

E AND R AMENDMENTS TO LB 1329

Introduced by Ballard, 21, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

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

5           28-1201 For purposes of sections 28-1201 to 28-1212.04, unless the  
6 context otherwise requires:

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

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

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

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

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

23           (6) Home school means a school which: (a) Elects pursuant to section  
24 79-1601 not to meet accreditation or approval requirements; and (b) is  
25 located in a personal residence;

26           (7) ~~(6)~~ Juvenile means any person under the age of eighteen years;

27           (8) ~~(7)~~ Knife means:

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

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

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

13 (10) ~~(9)~~ Machine gun means any firearm, whatever its size and usual  
14 designation, that shoots automatically more than one shot, without manual  
15 reloading, by a single function of the trigger;

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

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

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

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

26 (ii) A person prohibited from possessing a firearm or ammunition by  
27 18 U.S.C. 922(d) or (g), as such section existed on January 1, 2023.

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

30 (13) ~~(12)~~ Qualified law enforcement officer and qualified retired  
31 law enforcement officer have the same meanings as in 18 U.S.C. 926B and

1 926C, respectively, as such sections existed on January 1, 2023;

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

7 (b) School does not include a home school;

8 (15) ~~(14)~~ Short rifle means a rifle having a barrel less than  
9 sixteen inches long or an overall length of less than twenty-six inches;  
10 and

11 (16) ~~(15)~~ Short shotgun means a shotgun having a barrel or barrels  
12 less than eighteen inches long or an overall length of less than twenty-  
13 six inches.

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

16 28-1202.01 (1) Except as otherwise provided in this section and  
17 section 28-1204.04, a person, other than a minor or a prohibited person,  
18 may carry a concealed handgun anywhere in Nebraska, with or without a  
19 permit under the Concealed Handgun Permit Act.

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

25 (3) Except as provided in subsection (10) of this section, a person  
26 shall not carry a concealed handgun into or onto any: Police, sheriff, or  
27 Nebraska State Patrol station or office; detention facility, prison, or  
28 jail; courtroom or building which contains a courtroom; polling place  
29 during a bona fide election; meeting of the governing body of a county,  
30 public school district, municipality, or other political subdivision;  
31 meeting of the Legislature or a committee of the Legislature; financial

1 institution; professional or semiprofessional athletic event; building,  
2 grounds, vehicle, or sponsored activity or athletic event of any school;  
3 ~~public, private, denominational, or parochial elementary, vocational, or~~  
4 ~~secondary school, a private postsecondary career school as defined in~~  
5 ~~section 85-1603, a community college, or a public or private college,~~  
6 ~~junior college, or university;~~ place of worship; hospital, emergency  
7 room, or trauma center; political rally or fundraiser; establishment  
8 having a license issued under the Nebraska Liquor Control Act that  
9 derives over one-half of its total income from the sale of alcoholic  
10 liquor; place where the possession or carrying of a firearm is prohibited  
11 by state or federal law; or any other place or premises where handguns  
12 are prohibited by state law.

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

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

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

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

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

27 (5) If a person, persons, entity, or entities in control of the  
28 place or premises or an employer in control of the place or premises  
29 prohibits the carrying of concealed handguns into or onto the place or  
30 premises and such place or premises are open to the public, a person does  
31 not violate this section unless the person, persons, entity, or entities

1 in control of the place or premises or employer in control of the place  
2 or premises has posted conspicuous notice that carrying a concealed  
3 handgun is prohibited in or on the place or premises or has made a  
4 request, directly or through an authorized representative or management  
5 personnel, that the person remove the concealed handgun from the place or  
6 premises.

7 (6) A person carrying a concealed handgun in a vehicle or on his or  
8 her person while riding in or on a vehicle into or onto any parking area,  
9 which is open to the public, used by any location listed in subsection  
10 (2) or (3) of this section, does not violate this section if, prior to  
11 exiting the vehicle, the handgun is locked inside the glove box, trunk,  
12 or other compartment of the vehicle, a storage box securely attached to  
13 the vehicle, or, if the vehicle is a motorcycle, other than an autocycle,  
14 a hardened compartment securely attached to the motorcycle. This  
15 subsection does not apply to any parking area used by such location when  
16 the carrying of a concealed handgun into or onto such parking area is  
17 prohibited by federal law.

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

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

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

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

31 (i) Does not prevent a prosecution for a violation of section

1 28-1204.04; and

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

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

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

13 Sec. 3. Section 28-1204.04, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 28-1204.04 (1) Any person who possesses a firearm in a school, on  
16 school grounds, in a school-owned vehicle, or at a school-sponsored  
17 activity or athletic event is guilty of the offense of unlawful  
18 possession of a firearm at a school. Unlawful possession of a firearm at  
19 a school is a Class IV felony.

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

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

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

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

1 2023;

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

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

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

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

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

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

27 (j) A ~~(h) a~~ handgun carried as a concealed handgun by a person other  
28 than a minor or prohibited person ~~valid holder of a permit issued under~~  
29 ~~the Concealed Handgun Permit Act~~ in a vehicle or on his or her person  
30 while riding in or on a vehicle into or onto any parking area, which is  
31 open to the public and used by a school if, prior to exiting the vehicle,

1 the handgun is locked inside the glove box, trunk, or other compartment  
2 of the vehicle, a storage box securely attached to the vehicle, or, if  
3 the vehicle is a motorcycle, other than an autocyte, a hardened  
4 compartment securely attached to the motorcycle while the vehicle is in  
5 or on such parking area, ~~except as prohibited by federal law. For~~  
6 ~~purposes of this subsection, encased means enclosed in a case that is~~  
7 ~~expressly made for the purpose of containing a firearm and that is~~  
8 ~~completely zipped, snapped, buckled, tied, or otherwise fastened with no~~  
9 ~~part of the firearm exposed.~~

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

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

25 (4) (2) Any firearm possessed in violation of subsection (1) of this  
26 section shall be confiscated without warrant by a peace officer or may be  
27 confiscated without warrant by school administrative or teaching  
28 personnel. Any firearm confiscated by school administrative or teaching  
29 personnel shall be delivered to a peace officer as soon as practicable.

30 (5) (3) Any firearm confiscated by or given to a peace officer  
31 pursuant to subsection (4) (2) of this section shall be declared a common

1 nuisance and shall be held by the peace officer prior to his or her  
2 delivery of the firearm to the property division of the law enforcement  
3 agency which employs the peace officer. The property division of such law  
4 enforcement agency shall hold such firearm for as long as the firearm is  
5 needed as evidence. After the firearm is no longer needed as evidence, it  
6 shall be destroyed in such manner as the court may direct.

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

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

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

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

31 (c) No firearm having significant antique value or historical

1 significance as determined by the Nebraska State Historical Society shall  
2 be destroyed. If a firearm has significant antique value or historical  
3 significance, it shall be sold at auction and the proceeds shall be  
4 remitted to the State Treasurer for distribution in accordance with  
5 Article VII, section 5, of the Constitution of Nebraska.

6 Sec. 4. Section 32-405, Revised Statutes Cumulative Supplement,  
7 2022, is amended to read:

8 32-405 Any special election under the Election Act shall be held on  
9 the first Tuesday following the second Monday of the selected month  
10 unless otherwise specifically provided. No special election shall be held  
11 under the Election Act in April, May, June, October, November, or  
12 December of an even-numbered year unless it is held in conjunction with  
13 the statewide primary or general election. No special election shall be  
14 held under the Election Act in September of an even-numbered year except  
15 for a special election by a political subdivision pursuant to section  
16 13-519 or 77-3444 to approve a property tax levy or exceed a property tax  
17 levy limitation. A special election for a Class I, II, III, IV, or V  
18 school district which is located in whole or in part in a county in which  
19 a city of the primary or metropolitan class is located may be held in  
20 conjunction with the primary or general election for a city of the  
21 primary or metropolitan class which is governed by a home rule charter.

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

24 32-543 (1) If a caucus is held for nominations under section 79-549  
25 for a Class I, II, or III school district, the board of education shall  
26 consist of six members to be elected by the registered voters of the  
27 school district at the statewide primary election. Two members shall be  
28 elected at each election for a term of six years. The members shall meet  
29 the qualifications found in section 79-543.

30 (2) Except as provided in subsection (1) of this section, members of  
31 the board of education of a Class I, II, or III school district shall be

1 nominated at the statewide primary election and elected at the statewide  
2 general election. The board of education of a Class I, II, or III school  
3 district shall have no fewer than five members and no more than nine  
4 members as provided in section 79-549 or 79-550, and the members shall be  
5 nominated and elected at large or by district or ward as provided in  
6 section 32-554 or nominated by district or ward and elected at large as  
7 provided in section 79-550. The number of members to be nominated at the  
8 statewide primary election and elected at the statewide general election  
9 and the terms for which they will be nominated and elected shall be  
10 determined by the election commissioner or county clerk with the aid of  
11 the elected secretary of the board of education of the district. The  
12 terms of office of members of such board shall expire on the first  
13 Thursday after the first Tuesday in January. Terms shall be staggered so  
14 that approximately one-half of the members are elected to the board at  
15 each general election for terms of four years. When it becomes necessary  
16 to establish the staggering of terms by electing members for terms of  
17 different duration at the same election, candidates receiving the  
18 greatest number of votes shall be elected for the longest terms. The  
19 members shall meet the qualifications found in section 79-543.

