

## LEGISLATIVE BILL 997

Approved by the Governor April 17, 1986

Introduced by Education Committee, Vickers, 38,  
Chairperson; Lamb, 43; Morehead, 30;  
Barrett, 39; Nelson, 35; Baack, 47;  
R. Johnson, 34; Eret, 32

AN ACT relating to education; to amend sections 79-4,140.05 to 79-4,140.08, Revised Statutes Supplement, 1984, and sections 79-329, 79-4,140.04, 79-1241, and 79-1247.05, Revised Statutes Supplement, 1985; to define and redefine terms; to provide procedures for the amendment, termination, or nonrenewal of contracts of certain employees of educational service units; to change powers of the State Board of Education concerning distribution of certain grant money; to provide a date for the distribution of funds; to change dates for certain duties of the State Board of Education and the State Department of Education; to delete obsolete material; to change provisions relating to teacher's certification; to change provisions relating to biennial course offerings; to establish a committee; to provide duties; to provide a termination date; to establish procedures and provide for removal from an educational service unit; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. As used in sections 1 to 6 of this act, unless the context otherwise requires:

(1) Board shall mean the governing board of any educational service unit;

(2) Certificated employee shall mean any teacher, nurse, or other person required to have a certificate from the State Department of Education who is employed by an educational service unit;

(3) Just cause shall mean incompetency, neglect of duty, unprofessional conduct, insubordination, immorality, physical or mental incapacity, or other conduct which interferes substantially with the continued performance of duties

or a change in circumstances such as financial exigency or a diminution of demand for services by the school districts served by the educational service unit necessitating a reduction in the number of teachers or nurses to be employed by the board;

(4) Permanent certificated employee shall mean a certificated employee (a) who has served under a contract with the educational service unit for at least three successive years under any contract which was entered into to create initial employment on or after September 1, 1986, or (b) who was initially employed by the educational service unit prior to September 1, 1986; and

(5) Probationary certificated employee shall mean a certificated employee who has served under a contract with the educational service unit for less than three successive years under any contract which was entered into to create initial employment on or after September 1, 1986.

Sec. 2. The contract of a certificated employee shall be deemed renewed and remain in full force and effect unless amended, terminated, or not renewed in accordance with sections 1 to 6 of this act.

Sec. 3. (1) Any certificated employee whose contract of employment may be amended, terminated, or not renewed for the following school year shall be notified in writing on or before April 15 of each year of such possible action on the contract. If the certificated employee wishes a hearing, a written request shall be sent to the secretary of the board or the administrator of the educational service unit within seven calendar days after receipt of the written notice. If a hearing on such amendment, termination, or nonrenewal is not requested within the time provided in this section, the board shall make a final determination. With regard to all hearings under sections 1 to 6 of this act, the certificated employee shall be advised in writing at least five days prior to the hearing of the date, time, and place of the hearing. All such hearings shall be held within thirty days of the date of the request for the hearing, except when the parties or their representatives, by a mutual agreement confirmed in writing, extend the time for hearings or final determinations by the board under sections 1 to 6 of this act. Unless continued by written agreement between the parties or their representatives, final action by the board shall be taken on or before May 15 of each year.

(2) Prior to the hearing or action on the

matter, if requested by the certificated employee, the notice of possible amendment, termination, or nonrenewal and the supporting reasons shall be considered a confidential employment matter as provided in sections 79-4,156 to 79-4,158 and 84-1410 and shall not be released to the public or news media.

Sec. 4. The board may on its own behalf, or shall upon the request of the certificated employee, his or her representative, or the educational service unit's administration, (1) subpoena and compel the attendance of witnesses residing within or without this state for the purpose of appearing and testifying at any hearing provided for in sections 1 to 6 of this act and for the purpose of taking the deposition of such witnesses in the manner prescribed by law for the taking of depositions in civil actions in the district courts and (2) issue subpoenas for the production of any papers, books, accounts, and documents.

Sec. 5. (1) Upon request by the probationary certificated employee as provided in subsection (1) of section 3 of this act, notice shall be provided which shall contain written reasons for the proposed amendment or nonrenewal of the probationary certificated employee's contract and shall be sufficiently specific so as to provide such employee the opportunity to prepare a response. The reasons set forth in the notice shall be employment related.

(2) The board may elect to amend or not renew the contract of a probationary certificated employee for any reason it deems sufficient if such nonrenewal or amendment is employment related and such nonrenewal or amendment is not for constitutionally impermissible reasons. Such nonrenewal or amendment shall be in accordance with sections 1 to 6 of this act. Amendment or nonrenewal for reasons of reduction in force shall be in accordance with the procedures provided in sections 79-1254.05 to 79-1254.08 and sections 1 to 6 of this act.

