

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB635

Hearing Date: Monday March 06, 2023
Committee On: Education
Introducer: Albrecht
One Liner: Provide requirements regarding access to digital and online resources provided for students by school districts, schools, and the Nebraska Library Commission

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

Vote Results:

Aye:	5	Senators Albrecht, Linehan, Meyer, Murman, Sanders
Nay:	1	Senator Conrad
Absent:		
Present Not Voting:	2	Senators Walz, Wayne

Testimony:

Proponents:

Senator Joni Albrecht
Matt Heffron
John Horst
Robin Peterson
Marilyn Asher
Jeanne Greisen
Melissa Stone

Representing:

Opening Presenter
Self
Self
Pornography is Not Education
Nebraskans for Founders Values
Nebraskans for Founders Values
Nebraskans for Founders Values

Opponents:

Scott Bernier
Devra Dragos
Holli Duggan
Mary Reiman
Colby Coash

Representing:

EBSCO Information Services
Nebraska Library Commission
Nebraska Library Association
Nebraska School Librarians Association
Nebraska Association of School Boards, Nebraska State Education Association, Nebraska Rural Community Schools Association, Greater Nebraska Schools Association

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Bill Summary:



LB 635 provides protection for K-12 students using an educational research database.

Certain public entities offering such databases must provide protection measures that filter and block obscene materials and must also provide for account management for K-12 students.

Section-by-Section Summary:

SECTION 1

1.1

Provides definitions:

Account

Block

Educational Research Database

Filter

Harmful to Minors

Nebraska Library Commission

Obscene as to Minors

School

Note: Vendor or provider does not include a school district, a school, or the Nebraska Library Commission.

1.2

A school district, a school, or the Nebraska Library Commission may offer an educational research database to grades K-12 only if the vendor/provider verifies the database is and remains in compliance with subsection 1.3.

1.3

Databases provided by parties listed in subsection 1.2 shall have technology protection measures that:

Filter and block access to all materials obscene as to minors or harmful to minors

And

Establishes an account for each K-12 student using the database, and requires verification of account information when the student accesses such database.

1.4

A school district shall:

Provide the credential of each K-12 student to such student's parent/guardian and allow the parent/guardian access to all materials accessible to the student

And

Prohibit shared/group accounts, distinct from the account described in subsection 1.3.b, for use of any educational research database.

1.5

Notwithstanding contract provisions otherwise, regarding any contract entered into after or renewed after the operative date of this act:

If a vendor/provider of an educational resource database fails to comply with subsection 1.3, such non-compliance may prove grounds for withholding payment. The withholding of payments under this subsection shall not be considered a breach of contract.



1.6

Notwithstanding contract provisions otherwise, regarding any contract entered into after or renewed after the operative date of this act:

If a vendor/provider fails to timely verify compliance with subsection 1.3, such failure of verification, if proven, presents a presumption of breach of contract by the vendor/provider.

1.7

No later than December 1 of each year, the Nebraska Library Commission and the DOE shall submit a comprehensive report to the Governor and to the Education Committee of the Legislature regarding any noncompliance with subsection 1.2 through 1.4 and also on any incidental violations of subsection 1.3.

SECTION 2

The act becomes operative on August 1, 2023.

SECTION 3

Provides an emergency provision.

Dave Murman, Chairperson