20 Sec. 6. Section 32-618, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 32-618 (1) The number of signatures of registered voters needed to  
23 place the name of a candidate upon the nonpartisan ballot for the general  
24 election shall be as follows:

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

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

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

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

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

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

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

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

31 32-811 (1)(a) If the names of candidates properly filed for

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

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

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

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

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

29 Sec. 8. Section 79-102, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31 79-102 School districts in this state are classified as follows:

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

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

9           (3) ~~(1)~~ Class III includes any school district embracing territory  
10 having a population of five thousand or more but fewer than two hundred  
11 thousand less than one hundred fifty thousand inhabitants that maintains  
12 both elementary and high school grades under the direction of a single  
13 school board;

14           (4) ~~(2)~~ Class IV includes any school district embracing territory  
15 having a population of two one hundred thousand or more inhabitants with  
16 a city of the primary class within the territory of the district that  
17 maintains both elementary and high school grades under the direction of a  
18 single school board; and

19           (5) ~~(3)~~ Class V includes any school district whose employees  
20 participate in a retirement system established pursuant to the Class V  
21 School Employees Retirement Act and which embraces territory having a  
22 city of the metropolitan class within the territory of the district that  
23 maintains both elementary grades and high school grades under the  
24 direction of a single school board and any school district with territory  
25 in a city of the metropolitan class created pursuant to the Learning  
26 Community Reorganization Act and designated as a Class V school district  
27 in the reorganization plan.

28           Sec. 9. Section 79-104, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30           79-104 (1)(a) Whenever any Class I, II, III, or IV school district  
31 attains the number of inhabitants which requires its reclassification as

1 a Class II, III, IV, or V school district, respectively, the Commissioner  
2 of Education shall reclassify such district as a district of the next  
3 higher class.

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

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

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

17 Sec. 10. Section 79-209, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 79-209 (1) In all school districts in this state, any  
20 superintendent, principal, teacher, or member of the school board who  
21 knows of any violation of subsection (2) of section 79-201 shall within  
22 three days report such violation to the attendance officer of the school,  
23 who shall immediately investigate the case. When of his or her personal  
24 knowledge or by report or complaint from any resident of the district,  
25 the attendance officer believes that there is a violation of subsection  
26 (2) of section 79-201, the attendance officer shall immediately  
27 investigate such alleged violation.

28 (2) All school boards shall have a written policy on attendance  
29 developed and annually reviewed in collaboration with the county attorney  
30 of the county in which the principal office of the school district is  
31 located. The policy shall include a provision indicating how the school

1 district will handle cases in which excessive absences are due to  
2 illness. The policy shall also state the circumstances and number of  
3 absences or the hourly equivalent upon which the school shall render all  
4 services to address barriers to attendance. Such services shall be  
5 provided upon twenty days of absence, and shall include, but not be  
6 limited to:

7 (a) ~~Written Verbal or written~~ communication by school officials with  
8 the person or persons who have legal or actual charge or control of any  
9 child; and

10 (b) One or more meetings between, at a minimum, a school attendance  
11 officer, a school social worker, or a school administrator or his or her  
12 designee, the person who has legal or actual charge or control of the  
13 child, the person who is responsible for making educational decisions on  
14 behalf of the child if that person is someone other than the person who  
15 has legal or actual charge or control of the child, and the child, when  
16 appropriate, ~~to attempt~~ to address the barriers to attendance. The result  
17 of the meeting or meetings shall be to develop a collaborative plan to  
18 reduce barriers identified to improve regular attendance. The plan shall  
19 include, if agreed to by the person who is responsible for making  
20 educational decisions on behalf of the child, an educational evaluation  
21 to determine whether any intellectual, academic, physical, or social-  
22 emotional barriers are contributing factors to the lack of attendance.  
23 The plan shall also consider, but not be limited to:

- 24 (i) The physical, mental, or behavioral health of the child;  
25 (ii) Educational counseling;  
26 ~~(iii) Educational evaluation;~~  
27 (iii) ~~(iv)~~ Referral to community agencies for economic services;  
28 (iv) ~~(v)~~ Family or individual counseling;  
29 (v) ~~(vi)~~ Assisting the family in working with other community  
30 services; and  
31 (vi) ~~(vii)~~ Referral to restorative justice practices or services.

1 (3) The school may report to the county attorney of the county in  
2 which the person resides when the school has documented the efforts it  
3 has made as required by subsection (2) of this section that the  
4 collaborative plan to reduce barriers identified to improve regular  
5 attendance has not been successful and that the child has been absent  
6 more than twenty days per school year. The school shall notify the  
7 child's family in writing prior to referring the child to the county  
8 attorney. Failure by the school to document the efforts required by  
9 subsection (2) of this section is a defense to prosecution under section  
10 79-201 and adjudication for educational neglect under subdivision (3)(a)  
11 of section 43-247 and habitual truancy under subdivision (3)(b) of  
12 section 43-247. Illness that makes attendance impossible or impracticable  
13 shall not be the basis for referral to the county attorney.

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

17 Sec. 11. Section 79-234, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 79-234 (1) An enrollment option program is hereby established to  
20 enable any kindergarten through twelfth grade Nebraska student to attend  
21 a school in a Nebraska public school district in which the student does  
22 not reside subject to the limitations prescribed in section 79-238. The  
23 option shall be available once during elementary school, once during  
24 middle school or junior high school, and once during high school for a  
25 total of three times only ~~once to each student prior to graduation,~~  
26 except that the option does not count toward such limitation if such  
27 option meets, or met at the time of the option, one of the following  
28 criteria: (a) The student relocates to a different resident school  
29 district, (b) the option school district merges with another district,  
30 (c) the student will have completed either the grades offered in the  
31 school building originally attended in the option school district or the

1 grades immediately preceding the lowest grade offered in the school  
2 building for which a new option is sought, (d) the option would allow the  
3 student to continue current enrollment in a school district, (e) the  
4 option would allow the student to enroll in a school district in which  
5 the student was previously enrolled as a student, or (f) the student is  
6 an open enrollment option student. Sections 79-232 to 79-246 do not  
7 relieve a parent or guardian from the compulsory attendance requirements  
8 in section 79-201.

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

13 Sec. 12. Section 79-237, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 79-237 (1) For a student to begin attendance as an option student in  
16 an option school district, the student's parent or legal guardian shall  
17 submit an application to the school board of the option school district  
18 between September 1 and March 15 for attendance during the following and  
19 subsequent school years. Except as provided in subsection (2) of this  
20 section, applications submitted after March 15 shall contain a release  
21 approval from the resident school district, or if the student is an  
22 option student at the time of such application and applying to become an  
23 option student at a subsequent option school district, a release approval  
24 from the option school district the student is attending at the time of  
25 such application, on the application form prescribed and furnished by the  
26 State Department of Education pursuant to subsection (8) of this section.  
27 A district may not accept or approve any applications submitted after  
28 such date without such a release approval. The option school district the  
29 student is applying to attend shall provide the resident school district,  
30 and if applicable, the option school district the student is attending at  
31 the time of such application, with the name of the applicant on or before

1 April 1 or, in the case of an application submitted after March 15,  
2 within sixty days after submission. The option school district the  
3 student is applying to attend shall notify, in writing, the parent or  
4 legal guardian of the student and the resident school district, and, if  
5 applicable, the option school district the student is attending at the  
6 time of the application, whether the application is accepted or rejected  
7 on or before April 1 or, in the case of an application submitted after  
8 March 15, within sixty days after submission. An option school district  
9 that is a member of a learning community may not approve an application  
10 pursuant to this section for a student who resides in such learning  
11 community to attend prior to school year 2017-18.

12 (2) A student who relocates to a different resident school district  
13 after February 1 or whose option school district merges with another  
14 district effective after February 1 may submit an application to the  
15 school board of an option school district for attendance during the  
16 current or immediately following and subsequent school years unless the  
17 applicant is a resident of a learning community and the application is  
18 for attendance to begin prior to school year 2017-18 in an option school  
19 district that is also a member of such learning community. Such  
20 application does not require the release approval of the resident school  
21 district or the option school district the student is attending at the  
22 time of such application. The option school district the student is  
23 applying to attend shall accept or reject such application within forty-  
24 five days.

25 (3) A parent or guardian may provide information on the application  
26 for an option school district that is a member of a learning community  
27 regarding the applicant's potential qualification for free or reduced-  
28 price lunches. Any such information provided shall be subject to  
29 verification and shall only be used for the purposes of subsection (4) of  
30 section 79-238. Nothing in this subsection requires a parent or guardian  
31 to provide such information. Determinations about an applicant's

1 qualification for free or reduced-price lunches for purposes of  
2 subsection (4) of section 79-238 shall be based on any verified  
3 information provided on the application. If no such information is  
4 provided, the student shall be presumed not to qualify for free or  
5 reduced-price lunches for the purposes of subsection (4) of section  
6 79-238.

