



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 270

Hearing Date: February 14, 2005
Committee On: Education

Introducer(s): (Erdman, Foley, Friend, Redfield, Smith, Synowiecki)
Title: Provide for part-time enrollment and extracurricular participation by exempt students

Roll Call Vote – Final Committee Action:

Advanced to General File
Advanced to General File with Amendments
X Indefinitely Postponed

Vote Results:

5	Yes	Senators Bourne, Howard, Kopplin, McDonald, and Stuhr
0	No	
3	Present, not voting	Senators Byars, Raikes, and Schrock
0	Absent	

Proponents:

Senator Philip Erdman
Patty Kettelhut
Holly Wilson
Cindy Zelt
Mary Heitkamp
Debbie Nordstrom
Deb Badeer
Norman Dority
Doug Langemeier
Dan Huenefeld
Dave Bydalek
Martin E. Titus

Representing:

Introducer
Self
Self
Self
Southeast Nebraska Homeschool Organization
Self
Self
Self
Self
Self
Family First
Self

Opponents:

Jim Tenopir
James E. Koontz II
Steve Osborn
Brad Cabrera
John Bonaiuto
Mike Dulaney

Representing:

Nebraska School Activities Association
Nebraska School Activities Association
Chadron Public Schools
Sutton Public Schools
Nebraska Association of School Boards
Nebraska Council of School Administrators

Summary of purpose and/or changes:

Legislative Bill 270 would authorize the enrollment of exempt students on a part-time basis in a public school in the resident district or an option district. Exempt student would be defined as a student enrolled in a private, denominational, or parochial school which elects not to meet state accreditation or approval requirements.

On or before August 1, 2006, school boards would be required to adopt policies and procedures to ensure that exempt students would be accepted in the same manner to academic courses or programs and furnished with instructional materials on the same basis as full-time students. The policies and procedures would:

1. Require information to be provided to inquiring parents or students concerning the availability of part-time enrollment. The information would be required to include procedures and registration deadlines;
2. Apply the same enrollment procedures and deadlines to exempt students that apply to full-time students;
3. Specify enrollment capacity limits that the school board would apply to particular academic courses or grade levels, which would apply equally to both exempt and full-time students;
4. Establish criteria to determine whether exempt students are eligible for integrated courses and courses that have prerequisites. Prerequisite requirements would need to apply equally to both exempt and full-time students. Exempt students could be required to provide reasonable indications that academic criteria have been met, including results from achievement tests, as long as both exempt and full-time students are required to meet the same prerequisites; and
5. Establish informal and expeditious processes to appeal denials of requests for part-time enrollment.

Exempt students would also be eligible to participate in or try out for co-curricular or extracurricular activities in the resident district or an option district. A right to participate in any activity is explicitly not conferred by this provision. Exempt students would be required to demonstrate compliance with insurance, physical examination, age, transfer, and other requirements on the same basis as full-time students.

Also on or before August 1, 2006, school boards would be required to adopt policies and procedures to ensure that exempt students are accepted into activities or tryouts. School boards would be allowed to require exempt students be enrolled in one academic class to participate in co-curricular or extracurricular activities. The policies and procedures would:

1. Require the district to provide information regarding the eligibility of exempt students to participate in co-curricular or extracurricular activities. The information would be required to include procedures and registration deadlines;
2. Apply the same registration deadlines to exempt students that apply to full-time students;
3. Apply the same academic eligibility requirements to both exempt and full-time students. Parents of exempt students may be required to provide assurances that the

school district's academic eligibility standards are being met. The assurances may be required at the same intervals during the year for both exempt and full-time students. The assurances would be sufficient to satisfy academic eligibility requirements.

Any full-time student who becomes an exempt student would remain ineligible to participate in co-curricular and extracurricular activities for a period of 90 days. An informal and expeditious procedure to appeal request denials would be required.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson