessional, school nurse, and counselor who has received such training shall receive a behavioral awareness training review at least once every three years. Each 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 shall have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

(c) Behavioral awareness training shall include, but not be limited to, 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.

(2)(a) On or before July 1, 2025, and on or before July 1 of each year thereafter, each school district shall submit a behavioral awareness training report to the Educational Service Unit Coordinating Council. Such report shall include the school district behavioral awareness training plan and summarize how such plan fulfills the requirements of this section.

(b) On or before December 31, 2025, and each December 31 thereafter, the Educational Service Unit Coordinating Council shall submit a report to the Commissioner of Education and electronically to the Education Committee of the Legislature summarizing the behavioral awareness training reports received by school districts, the various trainings provided across the state, the teacher support system, and a financial report of funding received and expended in accordance with the Behavioral Intervention Training and Teacher Support Act.

(3)(a) Behavioral awareness training and the teacher support system required pursuant to this section shall be funded from the Behavioral Training Cash Fund.

(b) Any funding received by a school district for behavioral awareness training under the Behavioral Intervention Training and Teacher Support Act shall be considered special grant funds under section 79-1003.

Sec. 94. Section 79-3603, Revised Statutes Supplement, 2023, is amended to read:

79-3603 (1) Each school district shall designate one or more school employees as a behavioral awareness point of contact for each school building or other division as determined by such school district. Each behavioral awareness point of contact shall be trained in behavioral awareness and shall have knowledge of community service providers and other resources that are available for the students and families in such school district. The length of such training shall be a reasonable amount as determined by the school board.

(2) Each school district shall maintain or have access to a registry of local mental health and counseling resources. The registry shall include resource services that can be accessed by families and individuals outside of school. Each behavioral awareness point of contact shall coordinate access to support services for students whenever possible. Except as provided in section 43-2101, if information for an external support service is provided to an individual student, school personnel shall notify a parent or guardian of such student in writing unless such recommendation involves law enforcement or child protective services. Each school district shall indicate each behavioral awareness point of contact for such school district on the website of the school district and in any school directory for the school that the behavioral awareness point of contact serves.

Sec. 95. Section 79-3703, Revised Statutes Supplement, 2023, is amended to read:

79-3703 (1) The State Department of Education shall develop and administer the College Pathway Program to provide grants on or after July 1, 2024, to eligible providers to provide services in accordance with subsection (2) of this section to underrepresented and low-income students in high school and postsecondary education.

(2) A provider is eligible for a grant pursuant to the College Pathway Program Act if the provider offers, exclusively to underrepresented and low-income students, educational services that provide materials, services, and supports to help a student graduate from high school, apply for admission to a postsecondary institution, and complete the requirements to receive an associate degree or a baccalaureate degree. Such educational services may include:

(a) Assistance and tutorials which help students in completing applications for a college or university, including applying for aid through the Free Application for Federal Student Aid or other scholarships;

(b) Assistance and materials which help students take the appropriate high school classes in an area or field of study a student is interested in and any classes necessary for a student to gain acceptance at a postsecondary institution or complete the requirements and take the appropriate postsecondary education classes to receive an associate degree or a baccalaureate degree; and

(c) Any other services specified pursuant to rules and regulations adopted and promulgated by the State Board of Education.

(3) Eligible providers may apply to the State Department of Education for a grant ~~on forms and~~ in a manner prescribed by the Commissioner of Education ~~department~~.

Sec. 96. Section 85-3002, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-3002 For purposes of the Nebraska Career Scholarship Act:

(1) Community college means a public postsecondary educational institution which is part of the community college system and includes all branches and campuses of such institution located within the State of Nebraska;

(2) First-time freshman means a student who enrolled in an eligible program of study, who has not previously been enrolled in a postsecondary institution within three years immediately preceding the application for a scholarship pursuant to the act, and who has not previously earned a postsecondary credential except as a dual credit or early-college high school student as the student's first enrollment in any postsecondary institution after graduating from high school or receiving a diploma of high school

equivalency;