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

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

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

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

1 advance of such cancellation.

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

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

13 Sec. 13. Section 79-407, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 79-407 (1) The territory within the corporate limits of each  
16 incorporated municipality in the State of Nebraska that is not in part  
17 within the boundaries of a learning community, together with such  
18 additional territory and additions to such municipality as may be added  
19 thereto, as declared by ordinances to be boundaries of such municipality,  
20 having a population of less than one thousand five hundred inhabitants as  
21 determined by the most recent federal decennial census or the most recent  
22 revised certified count by the United States Bureau of the Census,  
23 including such adjacent territory as now is or hereafter may be attached  
24 for school purposes, shall constitute a Class I school district, except  
25 that nothing in this section shall be construed to change the boundaries  
26 of any school district that is a member of a learning community. The  
27 school district shall be a body corporate and possess all the usual  
28 powers of a corporation for public purposes and may sue and be sued,  
29 purchase, hold, and sell such personal and real property, and control  
30 such obligations as are authorized by law.

31 (2) The territory within the corporate limits of each incorporated

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

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

1 are authorized by law.

2 Sec. 14. Section 79-413, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 79-413 (1) The State Committee for the Reorganization of School  
5 Districts created under section 79-435 may create a new school district  
6 from other districts or change the boundaries of any district that is not  
7 a member of a learning community upon receipt of petitions signed by  
8 sixty percent of the legal voters of each district affected. If the  
9 petitions contain signatures of at least sixty-five percent of the legal  
10 voters of each district affected, the state committee shall approve the  
11 petitions.

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

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

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

1 certified to the state committee.

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

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

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

19 Sec. 15. Section 79-451, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 79-451 Within thirty days after the classification of the  
22 reorganized school districts by the county clerk under section 79-450,  
23 the state committee shall appoint from among the legal voters of each new  
24 school district created the number of school board members specified in  
25 the plan of reorganization. A reorganized school district shall be formed  
26 and organized and shall have a school board not later than April 1  
27 following the last legal action, as prescribed in section 79-450,  
28 necessary to effect the changes in boundaries as set forth in the plan of  
29 reorganization, although the physical reorganization of such reorganized  
30 school district may not take effect until June 1. The first board shall  
31 be appointed on an at-large basis, and all boards shall be elected at

1 large until such time as school districts are established as provided in  
2 section 32-554.

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

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

12 Sec. 16. Section 79-458, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 79-458 (1) Any freeholder or freeholders, person in possession or  
15 constructive possession as vendee pursuant to a contract of sale of the  
16 fee, holder of a school land lease under section 72-232, or entrant upon  
17 government land who has not yet received a patent therefor may file a  
18 petition on or before June 1 for all other years with a board consisting  
19 of the county assessor, county clerk, and county treasurer, asking to  
20 have any tract or tracts of land described in the petition set off from  
21 an existing school district in which the land is situated and attached to  
22 a different school district which is contiguous to such tract or tracts  
23 of land if:

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

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

1 school fiscal year;

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

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

6 (b) Except as provided in subsection (7) of this section, the school  
7 district in which the land is situated, regardless of the class of school  
8 district, has approved a budget for the school fiscal year in which the  
9 petition is filed that will cause the combined levies for such school  
10 fiscal year, except levies for bonded indebtedness approved by the voters  
11 of such school district and levies for the refinancing of such bonded  
12 indebtedness, to exceed the greater of (i) one dollar and twenty cents  
13 per one hundred dollars of taxable valuation of property subject to the  
14 levy or (ii) the maximum levy authorized by a vote pursuant to section  
15 77-3444.

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

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

31 (3) The petition shall be verified by the oath of each petitioner.

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

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

24 (5) Appeals may be taken from the action of such board or, when such  
25 board fails to act on the petition, on or before August 1 following the  
26 filing of the petition, to the district court of the county in which the  
27 land is located on or before August 10 following the filing of the  
28 petition, in the same manner as appeals are now taken from the action of  
29 the county board in the allowance or disallowance of claims against the  
30 county. If an appeal is taken from the action of the board approving the  
31 petition or failing to act on the petition, the transfer shall occur

1 effective August 15 following the filing of the petition, which actions  
2 shall cause such transfer to be in effect for levies set for the year in  
3 which such transfer takes effect, unless action by the district court  
4 prevents such transfer.

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

8 (7) For school districts that have approved a budget for school  
9 fiscal year 2007-08 that will cause the combined levies, except levies  
10 for bonded indebtedness approved by the voters of the school district and  
11 levies for the refinancing of such bonded indebtedness, to exceed the  
12 greater of (a) one dollar and twenty cents per one hundred dollars of  
13 taxable valuation of property subject to the levy or (b) the maximum levy  
14 authorized by a vote pursuant to section 77-3444, the school boards of  
15 such school districts may adopt a binding resolution stating that the  
16 combined levies, except levies for bonded indebtedness approved by the  
17 voters of the school district and levies for the refinancing of such  
18 bonded indebtedness, for school fiscal year 2008-09 shall not exceed the  
19 greater of (i) one dollar and twenty cents per one hundred dollars of  
20 taxable valuation of property subject to the levy or (ii) the maximum  
21 levy authorized by a vote pursuant to section 77-3444. On or before May  
22 9, 2008, such binding resolutions shall be filed with the Auditor of  
23 Public Accounts and the county assessors, county clerks, and county  
24 treasurers for all counties in which the school district has territory.  
25 If such binding resolution is filed on or before May 9, 2008, land shall  
26 not be set off and attached to another district pursuant to subdivision  
27 (2)(b) of this section in 2008.

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

30 Sec. 17. Section 79-470, Revised Statutes Cumulative Supplement,  
31 2022, is amended to read:

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

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

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

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

18           Sec. 18. Section 79-473, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20           79-473 (1) If the territory annexed by a change of boundaries of a  
21 city or village which lies within a Class I, II, or III school district  
22 as provided in section 79-407 has been part of a Class IV or Class V  
23 school district prior to such annexation, a merger of the annexed  
24 territory with the Class I, II, or III school district shall become  
25 effective only if the merger is approved by a majority of the members of  
26 the school board of the Class IV or V school district and a majority of  
27 the members of the school board of the Class I, II, or III school  
28 district within ninety days after the effective date of the annexation  
29 ordinance, except that a merger shall not become effective pursuant to  
30 this section if such merger involves a school district that is a member  
31 of a learning community.

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

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

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

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

19 (d) Community educational planning.

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

1 negotiations, the annexed territory shall become a part of the school  
2 district of the annexing city or village.

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

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

31 For purposes of this subsection, plat and replat apply only to (a)

1 vacant land, (b) land under cultivation, or (c) any plat or replat of  
2 land involving a substantive change in the size or configuration of any  
3 lot or lots.

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

10 Sec. 19. Section 79-474, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 79-474 Whenever an existing school district or a part thereof is  
13 merged into a Class I, II, or III school district under the provisions of  
14 section 79-407 or 79-473, the property included in such school district  
15 or part thereof which is merged into the Class I, II, or III school  
16 district shall continue to be liable for any bonded indebtedness incurred  
17 by the school district of which it was a part prior to such merger and  
18 the property included in such school district or part thereof which is  
19 merged into the Class I, II, or III school district shall not be liable  
20 for any bonded indebtedness incurred by the Class I, II, or III school  
21 district prior to such merger.

22 Sec. 20. Section 79-475, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 79-475 Whenever an existing school district, or a part thereof, is  
25 merged into a Class I, II, III, or IV school district under the  
26 provisions of section 79-407, 79-408, or 79-473, such merger shall be  
27 effective on July 1 immediately following the effective date of the  
28 change of city or village boundaries which caused the merger pursuant to  
29 section 79-407, 79-408, or 79-473.

30 Sec. 21. Section 79-499, Revised Statutes Cumulative Supplement,  
31 2022, is amended to read:

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

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

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

26           (3)(a) Any Class I, II, or III school district which is the only  
27 public school district in the county and which has a fall school district  
28 membership or an average daily membership of fewer than forty-five  
29 students in grades kindergarten through twelve shall be subject to this  
30 subsection until such school district reaches a fall school district  
31 membership or an average daily membership in grades kindergarten through

1 twelve of at least forty-five students or such school district dissolves.  
2 Such school district may continue to operate if:

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

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

19 (b) The state committee shall dissolve the school district and  
20 attach the territory to other school districts based on the preferences  
21 of each landowner if such preference is provided in the time and manner  
22 required by the state committee and would transfer such parcels to a  
23 school district with a boundary contiguous to the school district being  
24 dissolved. Landowners submitting such preferences shall sign a statement  
25 that the district of preference is the district which children who might  
26 reside on the property, at the time of the dissolution or in the future,  
27 would be expected to attend. For property for which a preference is not  
28 provided in the time and manner required by the state committee, the  
29 state committee shall transfer such property to one or more of the school  
30 districts with boundaries contiguous to the district being dissolved in a  
31 manner that will best serve children who might reside on such property,

1 at the time of the dissolution or in the future, and that will, to the  
2 extent possible, create compact and contiguous districts.

