

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB231

Hearing Date: Tuesday February 21, 2023
Committee On: Education
Introducer: Dungan
One Liner: Change provisions related to student attendance and require plans for excessive absences

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Conrad, Linehan, Sanders, Walz, Wayne, Meyer, Murman
Nay:	1	Senator Albrecht
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator George Dungan
Elizabeth McClelland
Kyle McGowan
Anahi Salazar

Representing:

Opening Presenter
Educational Rights Counsel
Nebraska Council of School Administrators
Voices for Children in Nebraska

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 231 Changes provisions related to student attendance and require plans for excessive absences

Bill Summary:

LB 231 would amend truancy policy by updating requirements for investigation and reporting of excessive absences, collaboration between the school and family, and collaboration between all parties and the county attorney.

Section-by-Section Summary:

SECTION 1

1.1

Requires superintendents, principals, teachers, or members of the school board who know of a violation of 79-201 (truancy) to report such issue within three days to the attendance officer of the school who shall immediately



investigate the case.

When an attendance officer believes, by personal knowledge or report, a truancy issue exists, the officer shall immediately investigate.

1.2

School boards shall have a written policy developed and reviewed annually with the county attorney designated herein. The policy shall address how it will handle excessive absences arising from illness. The policy shall state by what information or standard it will render services to address barriers to attendance.

Such services shall be provided upon 20 days of absence and shall include, but not limited to:

1.2.a - Written communication by school officials with whosoever has legal or actual charge or control of the child;

1.2.b – At least one meeting of those identified in this subsection to address barriers to attendance. The result of the meeting shall be to develop a collaborative plan to reduce barriers to attendance. The plan may include an educational evaluation to determine contributing factors if such evaluation is agreed to by the person responsible for making educational decisions for the child.

1.3

This subsection addresses notification standards to the county attorney and to the child's family when the collaborative plan to improve attendance has not been successful.

Failure by the school to document as required shall be a defense to prosecution in cases alleging educational neglect or habitual truancy.

Illness shall not be the basis for referral to the county attorney when such illness makes attendance impossible or impracticable.

1.4

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

SECTION 2

Repeals: Original section 79-209.

Dave Murman, Chairperson