(3) Nebraska Career Scholarship means a scholarship awarded under the act or a scholarship awarded as a Nebraska Career Scholarship pursuant to Laws 2021, LB380, or Laws 2020, LB1008;

(4) Nonscholarship student means a student who has never been awarded a Nebraska Career Scholarship for the applicable eligible program of study;

(5) Private college means an accredited private nonprofit institution of postsecondary education located within the State of Nebraska;

(6) Scholarship recipient means a student who has been awarded a Nebraska Career Scholarship; ~~and~~

(7) Standard college admission test means the national assessment instrument that is also used as the standard college admission test selected by the State Board of Education and administered to students in the eleventh grade pursuant to subsection (9) of section 79-760.03; ~~and -~~

(8) Transfer student means a student who has not previously earned a postsecondary credential and who has transferred into an eligible program of study (a) from another postsecondary institution or (b) from another program of study within the same postsecondary institution. A student that previously earned a postsecondary credential, but only as a dual-credit or early-college high school student, shall be considered a transfer student if such student transferred into an eligible program of study from another postsecondary institution or a program within the same postsecondary institution directly following such student's early-college high school enrollment.

Sec. 97. Section 85-3003, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges shall award a Nebraska Career Scholarship that does not exceed a maximum of fifteen thousand dollars per year to any eligible state college student who achieved a composite score on a standard college admission test equivalent to a score of at least eighteen out of a maximum score of thirty-six and who is enrolled in an eligible program of study.

(b) The Board of Trustees of the Nebraska State Colleges shall allocate funds appropriated to the board under the Nebraska Career Scholarship Act between the state college campuses, determine the eligibility of students enrolled in a state college, receive and process applications for awards to individual students, and disburse ~~disperse~~ funds directly to scholarship recipients during the fiscal year. Eligibility criteria shall include being a first-time freshman or a transfer student and enrollment in an eligible program of study.

(c) For purposes of this section, an eligible program of study includes the following means:

(i) ~~A Through academic year 2023-24,~~ a program of study at a state college in rangeland management, industrial technology, criminal justice, business administration, education, communication, the Reserve Officers' Training Corps, or computer information systems; and

(ii) Beginning with academic year 2024-25, a program of study designated by the Department of Economic Development, in collaboration with the Board of Trustees of the Nebraska State Colleges, based on periodic reviews of workforce needs in the state.

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

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

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

(5) The Board of Trustees of the Nebraska State Colleges shall collect information on each state college scholarship recipient and shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information for the each eligible programs ~~program~~ of study at a state college in the current or prior academic year:

(a) The total number of students enrolled in each eligible the program of study in the immediately prior academic year and the total number of students enrolled in each eligible the program of study as of ~~September 30~~ for the current academic year, based upon official fall census data;

(b) The total number of scholarship recipients in each eligible the program of study as of ~~September 30~~ for the current academic year and the total number of such scholarship recipients who are newly enrolled in each eligible the program of study for such academic year, based upon official fall census data;

(c) The total number of newly awarded scholarship recipients students retained across all eligible programs of study ~~in the program~~ from the immediately prior academic year to the current academic year and a comparison of the retention rates between those of the newly awarded scholarship recipients and the state college's overall first to second year retention rate reported to the Integrated Postsecondary Education Data System for the same year scholarship recipients and nonscholarship students;

~~(d) The number of students participating in an internship, an~~

~~apprenticeship, a clinical position, or employment in a major-related field during the immediately prior academic year and a comparison of participation rates for scholarship recipients and nonscholarship students;~~

~~(d) (e) The total number of scholarship recipients who graduated during graduates for the immediately prior academic year, the number of scholarship recipient graduates for such academic year, and a comparison of the four-year graduation rates between the for scholarship recipients who graduated and the state college's overall four-year graduate rate reported to the Integrated Postsecondary Education Data System for the same year and nonscholarship students; and~~

~~(e) (f) The number and percent of scholarship recipients who graduated during graduates from the immediately prior calendar academic year who obtained employment in a major-related field in the state within four months after graduation and the average starting salary for such graduates.~~

Sec. 98. Section 85-3004, Revised Statutes Cumulative Supplement, 2022, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