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

9 Sec. 22. Section 79-4,108, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 79-4,108 (1) Unified system means two or more Class I, II, or III  
12 school districts participating in an interlocal agreement under the  
13 Interlocal Cooperation Act with approval from the State Committee for the  
14 Reorganization of School Districts. The interlocal agreement shall  
15 provide:

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

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

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

27 (d) That certificated staff will be employees of the unified system.  
28 For any certificated staff employed by the unified system, tenure and  
29 seniority as of the effective date of the interlocal agreement shall be  
30 transferred to the unified system and tenure and seniority provisions  
31 shall continue in the unified system except as provided in sections

1 79-850 to 79-858. If a district withdraws from the unified system or if  
2 the interlocal agreement expires and is not renewed, certificated staff  
3 employed by a participating district immediately prior to the unification  
4 shall be reemployed by the original district and tenure and seniority as  
5 of the effective date of the withdrawal or expiration shall be  
6 transferred to the original district. The certificated staff hired by the  
7 unified system but not employed by a participating district immediately  
8 prior to the unification shall be subject to the reduction-in-force  
9 policy of the unified system;

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

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

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

20 (2) Application for unification shall be made to the state  
21 committee. The application shall contain a copy of the interlocal  
22 agreement signed by the president of each participating school board. The  
23 state committee shall approve or disapprove applications for unification  
24 within forty days after receipt of the application. If the interlocal  
25 agreement complies with subsection (1) of this section and all school  
26 boards of the participating districts have approved the interlocal  
27 agreement, the state committee shall approve the application. Unification  
28 agreements shall be effective on June 1 following approval from the state  
29 committee for status as a unified system or on the date specified in the  
30 interlocal agreement, except that the date shall be on or after June 1  
31 and on or before September 1 for a specified year. The board established

1 in the interlocal agreement may begin meeting any time after the  
2 application has been approved by the state committee.

3 (3) Upon granting the application for unification, the State  
4 Department of Education shall recognize the unified system as a single  
5 Class I, II, or III district for state aid, budgeting, accreditation,  
6 enrollment of students, state programs, and reporting. Except as  
7 otherwise required by the department, the unified system shall submit a  
8 single report document for each of the reports required of school  
9 districts pursuant to Chapter 79 and shall submit a single budget  
10 document pursuant to the Nebraska Budget Act and sections 13-518 to  
11 13-522.

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

16 Sec. 23. Section 79-4,129, Revised Statutes Cumulative Supplement,  
17 2022, is amended to read:

18 79-4,129 (1) Within thirty days after the classification of the  
19 reorganized school districts by the county clerk under section 79-4,128,  
20 the state committee shall appoint from among the legal voters of each new  
21 school district created the number of school board members specified in  
22 the plan of reorganization. A reorganized school district shall be formed  
23 and organized and shall have a school board not later than April 1  
24 following the last legal action, as prescribed in section 79-4,128,  
25 necessary to effect the changes in boundaries as set forth in the plan of  
26 reorganization, although the physical reorganization of such reorganized  
27 school district shall take effect July 1 following the classification of  
28 the reorganized school districts under section 79-4,128. The first board  
29 shall be appointed on an at-large basis, and all boards shall be elected  
30 at large until such time as election districts are established as  
31 provided in section 32-554.

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

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

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

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

23           Sec. 24. Section 79-501, Revised Statutes Cumulative Supplement,  
24 2022, is amended to read:

25           79-501 The school board or board of education of a Class I, II, III,  
26 or IV school district shall have the care and custody of the schoolhouse  
27 and other property of the district and shall have authority to hire a  
28 superintendent and the required number of teachers and other necessary  
29 personnel.

30           Sec. 25. Section 79-520, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           79-520 The board of education of a Class I, II, or III school  
2 district has power to select its own officers and make its own rules and  
3 regulations not inconsistent with any statute applicable to such  
4 district. No member of the board, except the secretary, shall accept or  
5 receive any compensation for services performed in discharging the duties  
6 of his or her office.

7           Sec. 26. Section 79-524, Revised Statutes Cumulative Supplement,  
8 2022, is amended to read:

9           79-524 The school board of any Class I, II, III, or IV school  
10 district shall establish a permanent and continuing census or enumeration  
11 of school children in the school district. The list in writing of the  
12 names of the children and taxpayers shall not be required to be reported,  
13 but the names of all of the children belonging to such school district,  
14 from birth through twenty years of age, shall instead be kept in a  
15 depository maintained by such school district and subject to inspection  
16 at all times. Such record shall not or need not include the names of all  
17 the taxpayers in the district.

18           Sec. 27. Section 79-525, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20           79-525 The school board or board of education of a Class I, II, III,  
21 or IV school district shall (1) provide the necessary appendages for the  
22 schoolhouse, (2) keep the same in good condition and repair during the  
23 time school is taught in the schoolhouse, and (3) keep an accurate  
24 account of all expenses incurred. Such account shall be prepared by the  
25 secretary, audited by the president and treasurer, and, on their written  
26 order, paid out of the general school fund.

27           Sec. 28. Section 79-526, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29           79-526 (1) The school board or board of education of a Class I, II,  
30 III, or IV school district has responsibility for the general care and  
31 upkeep of the schools, shall provide the necessary supplies and

1 equipment, and, except as otherwise provided, has the power to cause  
2 pupils to be taught in such branches and classified in such grades or  
3 departments as may seem best adapted to a course of study which the board  
4 shall establish with the consent and advice of the State Department of  
5 Education. The board shall make provision for pupils that may enter at  
6 any time during the school year. The board shall have a record kept of  
7 the advancement of all pupils in each branch of study. The board shall  
8 make rules and regulations as it deems necessary for the government and  
9 health of the pupils and devise any means as may seem best to secure the  
10 regular attendance and progress of children at school.

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

16 Sec. 29. Section 79-534, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 79-534 All Class I, II, or III school districts shall be under the  
19 direction and control of the boards of education elected pursuant to  
20 section 32-543.

21 Sec. 30. Section 79-547, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 79-547 (1) Except as otherwise provided in section 79-550, the  
24 school board or board of education of a Class I, II, or III school  
25 district shall consist of six members.

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

29 Sec. 31. Section 79-549, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 79-549 (1) The school board of any Class I, II, or III school

1 district that is a member of a learning community may place before the  
2 legal voters of the school district the issue of whether to begin to have  
3 a caucus for nominations by adopting a resolution to place the issue  
4 before the legal voters and certifying the issue to the election  
5 commissioner or county clerk prior to September 1 for placement on the  
6 ballot at the next statewide general election. The legal voters of the  
7 school district may also have the issue placed on the ballot at the  
8 statewide general election by circulating a petition and gathering the  
9 signatures of the legal voters residing within the school district at  
10 least equal to seven percent of the number of persons registered to vote  
11 in the school district at the last statewide primary election. The  
12 petitions shall be filed with the election commissioner or county clerk  
13 for signature verification on or before August 15 prior to a statewide  
14 general election. If the election commissioner or county clerk determines  
15 that the appropriate number of legal voters signed the petition, he or  
16 she shall place the issue on the ballot for the next statewide general  
17 election. The issue shall not be placed on the ballot again within four  
18 years after voting on the issue at a statewide general election.

19 (2) Any Class I, II, or III school district that nominated school  
20 board members by caucus pursuant to this section as it existed  
21 immediately before July 14, 2006, shall continue such procedure until the  
22 legal voters of the district vote not to continue to have a caucus for  
23 nominations pursuant to subsection (3) of this section. A caucus shall be  
24 held pursuant to subsection (5) of this section not less than seventy  
25 days prior to the holding of the election to nominate two or more  
26 candidates for each vacancy to be voted upon at the election to be held  
27 in conjunction with the statewide primary election pursuant to subsection  
28 (1) of section 32-543. No candidate nominated shall have his or her name  
29 placed upon the ballot for the general election unless, not more than ten  
30 days after his or her nomination, he or she files with the secretary of  
31 the school board a written statement accepting the nomination. The

1 secretary of the school board shall certify the names of the candidates  
2 to the election commissioner or county clerk who shall prepare the  
3 official ballot listing the names as certified and without any area  
4 designation. All legal voters residing within the school district shall  
5 be permitted to vote at such election.

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

24 (4) If the legal voters vote not to continue to have a caucus, the  
25 school board shall determine the number of members to be nominated and  
26 elected as provided in subsection (2) of section 32-543. The terms of the  
27 members in office at the time of the vote shall be extended to the first  
28 Thursday after the first Tuesday in January after the expiration of their  
29 terms. At the first general election following the vote, a number of  
30 members receiving the greatest number of votes shall be elected for a  
31 term of four years and a number of members receiving the next greatest

1 number of votes shall be elected for a term of two years so that  
2 approximately one-half of the school board members are elected every two  
3 years.