(3) At any time prior to the holding of a hearing or prior to final determination by the board to amend or not renew the contract involved, the probationary certificated employee may submit a letter of resignation for the ensuing school year, which resignation shall be accepted by the board.

(4) The hearing, if requested, involving the question of the nonrenewal or amendment of a probationary certificated employee's contract shall not be a formal due process hearing, but shall be an informal hearing before the board at which the

probationary certificated employee involved or his or her representative shall be afforded the opportunity to discuss and explain to the board his or her position with regard to continued employment, to present information, and to ask questions of those appearing on behalf of the administration of the educational service unit. Such hearing shall be in closed session at the request of the probationary certificated employee involved or his or her representative and upon affirmative vote of the majority of the board members present and voting, but the formal action of the board for nonrenewal or amendment shall be in open session.

(5) The hearing for a probationary certificated employee may be held before a committee of the board consisting of not less than three of the board's total members, and total membership of the committee shall be odd numbered. Notice of such hearing shall be sent to all board members five days prior to such hearing. If a hearing is held before a committee, the majority opinion of the committee shall constitute a recommendation to the board with the final determination being made by a majority vote of the members of the board without additional hearing.

Sec. 6. (1) The board by a vote of the majority of its members may determine that a permanent certificated employee's contract shall be amended or terminated for any of the following reasons: (a) Just cause as defined in section 1 of this act; (b) reduction in force as set forth in sections 79-1254.05 to 79-1254.08; (c) a change of leave of absence policy; (d) failure of the permanent certificated employee upon written request of the board or the administrators of the educational service unit to accept employment for the next school year within the time designated in the request, except that the permanent certificated employee shall not be required to signify such acceptance prior to March 15 of each year; or (e) revocation, cancellation, suspension, or termination of the permanent certificated employee's certificate by the State Board of Education.

(2) If a hearing is requested by the permanent certificated employee, the formal due process hearing for the purpose of this section shall mean a hearing procedure adopted by the board which contains at least the following: (a) Notification to the permanent certificated employee in writing at least five days prior to the hearing of the grounds alleged for the termination or amendment of the permanent certificated employee's contract; (b) upon request of the permanent

certificated employee, a list of the names of any witnesses who will be called to testify against the certificated employee and an opportunity to examine any documents that will be presented at the hearing shall be provided at least five days prior to the hearing; (c) the right to be represented; and (d) an opportunity to cross-examine all witnesses, examine all documents, and present evidence material to the issues.

(3) Notice of the hearing shall be given in accordance with sections 84-1408 to 84-1414. Upon an affirmative vote of a majority of the board's members present and voting and upon specific request of the permanent certificated employee or the permanent certificated employee's representative, the hearing shall be conducted in a closed session, but the formal action of the board shall be taken in open session.

(4) A majority of the members of the board shall render its decision to amend or terminate a permanent certificated employee's contract based solely upon the evidence produced at the hearing, shall reduce its findings and determination to writing, and shall deliver a written copy of the findings and determination to the permanent certificated employee.

Sec. 7. That section 79-329, Revised Statutes Supplement, 1985, be amended to read as follows:

79-329. The State Board of Education shall have authority (1) to provide for the education of and approve special educational facilities and programs provided in the public schools for handicapped children, (2) to act as the state's authority for the approval of all types of veterans' educational programs, which are financially supported in whole or in part by the federal government, (3) to supervise and administer any educational or training program which may hereafter be established within the state by the federal government, except higher education in approved colleges, (4) to coordinate educational activities in the state that pertain to elementary and secondary education; and such other educational programs as are placed by statute under the jurisdiction of the board, (5) to receive and distribute according to law any money, commodities, goods, or services made available to the board from the state or federal government or from any other source and to distribute money in accordance with the terms of any grant received, including the distribution of money from grants by the federal government to schools, preschools, day care centers, day care homes, nonprofit agencies, and political subdivisions of the state or institutions of learning not owned or exclusively controlled by the

state or a political subdivision thereof, so long as no public funds of the state, any political subdivision, or any public corporation are added thereto, (6) to publish, from time to time, directories of schools and educators, pamphlets, curriculum guides, rules and regulations, handbooks on school constitution and other matters of interest to educators, and similar publications, which publications may be distributed without charge to schools and school officials within this state or may be sold at a price not less than the actual cost of printing with the proceeds of such sale being transmitted to the State Treasurer for deposit in the state treasury to the credit of the State Department of Education Cash Fund which may be used by the State Department of Education for the purpose of printing and distributing further such publications on a nonprofit basis, and to furnish eight copies thereof to the Nebraska Publications Clearinghouse, and (7) when necessary for the proper administration of the functions of the department and with the approval of the Governor and the Department of Administrative Services, to rent or lease space outside the State Capitol.