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

(a) The total number of students enrolled in each eligible the program of study in the immediately prior academic year and the total number of students enrolled in each eligible the program of study as of September 30 for the current academic year, based upon official fall census data;

(b) The total number of scholarship recipients in each eligible the program of study as of September 30 for the current academic year and the total number of such scholarship recipients who are newly enrolled in each eligible the program of study for such academic year, based upon official fall census data;

(c) The total number of newly awarded scholarship recipients students retained across all eligible programs of study in the program from the immediately prior academic year to the current academic year and a comparison of the retention rates between those of the newly awarded scholarship recipients and the university's overall first to second year retention rate reported to the Integrated Postsecondary Education Data System for the same year scholarship recipients and nonscholarship students;

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

~~(d) (e) The total number of scholarship recipients who graduated during graduates for the immediately prior academic year, the number of scholarship~~

~~recipient graduates for such academic year, and a comparison of the four-year graduation rates between the for scholarship recipients who graduated and the university's overall four-year graduate rate reported to the Integrated Postsecondary Education Data System for the same year and nonscholarship students; and~~

~~(e) (f) The number and percent of scholarship recipients who graduated during graduates from the immediately prior calendar academic year who obtained employment in a major-related field in the state within four months after graduation and the average starting salary for such graduates.~~

Sec. 99. Section 85-3005, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-3005 (1)(a) ~~The Coordinating Commission for Postsecondary Education Department of Economic Development~~, in collaboration with the community colleges, shall award a Nebraska Career Scholarship that does not exceed a maximum of fifteen ~~five~~ thousand dollars per year to any eligible community college student who is enrolled in an eligible program of study in an identified shortage area or skilled trade that meets the workforce needs of the state.

(b) ~~The Coordinating Commission for Postsecondary Education, in consultation with the State Department of Education, the Department of Labor, the Department of Economic Development, and any advisory committee established by the Coordinating Commission for Postsecondary Education for such purpose, Department of Economic Development~~ shall identify shortage areas and skilled trades that meet workforce needs for purposes of this section and shall periodically review and revise the identification of such shortage areas and skilled trades.

(c) For purposes of this section, an eligible program of study means a program of study offered by a community college in a shortage area or skilled trade identified pursuant to subdivision (b) of this subsection.

(d) Each community college area, acting as an agent of the state, shall determine the eligibility of students enrolled in the community college, receive and process applications for awards to individual students, and ~~disburse~~ ~~disperse~~ funds directly to scholarship recipients during the fiscal year. Eligibility criteria shall include being a first-time freshman or a transfer student and enrollment in an eligible program of study.

(2) Each scholarship recipient enrolled in more than a one-semester or sixteen-credit-hour program of study shall register with the appropriate campus office to obtain a Nebraska-based internship, apprenticeship, clinical position, experiential learning activity, or employment in a major-related field prior to completion of the student's eligible program of study.

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

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after three years of participation in such eligible program of study.

(5) Each community college area shall collect information on each scholarship recipient who has been awarded a Nebraska Career Scholarship by such community college area and shall share such information with the Coordinating Commission for Postsecondary Education ~~Department of Economic Development~~.

(6) ~~The Coordinating Commission for Postsecondary Education Department of Economic Development~~ shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information:

(a) For each eligible program of study at a community college in the current or prior academic year:

(i) The total number of students enrolled in the program in the immediately prior academic year and the total number of students enrolled in the program as of the most recent census date for the community college area; and

(ii) The total number of scholarship recipients in the program as of the most recent census date for the community college area; ~~and~~

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

(b) The first to second year retention rate of new scholarship recipients for all eligible programs of study from the immediately prior academic year as compared to the community college's overall first to second year retention rate as reported to the Integrated Postsecondary Education Data System for the same year total number of first-time freshman scholarship recipients retained in year two of the scholarship recipient's eligible program of study and a comparison of the retention rate for first-time freshman scholarship recipients to the overall retention rate for first-time freshman students;