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

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

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

13 (c) Election security which will provide for a fair and impartial  
14 election, including the secrecy of the ballot, one vote per legal voter,  
15 and only legal voters of the school district being allowed to vote;

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

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

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

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

26 Sec. 32. Section 79-550, Revised Statutes Cumulative Supplement,  
27 2022, is amended to read:

28 79-550 (1) The school board of a Class I, II, or III school district  
29 may, by resolution adopted in an odd-numbered year, provide for a change  
30 in the number of members on the school board to a minimum of five members  
31 and a maximum of nine members to be effective at the beginning of the

1 term of office for school board members elected at the next statewide  
2 general election. The school board shall include in the resolution:

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

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

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

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

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

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

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

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

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

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

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

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

30 (2) If the members of the school board of a Class I, II, or III  
31 school district are nominated and elected by district or ward, the board

1 may by resolution provide for the nomination of the members by district  
2 or ward and the election of the members at large. If the members are  
3 nominated by district or ward and elected at large, the board may by  
4 resolution provide for the nomination and election of the members by  
5 district or ward.

6 (3) Any Class I, II, or III school district which has a nine-member  
7 school board on January 1, 2015, may continue to have a nine-member  
8 school board without complying with the requirements of this section.

9 Sec. 33. Section 79-554, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 79-554 In all meetings of a school board of a Class I, II, or III  
12 school district, a majority of the members shall constitute a quorum for  
13 the transaction of business. Regular meetings shall be held on or before  
14 the third Monday of every month. All meetings of the board shall be  
15 subject to the Open Meetings Act. Special meetings may be called by the  
16 president or any two members, but all members shall have notice of the  
17 time and place of meeting. If a school district is participating in an  
18 approved unified system as provided in section 79-4,108, regular meetings  
19 of such district's school board shall be held at least twice during the  
20 school year.

21 Sec. 34. Section 79-555, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 79-555 The regular meetings of the board of education of a Class I,  
24 II, or III school district shall be held as provided in section 79-554.  
25 Special meetings may be held as circumstances may demand, and all  
26 meetings of the board shall be open to the public.

27 Sec. 35. Section 79-559, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29 79-559 (1) The school board or board of education of any Class I,  
30 II, III, or IV school district may include at least one nonvoting member  
31 who is a public high school student from the district. If the board

1 elects to include such a nonvoting student member, the student member  
2 shall serve for a term of one year, beginning on September 1, and shall  
3 be the student body or student council president, the senior class  
4 representative, or a representative elected from and by the entire  
5 student body, as designated by the voting members of the board.

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

9 Sec. 36. Section 79-564, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 79-564 At the first meeting of each school board or board of  
12 education elected in a Class I, II, or III school district, and annually  
13 thereafter, the board shall elect from among its members a president and  
14 vice president. The board shall also elect a secretary who need not be a  
15 member of the board. If the secretary is a member of the board, an  
16 assistant secretary may be named and his or her duties and compensation  
17 set by the board.

18 Sec. 37. Section 79-569, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20 79-569 The president of the school board of a Class I, II, III, or  
21 IV school district shall: (1) Preside at all meetings of the district;  
22 (2) countersign all orders upon the treasury for money to be disbursed by  
23 the district and all warrants of the secretary on the county treasurer  
24 for money raised for district purposes or apportioned to the district by  
25 the county treasurer; (3) administer the oath to the secretary and  
26 treasurer of the district when such an oath is required by law in the  
27 transaction of the business of the district; and (4) perform such other  
28 duties as may be required by law of the president of the board. He or she  
29 is entitled to vote on any issue that may come before any meeting.

30 Sec. 38. Section 79-570, Revised Statutes Cumulative Supplement,  
31 2022, is amended to read:

1           79-570 If at any district meeting of a Class I, II, III, or IV  
2 school district any person conducts himself or herself in a disorderly  
3 manner and persists in such conduct after notice by the president or  
4 person presiding, the president or person presiding may order such person  
5 to withdraw from the meeting and, if the person refuses, may order any  
6 person or persons to take such person into custody until the meeting is  
7 adjourned.

8           Sec. 39. Section 79-572, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

10           79-572 The president of a Class I, II, III, or IV school district  
11 shall appear for and on behalf of the district in all suits brought by or  
12 against the district.

13           Sec. 40. Section 79-576, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15           79-576 The secretary of a Class I, II, III, or IV school district  
16 shall be clerk of the school board and of all meetings when present, but  
17 if he or she is not present, the school board may appoint a clerk for the  
18 time being, who shall certify the proceedings to the secretary to be  
19 recorded by him or her.

20           Sec. 41. Section 79-577, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22           79-577 The secretary of a Class I, II, III, or IV school district  
23 shall (1) record all proceedings of the district in a book furnished by  
24 the district to be kept for that purpose, (2) preserve copies of all  
25 reports, and (3) safely preserve and keep all books and papers belonging  
26 to the office.

27           Sec. 42. Section 79-578, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29           79-578 The secretary of a Class I, II, III, or IV school district  
30 shall take, or cause to be taken by some person appointed for the purpose  
31 by a majority vote of the school board, the census of the school district

1 and then make or cause to be made a list in writing of the names of all  
2 the children belonging to such district, from birth through twenty years  
3 of age, together with the names of all the taxpayers in the district. A  
4 copy of the list, verified by oath of the person taking such census or by  
5 affidavit appended to or endorsed on the list, setting forth that it is a  
6 correct list of the names of all children belonging in the district from  
7 birth through twenty years of age and that it reflects such information  
8 as of June 30, shall be maintained as provided in section 79-524.

9 Sec. 43. Section 79-579, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 79-579 Whenever a secretary or president of the school board of a  
12 Class I, II, III, or IV school district refuses to sign orders on the  
13 treasurer or the treasurer thinks best to refuse the payment of orders  
14 drawn upon him or her, the difficulty shall be referred for adjudication  
15 to the county attorney, who shall proceed at once to investigate the  
16 matter. If the county attorney finds that the officer complained of  
17 refuses through contumacy or for insufficient reasons, the county  
18 attorney, on behalf of the district, shall apply to the proper court for  
19 a writ of mandamus to compel the officer to perform his or her duty.

20 Sec. 44. Section 79-580, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 79-580 The secretary of the school board or board of education of  
23 each Class I, II, or III school district shall, within ten days after any  
24 regular or special meeting of the board, publish one time in a legal  
25 newspaper published in or of general circulation in such district a list  
26 of the claims, arising on contract or tort, allowed at the meeting. The  
27 list shall set forth the name of the claimant and the amount and nature  
28 of the claim allowed, to consist of not more than ten words in stating  
29 the nature of each such claim. The secretary shall likewise cause to be  
30 published a concise summary of all other proceedings of such meetings.  
31 Publication of such claims or proceedings in a legal newspaper shall not

1 be required unless the publication can be done at an expense not  
2 exceeding the rates provided by law for the publication of proceedings of  
3 county boards.

4 Sec. 45. Section 79-581, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 79-581 The secretary of any school board or board of education of a  
7 Class I, II, or III school district failing or neglecting to comply with  
8 the provisions of section 79-580 shall be guilty of a Class V  
9 misdemeanor. In the discretion of the court, the judgment of conviction  
10 may provide for the removal from office of such secretary for such  
11 failure or neglect.

12 Sec. 46. Section 79-586, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 79-586 The treasurer of each Class I, II, III, or IV school district  
15 shall, within ten days after his or her election, execute to the county  
16 and file with the secretary a bond or evidence of equivalent insurance  
17 coverage of not less than five hundred dollars in any instance and not  
18 more than double the amount of money, as nearly as can be ascertained, to  
19 come into his or her hands as treasurer at any one time, which bond shall  
20 be signed by either a personal surety or a surety company or companies of  
21 recognized responsibility as surety or sureties, to be approved by the  
22 president and secretary, conditioned for the faithful discharge of the  
23 duties of the office. The bond when approved or evidence of equivalent  
24 insurance coverage shall be filed by the secretary in the office of the  
25 county treasurer of the county in which the school district is situated.  
26 If the treasurer fails to execute such bond or provide evidence of such  
27 insurance coverage, the office shall be declared vacant by the school  
28 board or board of education and the board shall immediately appoint a  
29 treasurer who shall be subject to the same conditions and possess the  
30 same powers as if elected to that office. The treasurer shall have no  
31 power or authority to withdraw or disburse the money of the district

1 prior to filing the bond or evidence of equivalent insurance coverage  
2 provided for in this section.

3 Sec. 47. Section 79-587, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 79-587 The treasurer of each Class I, II, III, or IV school district  
6 shall apply for and receive from the county treasurer all school money  
7 apportioned to or collected for the district by the county treasurer,  
8 upon order of the secretary countersigned by the president. The treasurer  
9 shall pay out all money received by him or her, on the order of the  
10 secretary countersigned by the president of such district.