Sec. 8. That section 79-4,140.04, Revised Statutes Supplement, 1985, be amended to read as follows:

79-4,140.04. There is hereby created the Professional Staff Development Program to be administered by the State Department of Education. The department shall adopt and promulgate rules and regulations for the administration of such program and by July 31, 1987, make distribution of funds payable to such program. Administrative costs shall be paid from the department's general budget. Payments, not to exceed fifty dollars for each certificated teacher or administrator in the district or educational service unit, shall be made to each school district or educational service unit which has submitted an ~~in-service~~ inservice plan. Such plan shall have been developed with the participation of teachers and administrators employed by such district or educational service unit and shall be approved by the State Department of Education. The plan shall include components for training administrators in conducting teacher evaluations and any other components which the board may by rule or regulation deem necessary. To assist the department in implementing this section, the Commissioner of Education with the approval of the board shall appoint an Advisory Committee on Staff Development. The size, composition, and duties to be

performed by the advisory committee shall be determined by the board, except that the advisory committee shall be representative of the various elements of the educational community. The advisory committee shall continue for at least three years after July 10, 1984. Thereafter, the board may as deemed necessary continue the advisory committee on an annual basis.

Sec. 9. That section 79-4,140.05, Revised Statutes Supplement, 1984, be amended to read as follows:

79-4,140.05. The State Department of Education shall develop guidelines and the State Board of Education shall adopt and promulgate rules and regulations by July 31, 1987, to encourage appropriate use of extended teacher contracts, to improve the educational program of students in need of remedial teaching or individualization, and to provide enrichment curriculum. The Legislature shall appropriate a ~~sum for fiscal year 1985-86 funds~~ for grants-in-aid to school districts or educational service units which submit proposals for extended contracts which are approved by the State Board of Education. Proposals shall demonstrate how grants will be used in an extended contract program to further the aims of instructional remedial teaching, individualization of instruction, and curriculum enrichment. Grants shall be limited to fifty per cent of the cost of the program and the programs shall not involve more than ten per cent of the certificated teachers at each participating school or educational service unit. The State Board of Education through the Commissioner of Education shall make a report on the effectiveness of such program by July 1, ~~1987~~ 1988. For purposes of this section, extended teacher contract shall mean a contract providing for full-time employment of teachers for ~~either ten, eleven, or twelve calendar months of the school year~~ a period of time in addition to the period of time covered in the teacher's basic contract.

Sec. 10. That section 79-4,140.06, Revised Statutes Supplement, 1984, be amended to read as follows:

79-4,140.06. ~~Beginning in school year 1984-85, the~~ The State Board of Education shall, by July 31, 1987, establish and the State Department of Education shall administer a scientist-in-residence program in the public schools of the state for the purpose of encouraging persons with expertise in the sciences to make special presentations, provide direct educational services to students, and provide guidance

to teachers.

The scientist-in-residence program shall allow for specialists in the social, physical, or life sciences or in advanced technology to participate as teacher-partners in a school, school district, number of school districts, or educational service unit. A residency may be as short as one week and as long as one semester. Any residency may be extended upon agreement by the scientist-in-residence, the State Department of Education, and the school district, school districts, or educational service unit. The department shall adopt and promulgate rules and regulations necessary for the establishment and administration of the scientist-in-residence program. Such rules and regulations shall include, but not be limited to, provisions regarding the application for scientist-in-residence status, the term of residencies, and evaluation of the program. ~~The Legislature shall appropriate for fiscal year 1984-85 an amount not to exceed one hundred fifty thousand dollars to implement the scientist-in-residence program.~~ Nothing in this section shall prohibit funding of the scientist-in-residence program by private sources.