(c) The total number of first-time freshman scholarship recipients who complete the program of study by earning the certificate, diploma, or degree that signifies completion and a comparison of the on-time completion rate for scholarship recipients to the overall on-time completion rate for all first-time freshman students; and

(d) The number of scholarship recipients obtaining employment in the state within five fiscal quarters of completion of an eligible program of study using

Department of Labor data. ~~;~~ and

~~(e) The average salary of scholarship recipients, as determined by the Department of Labor, for the fifth fiscal quarter following completion.~~

~~(7) The Coordinating Commission for Postsecondary Education Department of Economic Development shall allocate to community colleges the amount appropriated to the commission department to carry out this section. The commission department shall establish a separate budget subprogram for such allocation.~~

Sec. 100. Section 85-3006, Revised Statutes Cumulative Supplement, 2022, is amended to read:

85-3006 (1)(a) The Coordinating Commission for Postsecondary Education Department of Economic Development, in collaboration with private colleges that elect to participate, shall award a Nebraska Career Scholarship that does not exceed a maximum of ten thousand dollars per year to any private college student who achieved a composite score on a standard college admission test equivalent to a score of at least eighteen out of a maximum score of thirty-six or who had a high school grade-point average of 3.0 or greater on a four-point scale and who is enrolled in an eligible program of study.

(b) Each participating private college, acting as an agent of the state, shall determine the eligibility of students enrolled in the private college, receive and process applications for awards to individual students, and disburse ~~disperse~~ funds directly to scholarship recipients during the fiscal year. Eligibility criteria shall include being a first-time freshman or a transfer student and enrollment in an eligible program of study.

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

(i) Through academic year 2023-24, a program of study at a private college in mathematics, health care, and computer information systems; and

(ii) Beginning with academic year 2024-25, a program of study in education or engineering and a program of study in shortage areas designated by the Coordinating Commission for Postsecondary Education, in consultation with the State Department of Education, the Department of Labor, the Department of Economic Development, and any advisory committee established by the Coordinating Commission for Postsecondary Education for such purpose, ~~Department of Economic Development~~ based on periodic reviews of workforce needs in the state.

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

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

(4) Each scholarship awarded under this section shall be automatically renewed on an annual basis if the student remains enrolled in good standing in the eligible program of study for which such scholarship was awarded, except that no student shall receive a scholarship renewal after four years of participation in such eligible program of study.

(5) Each participating private college shall collect information on each scholarship recipient who has been awarded a Nebraska Career Scholarship by such private college and shall share such information with the Coordinating Commission for Postsecondary Education Department of Economic Development.

~~(6) The Coordinating Commission for Postsecondary Education Department of Economic Development shall report electronically to the Clerk of the Legislature and the Governor on or before December 1 of each year the following information for each eligible program of study at a private college in the current or prior academic year:~~

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

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

(c) The total number of students retained in the program and a comparison of the retention rates between scholarship recipients and nonscholarship students;

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

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

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

~~(7) The Coordinating Commission for Postsecondary Education Department of Economic Development shall allocate the amount appropriated to the commission department to carry out this section to private colleges that elect to participate under the Nebraska Career Scholarship Act. The commission department shall establish a separate budget subprogram for such allocations.~~

Sec. 101. Original sections 32-543, 32-811, 79-201, 79-205, 79-206, 79-207, 79-210, 79-2,141, 79-2,145, 79-474, 79-475, 79-520, 79-534, 79-549,

79-555, 79-589, 79-590, 79-5,105, 79-5,106, 79-1093, 79-1107, and 79-1108.03, Reissue Revised Statutes of Nebraska, sections 28-1204.04, 32-405, 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413, 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-8,150, 79-1045, 79-1084, 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 79-10,141, 79-1108.02, 79-11,159, 79-3105, 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022, and sections 28-1201, 28-1202.01, 79-101, 79-238, 79-239, 79-262.01, 79-2,146, 79-729, 79-8,145.01, 79-1054, 79-10,150, 79-3501, 79-3602, 79-3603, and 79-3703, Revised Statutes Supplement, 2023, are repealed.

Sec. 102. The following section is outright repealed: Section 79-11,160, Revised Statutes Supplement, 2023.