11 Sec. 48. Section 79-588, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 79-588 The treasurer of a Class I, II, III, or IV school district  
14 shall keep a record in which the treasurer shall enter all the money  
15 received and disbursed by him or her, specifying particularly (1) the  
16 source from which money has been received, (2) to what fund it belongs,  
17 and (3) the person or persons to whom and the object for which the same  
18 has been paid out. The treasurer shall present to the district, at each  
19 annual meeting, a report in writing containing a statement of all money  
20 received during the preceding year and of the disbursement made with the  
21 items of such disbursements and exhibit the vouchers therefor. At the  
22 close of the treasurer's term of office, he or she shall settle with the  
23 school board and shall hand over to his or her successor the records and  
24 all receipts, vouchers, orders, and papers coming into his or her hands  
25 as treasurer of the district, together with all money remaining in his or  
26 her hands as such treasurer.

27 Sec. 49. Section 79-589, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 79-589 In a Class I, II, or III school district which lies outside  
30 of the corporate limits of any city or village or of which more than one-  
31 half is geographically within a city of the metropolitan class, the board

1 of education shall elect one of its members, other than the secretary, as  
2 treasurer of the school district and the provisions of section 79-590  
3 shall not apply to the selection of a treasurer of such a district. The  
4 treasurer shall prepare and submit in writing a monthly report of the  
5 state of the finances of the district and pay school money only upon  
6 warrants signed by the president of the board or, in the president's  
7 absence, by the vice president, and countersigned by the secretary. The  
8 treasurer shall give a bond or evidence of equivalent insurance coverage  
9 payable to the school district in such sum as may be fixed by the board.  
10 Such bond shall be signed by one or more surety companies of recognized  
11 responsibility. The cost of such bond or insurance coverage shall be paid  
12 by the school district.

13 Sec. 50. Section 79-590, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 79-590 The board of education of a Class I, II, or III school  
16 district may employ a treasurer for such district who shall be paid a  
17 salary, to be fixed by the board, of not to exceed one thousand two  
18 hundred dollars per annum. If the board does not employ such a treasurer,  
19 the city treasurer or deputy city treasurer of the city which is within  
20 such district shall be ex officio treasurer of the school district. He or  
21 she shall attend all meetings of the board when required so to do,  
22 prepare and submit in writing a monthly report of the state of the  
23 district's finances, and pay school money only upon warrants signed by  
24 the president of the board or, in the president's absence, by the vice  
25 president, and countersigned by the secretary. If the city treasurer or  
26 his or her deputy acts as ex officio treasurer of the school district, he  
27 or she shall be paid for such services by the school district a sum to be  
28 fixed by the board. The treasurer of such district, or the city treasurer  
29 or deputy city treasurer acting as ex officio treasurer, shall give a  
30 bond or evidence of equivalent insurance coverage payable to the county  
31 in such sum as may be fixed by the board of education. Such bond shall be

1 signed by one or more surety companies of recognized responsibility. The  
2 cost of such bond or insurance coverage shall be paid by the school  
3 district.

4 Sec. 51. Section 79-594, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 79-594 The school board in a Class I, II, III, or IV school district  
7 may also elect at any regular meeting one superintendent of public  
8 instruction with such salary as the board deems best and may enter into  
9 contract with him or her at its discretion, for a term not to exceed  
10 three years.

11 Sec. 52. Section 79-5,104, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 79-5,104 The school board or board of education of any Class I, II,  
14 or III school district may, in its discretion, pay the regular school  
15 tuition for any pupil residing in such school district and attending a  
16 school outside such school district when, in the opinion of the board,  
17 the best interests of the pupil or the school district may so require.

18 Sec. 53. Section 79-5,105, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 79-5,105 If the board of education of a Class I, II, III, IV, or V  
21 school district finds it desirable that children of school age or any  
22 grade or grades thereof residing on federal property situated in the  
23 vicinity of a city of the metropolitan class be given instruction outside  
24 the boundaries of such district of the character provided by law for  
25 children within the district, under the direction and control of the  
26 board of education and that the same is not detrimental to the interests  
27 of the school district, the board of education may enter into a contract  
28 with the federal government or any agency thereof to provide supervisory  
29 services in the construction of school facilities and to maintain and  
30 operate schools for the children of residents of such federal  
31 installations.

1           Sec. 54. Section 79-5,106, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           79-5,106 The provisions of giving instructions outside a Class I,  
4 II, III, IV, or V school district as provided in section 79-5,105 shall  
5 not apply where existing facilities are now available.

6           Sec. 55. Section 79-611, Revised Statutes Cumulative Supplement,  
7 2022, is amended to read:

8           79-611 (1) The school board of any school district shall provide  
9 free transportation, partially provide free transportation, or pay an  
10 allowance for transportation in lieu of free transportation as follows:

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

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

21           (c) When a student attends a secondary school in his or her own  
22 Class I, II, or III school district and lives more than four miles from  
23 such secondary school as measured by the shortest route that must  
24 actually and necessarily be traveled by motor vehicle to reach the  
25 student's residence. This subdivision does not apply to any elementary-  
26 only school district that merged with a high-school-only school district  
27 to form a new Class I, II, or III school district on or after January 1,  
28 1997, and before June 16, 2006; and

29           (d) When a student, other than a student in grades ten through  
30 twelve in a Class V school district, attends an elementary or junior high  
31 school in his or her own Class V school district and lives more than four

1 miles from such elementary or junior high school as measured by the  
2 shortest route that must actually and necessarily be traveled by motor  
3 vehicle to reach the student's residence.

4 (2)(a) For school years prior to school year 2017-18 and as required  
5 pursuant to subsection (3) of section 79-241, the school board of any  
6 school district that is a member of a learning community shall provide  
7 free transportation for a student who resides in such learning community  
8 and attends school in such school district if (i) the student is  
9 transferring pursuant to the open enrollment provisions of section  
10 79-2110, qualifies for free or reduced-price lunches, lives more than one  
11 mile from the school to which he or she transfers, and is not otherwise  
12 disqualified under subdivision (2)(c) of this section, (ii) the student  
13 is transferring pursuant to the open enrollment provisions of section  
14 79-2110, is a student who contributes to the socioeconomic diversity of  
15 enrollment at the school building he or she attends, lives more than one  
16 mile from the school to which he or she transfers, and is not otherwise  
17 disqualified under subdivision (2)(c) of this section, (iii) the student  
18 is attending a focus school or program and lives more than one mile from  
19 the school building housing the focus school or program, or (iv) the  
20 student is attending a magnet school or program and lives more than one  
21 mile from the magnet school or the school housing the magnet program.

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

27 (c) For any student who resides within a learning community and  
28 transfers to another school building pursuant to the open enrollment  
29 provisions of section 79-2110 and who had not been accepted for open  
30 enrollment into any school building within such school district prior to  
31 September 6, 2013, the school board is exempt from the requirement of

1 subdivision (2)(a) of this section if (i) the student is transferring to  
2 another school building within his or her home school district or (ii)  
3 the student is transferring to a school building in a school district  
4 that does not share a common border with his or her home school district.

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

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

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

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

31 (5) When a student who qualifies under the mileage requirements of

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

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

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

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

26 Sec. 56. Section 79-810, Revised Statutes Cumulative Supplement,  
27 2022, is amended to read:

28 79-810 (1) Certificates and permits shall be issued by the  
29 commissioner upon application on forms prescribed and provided by him or  
30 her which shall include the applicant's social security number.

31 (2) Each certificate or permit issued by the commissioner shall

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

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

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

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

22 (4) {3} The Certification Fund is created. Any fee received by the  
23 department under sections 79-806 to 79-815 shall be remitted to the State  
24 Treasurer for credit to the fund. The fund shall be used by the  
25 department in paying the costs of certifying educators pursuant to such  
26 sections and to carry out subsection (3) of section 79-808. For issuance  
27 of a certificate or permit valid in all schools, the nonrefundable fee  
28 shall be set by the commissioner, not to exceed seventy-five dollars,  
29 except that the commissioner shall designate a portion of the fee, not to  
30 exceed seventeen dollars, that shall be credited to the Professional  
31 Practices Commission Fund which is created for use by the department to

1 pay for the provisions of sections 79-859 to 79-871. For issuance of a  
2 certificate or permit valid only in nonpublic schools, the nonrefundable  
3 fee shall be set by the commissioner, not to exceed fifty-five dollars.  
4 Any money in the Certification Fund or the Professional Practices  
5 Commission Fund available for investment shall be invested by the state  
6 investment officer pursuant to the Nebraska Capital Expansion Act and the  
7 Nebraska State Funds Investment Act.

8 Sec. 57. Section 79-813, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

10 79-813 (1)(a) The board shall authorize the issuance of a  
11 certificate or permit to any applicant for such certificate or permit  
12 who:

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

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

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

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

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

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

28 (vii) Pays any applicable fees.

29 (b) The commissioner shall verify that the applicant for a  
30 certificate or permit under this subsection meets the requirements of  
31 subdivisions (a)(iv) and (v) of this subsection. Such applicant shall not

1 be required to meet the human relations training requirement under  
2 section 79-808 to obtain such certification or permit. Such certificate  
3 or permit shall be valid for at least three years and shall include the  
4 same or similar endorsements to teach in all subject areas for which the  
5 applicant had been certified to teach in such other state if a similar  
6 endorsement is offered in Nebraska.

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

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

21 (e) For purposes of this subsection:

22 (i) Active duty means full-time duty status in the active uniformed  
23 service of the United States, including members of the National Guard and  
24 Reserve on active duty orders pursuant to 10 U.S.C. chapters 1209 and  
25 1211; and

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

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

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

31 (ii) Is in good standing in all states in which the applicant holds

1 a certificate or permit to teach;

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

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

6 (v) Pays any applicable fees.

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

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

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

26 (3) {2} In addition to certificates and permits issued pursuant to  
27 subsections ~~subsection~~ (1) and (2) of this section, the board may  
28 authorize the issuance of other certificates or permits to applicants who  
29 hold a valid certificate or permit currently in force in another state if  
30 the requirements for the certificate or permit held by the applicant are  
31 comparable and equivalent to those required for a similar type of

1 certificate or permit issued under sections 79-806 to 79-815.

2 Sec. 58. Section 79-1045, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 79-1045 The county treasurer shall, within twenty days after  
5 receiving the apportionment under section 79-1044, apportion the amount  
6 as follows: (1) To each school district lying wholly or partly within any  
7 such forest reserve, an amount equal to the actual per pupil cost for  
8 each pupil actually residing in that part of the district which is within  
9 such forest reserve, but this apportionment per pupil shall not exceed  
10 the average annual cost per pupil, based on average daily attendance  
11 within that county; and (2) of the remaining amount, one-fifth to the  
12 public road fund of the county, one-fifth equally to the several school  
13 districts in the county, and the remaining three-fifths to the several  
14 school districts in the county pro rata according to the enumeration of  
15 scholars last returned by the districts. The county treasurer shall, with  
16 the approval of the county board, have authority to retain the money to  
17 be allocated under this subdivision to Class I, II, or III school  
18 districts of the county to be used for the establishment and support of a  
19 county circulating library for Class I, II, or III school districts. A  
20 school district which has failed to sustain a school taught by a legally  
21 qualified teacher for the length of time required by law shall not be  
22 entitled to receive any portion of the Forest Reserve Fund.

23 Sec. 59. Section 79-1084, Revised Statutes Cumulative Supplement,  
24 2022, is amended to read:

25 79-1084 The school board of a Class I, II, or III school district  
26 shall annually, on or before September 30, report in writing to the  
27 county board and, for years prior to 2017, the learning community  
28 coordinating council if the school district is a member of a learning  
29 community the entire revenue raised by taxation and all other sources and  
30 received by the school board for the previous school fiscal year and a  
31 budget for the ensuing school fiscal year broken down generally as

1 follows: (1) The amount of funds required for the support of the schools  
2 during the ensuing school fiscal year; (2) the amount of funds required  
3 for the purchase of school sites; (3) the amount of funds required for  
4 the erection of school buildings; (4) the amount of funds required for  
5 the payment of interest upon all bonds issued for school purposes; and  
6 (5) the amount of funds required for the creation of a sinking fund for  
7 the payment of such indebtedness. The secretary shall publish, within ten  
8 days after the filing of such budget, a copy of the fund summary pages of  
9 the budget one time at the legal rate prescribed for the publication of  
10 legal notices in a legal newspaper published in and of general  
11 circulation in such city or village or, if none is published in such city  
12 or village, in a legal newspaper of general circulation in the city or  
13 village. The secretary of the school board failing or neglecting to  
14 comply with this section shall be deemed guilty of a Class V misdemeanor  
15 and, in the discretion of the court, the judgment of conviction may  
16 provide for the removal from office of such secretary for such failure or  
17 neglect. For Class I, II, or III school districts that are not members of  
18 a learning community, the county board shall levy and collect such taxes  
19 as are necessary to provide the amount of revenue from property taxes as  
20 indicated by all the data contained in the budget and the certificate  
21 prescribed by this section, at the time and in the manner provided in  
22 section 77-1601.

23 Sec. 60. Section 79-1093, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 79-1093 (1) The board of education of a Class I, II, III, IV, or V  
26 school district may contract for (a) machine accounting and payroll  
27 processing services, (b) disbursing school funds as ordered by the board  
28 of education, (c) paying net salaries or wages earned by professional and  
29 other personnel employed by the board of education, (d) remitting to  
30 appropriate collection agencies sums withheld from salaries and wages,  
31 and (e) any other computerized service which the board of education deems

1 necessary or desirable. Payment of salaries and wages as provided in this  
2 section shall be made to the employee in bank credit or cash, as the  
3 employee may specify.

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

14 Sec. 61. Section 79-10,110.02, Revised Statutes Cumulative  
15 Supplement, 2022, is amended to read:

16 79-10,110.02 (1) On and after April 19, 2016, the school board of  
17 any school district may make a determination that an additional property  
18 tax levy is necessary for a specific abatement project to address an  
19 actual or potential environmental hazard, accessibility barrier, life  
20 safety code violation, life safety hazard, school safety infrastructure  
21 concern, or mold which exists within one or more existing school  
22 buildings or the school grounds of existing school buildings controlled  
23 by the school district. Such determination shall not include abatement  
24 projects related to the acquisition of new property, the construction of  
25 a new building, the expansion of an existing building, or the remodeling  
26 of an existing building for purposes other than the abatement of  
27 environmental hazards, accessibility barriers, life safety code  
28 violations, life safety hazards, school safety infrastructure concerns,  
29 or mold. Upon such determination, the school board may, not later than  
30 the date provided in section 13-508, make and deliver to the county clerk  
31 of such county in which any part of the school district is situated an

1 itemized estimate of the amounts necessary to be expended for such  
2 abatement project, any insurance proceeds or other anticipated funds that  
3 will be received by the school district related to the abatement project,  
4 the period of years for which the property tax will be levied for such  
5 project, and the estimated amount of the levy for each year of the period  
6 based on the taxable valuation of the district at the time of issuance.  
7 The period of years for such levy shall not exceed ten years and the levy  
8 for such project when combined with all other levies pursuant to this  
9 section and section 79-10,110 shall not exceed three cents per one  
10 hundred dollars of taxable valuation. Nothing in this section shall  
11 affect levies pursuant to section 79-10,110.

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

19 (3) For purposes of this section:

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

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

31 (c) Environmental hazard means any contamination of the air, water,

1 or land surface or subsurface caused by any substance adversely affecting  
2 human health or safety if such substance has been declared hazardous by a  
3 federal or state statute, rule, or regulation.

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

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

29 Sec. 62. Section 79-10,114, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31 79-10,114 No school property of any kind belonging to any Class I,

1 II, III, or IV school district shall be sold by the school board or board  
2 of education except at a regular meeting of the board and with an  
3 affirmative recorded vote of at least two-thirds of all the members of  
4 the board. Proceeds of sale of school property sold as provided in this  
5 section may be held separately from other funds of the school district  
6 and may be used for any school purpose as the board may determine,  
7 including, but not limited to, acquiring sites for school buildings or  
8 teacherages and purchasing existing buildings for use as school buildings  
9 or teacherages, including the sites upon which such buildings are  
10 located, and the erection, alteration, equipping, and furnishing of  
11 school buildings or teacherages.

12 Sec. 63. Section 79-10,117, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 79-10,117 The legal voters of any Class I, II, or III school  
15 district have the power, at an election or at any annual or special  
16 meeting, to (1) direct the purchasing or leasing of any appropriate site  
17 and the building, hiring, or purchasing of a teacherage for the purpose  
18 of providing housing facilities for the school employees of the district,  
19 (2) determine the amount necessary to be expended for such purposes the  
20 succeeding year, and (3) vote on a tax on the property of the district  
21 for the payment of the amount.

22 Sec. 64. Section 79-10,118, Revised Statutes Cumulative Supplement,  
23 2022, is amended to read:

24 79-10,118 A tax to establish a special fund for the building,  
25 hiring, or purchasing of a teacherage for the purpose of providing  
26 housing facilities for the school employees of any Class I, II, or III  
27 district may be levied when authorized by fifty-five percent of the legal  
28 voters voting on the proposition. The notice of the proposal to establish  
29 such special fund shall include the sum to be raised or the amount of the  
30 tax to be levied, the period of years, and the time of its taking effect.  
31 If fifty-five percent of the legal voters voting at any such election

1 vote in favor of the proposition, the result of such election shall be  
2 certified to the county board which, upon being satisfied that all the  
3 requirements have been substantially complied with, shall cause the  
4 proceedings to be entered upon the record of the county board and shall  
5 make an order that the levy be made in accordance with the election  
6 result and collected as other taxes.

