

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 372

Introduced by Murman, 38; Albrecht, 17; Ballard, 21; Brewer, 43;
Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16;
Holdcroft, 36; Lippincott, 34; Moser, 22; Slama, 1; Vargas,
7; von Gillern, 4.

Read first time January 12, 2023

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-2,136, Revised
- 2 Statutes Cumulative Supplement, 2022; to change provisions regarding
- 3 part-time enrollment; to provide duties regarding extracurricular
- 4 activities as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-2,136, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 79-2,136 (1) Each school board shall allow the part-time enrollment
4 of students, for all courses selected by the students, who are residents
5 of the school district pursuant to subsections (1) and (2) of section
6 79-215 and who are also enrolled in a private, denominational, or
7 parochial school or in a school which elects pursuant to section 79-1601
8 not to meet accreditation or approval requirements and shall establish
9 policies and procedures for such part-time enrollment. Such policies and
10 procedures may include provisions permitting the part-time enrollment of
11 such students who are not residents of such school districts to the
12 extent permitted pursuant to section 79-215 and may require part-time
13 students to follow school policies that apply to other students at any
14 time the part-time student is present on school grounds or at a school-
15 sponsored activity or athletic event. Part-time enrollment shall not
16 entitle a student to transportation or transportation reimbursements
17 pursuant to section 79-611. ~~Nothing in this section shall be construed to~~
18 ~~exempt any student from the compulsory attendance provisions of sections~~
19 ~~79-201 to 79-207.~~

20 (2) Each school board shall establish policies and procedures to
21 allow any student who is a resident of the school district pursuant to
22 subsection (1) or (2) of section 79-215 and who is enrolled in a school
23 which elects pursuant to section 79-1601 not to meet accreditation or
24 approval requirements to participate in any extracurricular activities as
25 defined in section 79-2,126, including, but not limited to, interschool
26 competitions, to the same extent and subject to the same requirements,
27 conditions, and procedures as a student enrolled in a public school
28 governed by such board, except that any school which elects pursuant to
29 section 79-1601 not to meet accreditation or approval requirements shall
30 set the standards for satisfactory academic performance for a student
31 from the school to participate in extracurricular activities pursuant to

1 this subsection and shall provide assurances of compliance with such
2 academic standards.

3 (3) School board policies and procedures adopted pursuant to
4 subsection (2) of this section (a) shall not require any student
5 participating in extracurricular activities pursuant to such subsection
6 to be enrolled in any credit hours offered by the school district in any
7 semester, (b) shall not allow any preference in the selection of a
8 student for participation in an extracurricular activity based on such
9 student's status as a full-time student in the school district, and (c)
10 may require any student participating in extracurricular activities
11 pursuant to such subsection to follow school policies that apply to other
12 students when present on school grounds or at a school-sponsored activity
13 or athletic event. Participation in extracurricular activities pursuant
14 to subsection (2) of this section shall not entitle a student to
15 transportation, except to and from practices and events to the same
16 extent as public school students participating in such activities, or
17 transportation reimbursement pursuant to section 79-611.

18 (4) Nothing in this section shall be construed to exempt any student
19 from the compulsory attendance provisions of sections 79-201 to 79-210.

20 Sec. 2. Original section 79-2,136, Revised Statutes Cumulative
21 Supplement, 2022, is repealed.