

AMENDMENTS TO LB1329
(Amendments to E&R amendments, ER105)

Introduced by Conrad, 46.

1 1. Insert the following new section:

2 Sec. 10. Section 79-201, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-201 (1) For purposes of this section, a child is of mandatory
5 attendance age if the child (a) will reach six years of age prior to
6 January 1 of the then-current school year and (b) has not reached
7 eighteen years of age.

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

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

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

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

1 (c) Has reached sixteen years of age and has been withdrawn from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

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

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

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

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

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

1 following information:

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

4 (b) The results of all investigations conducted pursuant to section
5 79-209, including the attendance record that is the subject of the
6 investigation and a list of services rendered in the case;

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

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

10 2. Renumber the remaining sections and correct internal references
11 and the repealer accordingly.