

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1158

Introduced by Sanders, 45; Albrecht, 17; Groene, 42; Halloran, 33;
Linehan, 39; Murman, 38.

Read first time January 19, 2022

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531,
- 2 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to parental involvement in education policies;
- 4 to provide duties for schools and school districts; to provide for
- 5 withholding of funding from school districts that fail to comply; to
- 6 provide duties for the Commissioner of Education and county
- 7 treasurers; to harmonize provisions; and to repeal the original
- 8 sections.
- 9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-530 The Legislature finds and declares:

4 (1) That ~~parental~~ involvement of parents and guardians is a key
5 factor in the education of children;

6 (2) That parents or guardians need to be informed of the educational
7 practices affecting their children; and

8 (3) That public schools should foster and facilitate parents' and
9 guardians' access to ~~parental~~ information about, and involvement in,
10 educational practices affecting their children.

11 It is the intent of the Legislature, through the enactment of
12 sections 79-531 to 79-533 and sections 5, 6, and 7 of this act, to
13 strengthen the level of ~~parental~~ involvement and participation by parents
14 and guardians in the public school system of the state.

15 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-531 On or before July 1, 2023 ~~1995~~, each public school district
18 in the state shall develop and adopt a policy stating how the district
19 will ~~seek to~~ involve parents and guardians in the schools and the rights
20 of each parent or guardian to:

21 (1) ~~Access what parents' rights shall be relating to access to the~~
22 schools, learning materials, testing information, and curriculum matters;
23 and -

24 (2) Request that a child be excused from specific instruction or
25 activities.

26 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-532 The policy required by section 79-531 shall include, but need
29 not be limited to, the following:

30 (1) How the school district will provide access to parents or
31 guardians concerning textbooks; 7 tests; other learning materials;

1 information about activities; digital materials; websites or applications
2 used for learning; training materials for teachers, administrators, and
3 staff; procedures for the review and approval of training materials,
4 learning materials, and activities; ~~7~~ and other curriculum materials used
5 in the school district;

6 (2) How the school district will accommodate ~~handle~~ requests by
7 parents or guardians to attend and monitor courses, assemblies,
8 counseling sessions, and other instructional activities;

9 (3) Under what circumstances parents or guardians may ask that their
10 children be excused from testing, classroom instruction, learning
11 materials, activities, guest speaker events, and other school experiences
12 the parents or guardians may find objectionable;

13 (4) How the school will provide alternative instruction, activities,
14 or assignments for a child excused as described in subdivision (3) of
15 this section;

16 (5) ~~(4)~~ How the school district will provide access to records of
17 students;

18 (6) ~~(5)~~ What the school district's testing policy will be; and

19 (7) ~~(6)~~ How the school district participates in surveys of students
20 and the right of parents or guardians to remove their children from such
21 surveys.

22 Sec. 4. Section 79-533, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 79-533 The policy required by section 79-531 shall be developed with
25 ~~parental~~ input from parents and guardians and shall be the subject of a
26 public hearing before the school board or board of education of the
27 school district before adoption by the board. The policy shall be
28 reviewed annually and either altered and adopted as altered or reaffirmed
29 by the board following a public hearing. Any public hearing under this
30 subsection shall include a reasonable opportunity for public comments.

31 Sec. 5. By January 1, 2023, each school district shall make all

1 policies of the district and schools of the district accessible on the
2 public website for each school in the district. The policies shall be
3 accessible by a prominently displayed link on each school's website. If a
4 policy is altered, the new version of the policy shall be made accessible
5 within a reasonable time thereafter.

6 Sec. 6. To the extent practicable, each public school district
7 shall make a reasonable effort to make any learning materials, including
8 original materials, available for public inspection upon request.

9 Sec. 7. (1) If the Commissioner of Education determines that any
10 school district has failed, in a material manner, to comply with sections
11 79-531 to 79-533 and sections 5 and 6 of this act, the commissioner,
12 after notice to the school district and an opportunity to be heard, shall
13 direct, until the commissioner determines the school district has come
14 into compliance, that:

15 (a) Any state aid granted pursuant to the Tax Equity and Educational
16 Opportunities Support Act to the school district be withheld; and

17 (b) Each county treasurer of a county with territory in the school
18 district withhold all money belonging to the school district.

19 (2) A county treasurer directed to withhold money under this section
20 shall do so until directed otherwise by the commissioner.

21 (3) For school districts that are members of learning communities, a
22 determination of school money belonging to the school district shall be
23 based on the proportionate share of property tax receipts allocated to
24 the school district pursuant to section 79-1073 in addition to the other
25 property tax receipts belonging to the school district.

26 (4) If a school district has not been found in compliance by the
27 commissioner prior to October 1 following the school fiscal year for
28 which the state aid funding was calculated, the funds shall revert to the
29 General Fund. The amount of any reverted funds shall be included in data
30 provided to the Governor, the Appropriations Committee of the
31 Legislature, and the Education Committee of the Legislature in accordance

1 with section 79-1031.

2 Sec. 8. Original sections 79-530, 79-531, 79-532, and 79-533,

3 Reissue Revised Statutes of Nebraska, are repealed.