Sec. 11. That section 79-4,140.07, Revised Statutes Supplement, 1984, be amended to read as follows:

79-4,140.07. The State Department of Education shall, ~~by July 1, 1987,~~ identify exemplary curriculum materials for use in Nebraska schools. Such materials may include innovative programs, supplementary materials, unique approaches to presenting existing materials, and materials which make use of new technological developments. All such materials shall have a demonstrable capacity to improve the quality and effectiveness of instruction and shall have been developed in Nebraska or, if developed outside Nebraska, shall have been adapted for use in Nebraska. In order to make such materials fully available to Nebraska schools, the State Department of Education shall establish a dissemination program which shall include summer institutes conducted by teacher education institutions in the state. ~~The Legislature shall appropriate an amount not to exceed two hundred fifty thousand dollars per year as is necessary for dissemination~~ Dissemination program activities, ~~including, but not limited to~~ may include:

- (1) Grants to teachers who developed or adapted exemplary curriculum materials;
- (2) Grants to teacher education institutions



for the administrative costs of offering institutes; and  
 (3) ~~Funds for reproducing~~ Reproducing and delivering trial materials to schools.

Sec. 12. That section 79-4,140.08, Revised Statutes Supplement, 1984, be amended to read as follows:

79-4,140.08. The State Department of Education shall, by July 1, 1987, in consultation with the Nebraska educational television network, colleges and universities in the state, the educational service units, such other public and private committees and groups as are deemed to have expertise in the field of educational technology, and the Policy Research Office, establish a state-level consortium which shall:

(1) Identify, evaluate, and publish a list of high-quality courseware which is available to be used by teachers to supplement curriculum;

(2) Provide guidelines to assist local school districts and educational service units in making decisions regarding:

(a) Acquiring of technological hardware, software, and related services;

(b) Training current and prospective staff in the use of educational technology, including, but not limited to, computers, video discs, and interactive cable television; and

(c) Utilizing technology in instruction and support services to increase the effectiveness of and individual access to education;

(3) Devise a pilot project program for implementing specific approaches to the use of technology in education;

(4) Develop and maintain an inventory of applications of technology to education in the state and provide for the sharing of the information within the state;

(5) Develop a plan for the orderly introduction of technology in the schools. The plan shall include methods of providing financial support for schools to obtain equipment, modify facilities, train staff, conduct comprehensive need analysis, appropriately share resources, and provide reasonable equality of access to technology by students in all regions of the state; and

(6) Propose the organizational structure of a state educational technology consortium for the purpose of carrying out the ongoing programs described in subdivisions (1) to (4) of this section, and

(7) No later than January 1, 1985, report to

the Governor and the Legislature its progress in carrying out activities prescribed in this section-

Sec. 13. That section 79-1241, Revised Statutes Supplement, 1985, be amended to read as follows:

79-1241. Any local school board or governing authority of a private school may establish alternating biennial secondary course offerings, not to exceed one course in each of four subject fields as designated by such school board or governing authority, for nonsequential curricula as part of the total instructional units provided each school term for the purpose of meeting minimum annual criteria for accreditation under sections 79-328 and 79-1247.02. Reporting of biennial course offerings which are to receive annual instructional unit credit in meeting accreditation standards shall be on forms prescribed by the State Department of Education.

Sec. 14. That section 79-1247.05, Revised Statutes Supplement, 1985, be amended to read as follows:

79-1247.05. (1) The board shall establish, adopt, and promulgate appropriate rules, regulations, and procedures governing the issuance, renewal, conversion, revival, cancellation, suspension, and revocation of certificates and permits to teach, counsel, supervise, and administer in all elementary and secondary schools in this state based upon (a) earned college credit in humanities, social and natural sciences, mathematics, and practical arts, (b) earned college credit, or its equivalent in professional education, for particular teaching, counseling, supervisory, or administrative assignments, (c) scholarship attained in earning such college credit, (d) successful teaching, and (e) moral, mental, and physical fitness for teaching, all in accordance with sound educational practices, ~~and (f) credit in continuing education units-~~

(2) On or before July 31, ~~1986~~ 1987, the State Board of Education shall establish or designate basic skills competency examinations for prospective teachers. Such examinations shall measure:

(a) Competency in the written use of the English language;

(b) Competency to read, comprehend, and interpret professional writing and other written materials; and

(c) Competency to work with fundamental mathematical computations.

No candidate applying for an entry-level teacher or administrator certificate after July 31, 1989, shall receive such certificate unless such candidate has received a satisfactory score on the basic skills competency examinations established or designated by the State Board of Education. Each Nebraska teacher education institution approved by the State Board of Education shall administer the basic skills competency examinations as a condition for entry into such institution's teacher or administrator program. The State Department of Education shall administer the examinations for teachers and administrators being recommended for certification from outside of Nebraska and for prospective teachers and administrators who have not matriculated in or completed a teacher training program at a time and place designated by the Commissioner of Education.