7 Sec. 65. (1) For purposes of this section:

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

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

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

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

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

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

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

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

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

5           (iii) Be provided in a printable format;

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

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

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

11           (vii) Contain site-specific labeling that matches the structure of  
12 school buildings, including room labels, hallway names, external door or  
13 stairwell numbers, locations of hazards, key utility locations, key  
14 boxes, automated external defibrillators, and trauma kits using standard  
15 labeling rules set by the State Department of Education;

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

20           (ix) Be overlaid with a grid and coordinates.

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

28           (4) A school board of a school district that adopts a policy in  
29 accordance with this section may apply to the State Department of  
30 Education in a manner prescribed by the Commissioner of Education for a  
31 grant to cover the costs of providing payment to vendors on behalf of the

1 school district to facilitate the implementation of mapping data in  
2 accordance with this section for such school district. Such application  
3 shall include a copy of the appropriate school policy, an estimate from a  
4 vendor on the cost of providing such mapping data that meets the  
5 requirements of subdivision (2)(c) of this section, and any other  
6 information the department may require.

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

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

24 (6) It is the intent of the Legislature that grants awarded pursuant  
25 to this section shall be funded from the School Safety and Security Fund.

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

28 Sec. 66. Section 79-3109, Revised Statutes Supplement, 2023, is  
29 amended to read:

30 79-3109 The School Safety and Security Fund is created. The fund  
31 shall be administered by the State Department of Education and shall

1 consist of any money transferred by the Legislature and any gifts,  
2 grants, or bequests. The department shall use money in the fund for  
3 grants for security-related infrastructure projects pursuant to section  
4 79-3108 and section 65 of this act. Any money in the fund available for  
5 investment shall be invested by the state investment officer pursuant to  
6 the Nebraska Capital Expansion Act and the Nebraska State Funds  
7 Investment Act.

8 Sec. 67. (1) Except as provided in subsection (2) of this section,  
9 beginning in school year 2024-25, a public school shall not allow the use  
10 of a Mercator projection map in school. A school shall only use the Gall-  
11 Peters projection map or AuthaGraph projection map for display or use in  
12 the classroom.

13 (2) A Mercator projection map may be used in a classroom in  
14 conjunction with other projection maps in a teaching exercise to  
15 demonstrate that all maps are flawed in some way and different map  
16 projections serve different functions and may affect how an individual  
17 views the world.

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

20 Sec. 68. (1) For purposes of this section, debt collection agency  
21 means any person or entity that collects or attempt to collect, directly  
22 or indirectly, debts due or asserted to be owed or due to another. Debt  
23 collection agency does not include the Department of Revenue or any  
24 programs administered by the department or a school, school district,  
25 school board, or board of education.

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

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

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

4           Sec. 69. Section 85-3002, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6           85-3002 For purposes of the Nebraska Career Scholarship Act:

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

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

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

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

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

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

30           (7) Standard college admission test means the national assessment  
31 instrument that is also used as the standard college admission test

1 selected by the State Board of Education and administered to students in  
2 the eleventh grade pursuant to subsection (9) of section 79-760.03; and -  
3 (8) Transfer student means a student who has not previously earned a  
4 postsecondary credential and who has transferred into an eligible program  
5 of study (a) from another postsecondary institution or (b) from another  
6 program of study within the same postsecondary institution. A student  
7 that previously earned a postsecondary credential, but only as a dual-  
8 credit or early-college high school student, shall be considered a  
9 transfer student if such student transferred into an eligible program of  
10 study from another postsecondary institution or a program within the same  
11 postsecondary institution directly following such student's early-college  
12 high school enrollment.

13 Sec. 70. Section 85-3003, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 85-3003 (1)(a) The Board of Trustees of the Nebraska State Colleges  
16 shall award a Nebraska Career Scholarship that does not exceed a maximum  
17 of fifteen thousand dollars per year to any eligible state college  
18 student who achieved a composite score on a standard college admission  
19 test equivalent to a score of at least eighteen out of a maximum score of  
20 thirty-six and who is enrolled in an eligible program of study.

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

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

31 (i) ~~A Through academic year 2023-24,~~ a program of study at a state

1 college in rangeland management, industrial technology, criminal justice,  
2 business administration, education, communication, the Reserve Officers'  
3 Training Corps, or computer information systems; and

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

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

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

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

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

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

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

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

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

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

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

31           Sec. 71. Section 85-3004, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 85-3004 (1)(a) The Board of Regents of the University of Nebraska  
3 shall award a Nebraska Career Scholarship to any eligible university  
4 student who is enrolled in an eligible program of study in an amount not  
5 to exceed:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 official fall census data;

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

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

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

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

27 Sec. 72. Section 85-3005, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29 85-3005 (1)(a) The Coordinating Commission for Postsecondary  
30 Education Department of Economic Development, in collaboration with the  
31 community colleges, shall award a Nebraska Career Scholarship that does

1 not exceed a maximum of fifteen ~~five~~ thousand dollars per year to any  
2 eligible community college student who is enrolled in an eligible program  
3 of study in an identified shortage area or skilled trade that meets the  
4 workforce needs of the state.

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

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

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

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

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

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

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

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

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

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

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

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

29 (b) The first to second year retention rate of new scholarship  
30 recipients for all eligible programs of study from the immediately prior  
31 academic year as compared to the community college's overall first to

1 ~~second year retention rate as reported to the Integrated Postsecondary~~  
2 ~~Education Data System for the same year total number of first-time~~  
3 ~~freshman scholarship recipients retained in year two of the scholarship~~  
4 ~~recipient's eligible program of study and a comparison of the retention~~  
5 ~~rate for first-time freshman scholarship recipients to the overall~~  
6 ~~retention rate for first-time freshman students;~~

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

12 (d) The number of scholarship recipients obtaining employment in the  
13 state within five fiscal quarters of completion of an eligible program of  
14 study using Department of Labor data. ~~;~~ and

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

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

23 Sec. 73. Section 85-3006, Revised Statutes Cumulative Supplement,  
24 2022, is amended to read:

25 85-3006 (1)(a) The Coordinating Commission for Postsecondary  
26 Education ~~Department of Economic Development~~, in collaboration with  
27 private colleges that elect to participate, shall award a Nebraska Career  
28 Scholarship that does not exceed a maximum of ten thousand dollars per  
29 year to any private college student who achieved a composite score on a  
30 standard college admission test equivalent to a score of at least  
31 eighteen out of a maximum score of thirty-six or who had a high school

1 grade-point average of 3.0 or greater on a four-point scale and who is  
2 enrolled in an eligible program of study.

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

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

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

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

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

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

30 (4) Each scholarship awarded under this section shall be  
31 automatically renewed on an annual basis if the student remains enrolled

1 in good standing in the eligible program of study for which such  
2 scholarship was awarded, except that no student shall receive a  
3 scholarship renewal after four years of participation in such eligible  
4 program of study.

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

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

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

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

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

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

30 (e) The total number of graduates for the immediately prior academic  
31 year, the number of scholarship recipient graduates for such academic

1 year, and a comparison of the graduation rates for scholarship recipients  
2 and nonscholarship students; and

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

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

13 Sec. 74. Original sections 32-543, 32-811, 79-474, 79-475, 79-520,  
14 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, and 79-1093,  
15 Reissue Revised Statutes of Nebraska, sections 28-1204.04, 32-405,  
16 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413, 79-451,  
17 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524,  
18 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570,  
19 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587,  
20 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-1045, 79-1084,  
21 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 85-3002, 85-3003, 85-3004,  
22 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022, and  
23 sections 28-1201, 28-1202.01, and 79-3109, Revised Statutes Supplement,  
24 2023, are repealed.

25 2. On page 1, strike beginning with "the" in line 1 through line 7  
26 and insert "education; to amend sections 32-543, 32-811, 79-474, 79-475,  
27 79-520, 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, and  
28 79-1093, Reissue Revised Statutes of Nebraska, sections 28-1204.04,  
29 32-405, 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413,  
30 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501,  
31 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569,

1 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586,  
2 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-1045,  
3 79-1084, 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 85-3002, 85-3003,  
4 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement,  
5 2022, and sections 28-1201, 28-1202.01, and 79-3109, Revised Statutes  
6 Supplement, 2023; to define and redefine terms; to change provisions  
7 relating to carrying a concealed handgun, possession of a firearm in  
8 certain school environments, the classification of school districts,  
9 excessive absenteeism, the enrollment option program, issuance and  
10 eligibility for certificates, permits, and endorsements issued by the  
11 Commissioner of Education, and certain tax levy and bonding authority of  
12 school districts; to provide for grants for public and private schools to  
13 provide emergency response mapping data to public safety agencies; to  
14 change permitted uses of the School Safety and Security Fund; to prohibit  
15 the use of certain maps in schools; to prohibit schools from taking  
16 certain debt collection actions relating to student meals; to change  
17 provisions of the Nebraska Career Scholarship Act relating to  
18 scholarships, eligible programs of study, reports, and powers and duties;  
19 to harmonize provisions; and to repeal the original sections."