(3) In order to ensure that all teachers throughout the state maintain and continue to develop effective teaching skills, the State Board of Education shall, on or before July 31, ~~1986~~ 1987, adopt four career certification levels in addition to other temporary, provisional, service, or emergency certification classifications. Each certification level shall reflect a level of achievement attained by a teacher based on such teacher's professional growth and academic achievement and years of successful teaching experience. The certification levels prescribed in this subsection shall be applicable to teachers receiving their first Nebraska teaching certificate after July 31, ~~1986~~ the adoption of such certification levels by the State Board of Education. The levels of certification shall be as follows:

(a) The first level of certification shall be known as the apprentice teaching certificate. To be eligible to receive an apprentice teaching certificate, a teacher shall, after July 31, 1989 three years following the adoption of the certification levels by the State Board of Education, have completed the requirements prescribed in subsection (2) of this section and received a satisfactory score or rating on a subject matter examination established or designated by the State Board of Education. Such certificate shall be valid for three years;

(b) The second level of certification shall be known as the initial teaching certificate. To be eligible to receive an initial teaching certificate, a teacher shall have served as an apprentice teacher for at least two years and successfully completed the

requirements of the entry-year assistance program as provided in subsection (5) of this section, if applicable. Such certificate shall be valid for five years and be nonrenewable, except that any teacher who fails to continue to teach during the life of an initial teaching certificate shall be eligible to reenter teaching at such certification level and to teach under the initial teaching certificate for not longer than five school years;

(c) The third level of certification shall be known as the standard teaching certificate. To be eligible for the standard teaching certificate, the teacher shall have served at least two years with an apprentice teaching certificate and at least three years with an initial teaching certificate and earned at least eighteen college credit hours or its equivalent in continuing education units. The State Board of Education shall adopt and promulgate rules and regulations establishing and defining continuing education units. For purposes of this section, credit hour shall mean units earned in a master's degree program, a fifth-year program, or towards an additional teaching endorsement or in an area of such teacher's assigned duties or specialization.

Such certificate shall be valid for a period of five years and may be renewed for a second five-year period if a teacher verifies the completion of thirty-six hours of college credit or its equivalent in continuing education units. Thereafter the standard teaching certificate may be renewed for additional five-year periods if such teacher verifies at least two years of successful teaching experience during the life of the certificate or completes six hours of college credit or its equivalent in continuing education units. Any teacher who fails to continue to teach during the life of a standard certificate shall be eligible to return to teaching at such certification level and to teach under the standard certificate for no longer than five school years; and

(d) The fourth level of certification shall be known as the professional teaching certificate. To be eligible for a professional teaching certificate, the teacher shall have completed a master's degree program or fifth-year program and served at least three years with an initial teaching certificate and at least three years with a standard teaching certificate.

Such certificate shall be valid for ten years and may be renewed for additional ten-year periods if the teacher verifies at least three years of successful

teaching experience during the life of the certificate or completes nine hours of college credit or its equivalent in continuing education units. College credit hours shall have been completed within five years of the date of the renewal application.

(4) Any teacher who, prior to July 31, 1986 the adoption of the certification levels by the State Board of Education, holds a valid Nebraska prestandard, standard, or professional certificate and who is fifty-five years of age or older shall be eligible to renew such certificates pursuant to the rules and regulations adopted and promulgated by the State Board of Education on July 8, 1977. Those persons holding a Professional Life Certificate issued prior to July 11, 1977, shall be exempt from certificate renewal.

(5) On or before July 31, 1986 1987, the State Board of Education shall adopt an entry-year assistance program. The purpose of such program shall be to provide supervision and assistance to beginning teachers. Participation in such program shall be required for all individuals who have not, prior to July 31, 1986, held any Nebraska teaching certificate, teachers who have not, prior to the adoption of the certification levels by the State Board of Education, held any Nebraska teaching certificate, except that any teacher employed by a private, denominational, or parochial school shall be exempt from participation in the entry-year assistance program. The State Board of Education shall adopt and promulgate rules and regulations governing such program which take into consideration the size and geographical location of schools and the special needs of schools located in sparsely populated areas. Such rules and regulations shall provide for reasonable compensation for individuals who provide service and assistance to entry-year teachers subject to this subsection. It is the intent of the Legislature to appropriate additional funds to the operational budget of the State Department of Education sufficient to meet the costs of the entry-year assistance program.

(6) On or before July 31, 1989, the State Board of Education shall adopt minimum standards for the initial and continuing certification of principals, supervisors, and superintendents in the state's elementary and secondary schools which shall include, but not be limited to, the following:

(a) Each candidate for an initial certificate shall receive a satisfactory rating or score on the basic skills competency examinations prescribed in

subsection (2) of this section; and

(b) Each candidate for an initial certificate shall demonstrate proficiency in personnel management and educational leadership and demonstrate satisfactory teaching performance.

The State Board of Education may establish internship programs for principals, supervisors, and superintendents which are substantially equivalent in purpose and requirements to the entry-year assistance program established in subsection (5) of this section.

(7) Members of any advisory committee established by the State Board of Education to assist such board in teacher certification matters shall be reimbursed for their actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees. Each school district which has an employee who serves as a member of such committee and which is required to hire a person to replace such member during the member's attendance at meetings or activities of the committee or any subcommittee thereof shall be reimbursed from the General Fund for the expense it incurs from hiring a replacement. School districts may excuse employees who serve on such advisory committees from certain duties if such duties conflict with any advisory committee duties.

Sec. 15. There is hereby established the educational service unit planning committee which shall be composed of ten members. Two members shall be appointed from the general public by the State Board of Education upon the recommendation of the Commissioner of Education. Eight members shall be appointed by the Executive Board of the Legislative Council. Four of such members shall be from the Legislature, one of whom shall be designated chairperson of the planning committee. Four members shall be appointed from the general public, one chosen from the state at large and the remaining chosen from each congressional district. The Commissioner of Education and the chairperson of the Education Committee of the Legislature shall sit as ex officio, nonvoting members of the planning committee. The staff for the planning committee shall be designated by the Director of Research of the Legislative Council and the Commissioner of Education. Members of the planning committee shall receive no salary but shall be reimbursed for expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 16. The educational service unit planning committee shall solicit participation from representatives of (1) parents of public school

students, (2) boards of education and school boards of the school districts, (3) teachers, (4) public school administration, (5) educational service unit boards, (6) educational service unit administration, (7) educational service unit employees, and (8) small businesses.

Sec. 17. (1) The educational service unit planning committee shall consider the following:

(a) Any need for changes in boundaries of educational service units to provide better services to schools and students;

(b) The types of services educational service units should provide and which types of services all educational service units should uniformly provide;

(c) The most equitable means of financing the services including a consideration of state and local tax sources and methods to equalize the financial resources and service capability of educational service units;

(d) The need for procedures to evaluate educational service unit programs to ensure quality, efficiency, and effectiveness;

(e) The effectiveness and accountability of elected lay educational service unit boards compared to such boards appointed by or from school board members; and

(f) The future role and mission of educational service units in the state educational service delivery system, including a clarification of the role of the educational service units in relation to the State Board of Education and the State Department of Education.

(2) The planning committee shall establish a plan for the future role and structure of educational service units in the state and shall present such plan to the State Board of Education by October 1, 1986. The board shall hold informational hearings on the proposed plan and report its recommendations and comments to the planning committee by November 15, 1986. The planning committee shall submit the proposed plan, with its recommendations and comments and the recommendations and comments of the State Board of Education, to the Education Committee of the Legislature by December 1, 1986. The proposed plan shall include any needed legislative changes in boundaries, service, delivery, financing, evaluation, and governance of educational service units and shall present a comprehensive plan for implementing such needed changes within the context of an overall role and mission statement for educational service units in relation to the entire state

educational service delivery system.

Sec. 18. Sections 15 to 18 of this act shall terminate on January 1, 1987.

Sec. 19. Commencing June 1, 1987, any school district may, by a majority vote of the local board of education, decide to remove itself from the educational service unit of which it is a member under section 79-2202. Such election shall be communicated to the educational service unit not later than February 1 and shall become effective on the last day of the current fiscal year of the educational service unit, except that an election communicated after June 1, 1987, and before June 30, 1987, shall become effective the last day of the educational service unit's fiscal year. After the effective date of the election: (1) The property within the school district shall be exempt from taxes levied for the educational service unit under section 79-2210; and (2) the school district shall only be obligated for its proportionate share of the indebtedness incurred by the educational service unit prior to the date of the election and for contractual commitments between the educational service unit and the school district.

Sec. 20. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Sec. 21. That original sections 79-4,140.05 to 79-4,140.08, Revised Statutes Supplement, 1984, and sections 79-329, 79-4,140.04, 79-1241, and 79-1247.05, Revised Statutes Supplement, 1985, are repealed.

Sec. 22. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.