

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT
LB1050

Hearing Date: Tuesday January 27, 2026
Committee On: Education
Introducer: Murman
One Liner: Amend the Nebraska Reading Improvement Act to limit advancement to grade four

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	6	Senators Murman, Conrad, Hughes, Lonowski, Meyer, G., Sanders
Nay:	2	Senators Hunt, Juarez
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator Dave Murman
Kenny Zoeller
Heather Schmidt
Lisa Schonhoff

Representing:

Opening Presenter
Governor Jim Pillen
Self
Self

Opponents:

Jewel Rodgers
Mary Yilk
Katherine Poehling
Tim Heckenlively
Connor Herbert
Stacy Lovelace Jolley
Danielle Larson
Tim Royers
Emily Theis
Vanessa Chavez Jurado
Jack Moles
Dr. Melissa Polonic
Cindy Gray

Representing:

Self
NASB
Omaha Education Association
Nebraska Council of School Administrators
Nebraska Commission on African American Affairs
Self
Gretna Public Schools
Nebraska State Education Association
NSEA/OEA
Stand for Schools
Nebraska Rural Community Schools Association
DC West Community Schools
Nebraska Association for Leadership - Curriculum
Development

Neutral:

Representing:

* ADA Accommodation Written Testimony



Summary of purpose and/or changes:

LB 1050 amends sections 79-2601 through 79-2607 of the Revised Statutes of Nebraska and creates a new section to revise the Nebraska Reading Improvement Act. The bill expands grade-three reading assessment criteria, establishes a mandatory retention requirement for students with a persistent reading deficiency beginning in the 2027–28 school year, strengthens intervention and parental notification requirements, and requires technical assistance from the State Department of Education.

Section-by-Section Bill Summary:

Section 1 amends section 79-2601 to update the statutory citation by including section 5 of the bill within the scope of the Nebraska Reading Improvement Act.

Section 2 amends section 79-2602 to provide clean-up language regarding legislative intent.

Section 3 amends section 79-2603 to expand the reading assessment framework used to determine whether a student can read at or above grade level by directing the State Department of Education to establish threshold performance levels for the statewide grade three reading assessment and for each alternate reading assessment, and requires creation of a test-based student portfolio option to demonstrate reading proficiency.

Section 4 amends section 79-2604 to distinguish between a reading deficiency and a persistent reading deficiency for students at the end of grade three by linking identification of a persistent reading deficiency to performance on the statewide reading assessment, alternate reading assessments, or a test-based student portfolio and clarifies that this designation is used for purposes of grade retention under section 5 of the bill.

Section 5 creates a new grade retention requirement, beginning with the 2027-28 school year, that requires school boards to retain in grade three a student identified as having a persistent reading deficiency. This section establishes specific exemptions from mandatory retention, and limits retention under this provision to no more than one occurrence per student.

Section 6 amends section 79-2605 to expand requirements for supplemental reading intervention programs by requiring school districts, beginning with the 2027-28 school year, to provide an intensive acceleration class for students retained in grade three due to a persistent reading deficiency. Specified instructional components, intervention strategies, and support services must be included.

Section 7 amends section 79-2606 to add parental notification requirements for students who remain identified as having a reading deficiency during grade three, requiring notice by February 1 of the school year explaining the potential for retention and providing an opportunity to review and adjust the student's individualized reading improvement plan.

Section 8 amends section 79-2607 by changing the State Department of Education's role from discretionary to mandatory with respect to providing technical assistance to school boards in carrying out the Nebraska Reading Improvement Act.

Section 9. Repealer.

Explanation of amendments:

AM 2605 is a white copy amendment to LB 1050 that replaces the original bill. AM 2605 does the following:

Section 1 amends section 79-11,156 to provide that a school district shall not require a student who exhibits



characteristics of dyslexia to obtain a medical diagnosis in order to receive intervention under the Nebraska Reading Improvement Act.

Section 2 amends section 79-11,157 to provide that the technical assistance document for dyslexia, required to be distributed to all teacher education programs, educational service units, and school districts, shall be distributed along with the list of evidence-based interventions maintained by the State Department of Education.

Section 3 amends section 79-11,157.01 to require that annual dyslexia reporting of students identified with reading issues include the dyslexia screener option administered pursuant to the Nebraska Reading Improvement Act.

Section 4 amends section 79-2601 to include sections 6, 8, 10, 11, 12, 16, and 17 of the bill within the Nebraska Reading Improvement Act.

Section 5 amends section 79-2602 to state legislative intent that educational identification of dyslexia under the Nebraska Reading Improvement Act is not a medical diagnosis and is intended solely to ensure appropriate instructional supports and interventions.

Section 6 creates a new section of law that defines terms for purposes of the Nebraska Reading Improvement Act, including approved reading assessment, dyslexia, evidence-based reading instruction, and three-cueing system model of reading instruction.

Section 7 amends section 79-2603 to revise the approved reading assessment provisions by changing the limited English proficiency exemption from students receiving specialized instruction for less than two years to less than one year; clarifying references to individualized education programs; requiring districts to offer a post-summer reading assessment to certain grade three students with persistent reading deficiencies; requiring the State Department of Education to publish threshold levels for approved reading assessments that identify students reading at or above grade level; requiring the department to establish threshold levels for the statewide grade three reading assessment and alternate assessments by October 1, 2026; and requiring the department to establish a test-based student portfolio option by January 1, 2027, to demonstrate proficiency of grade three reading standards. The definition of approved reading assessment is struck since now defined in new section 6 of the bill.

Section 8 creates a new section of law that requires, beginning with the 2027-28 school year, each school district to adopt a policy for annually screening students in kindergarten through grade two for risk factors related to dyslexia using a State Board-approved dyslexia screener; prescribes the timing and components of the dyslexia screening; requires use of a multi-tiered system of support when screening indicates risk factors or characteristics of dyslexia; and requires parent notification, resource materials, and notice of the right to request an additional educational evaluation.

Section 9 amends section 79-2604 to create the category of persistent reading deficiency for grade three students who continue to demonstrate deficient reading performance after the final approved reading assessment unless they meet required thresholds through the statewide reading assessment, alternate reading assessment, or test-based student portfolio.

Section 10 creates a new section of law that provides for parent and guardian notice requirements under the Nebraska Reading Improvement Act. For school years before 2028-29, the section requires notice when a student is identified as having a reading deficiency. Beginning with the 2028-29 school year, the section requires more detailed notices for students in kindergarten through grade three, including notice of reading deficiency status, individualized reading improvement plans, the possibility of persistent reading deficiency and grade retention, available grade three threshold options, exceptions to retention, and the process for requesting a meeting. The section also requires the



State Department of Education to develop model notices for school use.

Section 11 creates a new section of law that allows the parents or guardians of a grade three student identified as having a persistent reading deficiency to request a meeting with the student's teacher and other school personnel to determine whether the student will advance to grade four; prescribes the issues that must be discussed at the meeting; and provides that if the parent, teacher, and school personnel do not agree, the parent shall decide whether the student advances or is retained.

Section 12 creates a new section of law that requires, beginning with the 2028-29 school year, that a student identified as having a persistent reading deficiency be retained in grade three unless an exception applies or the student is advanced pursuant to section 11 of this bill. This section creates exceptions for certain students exempt from assessment including 1) students receiving special education, 2) students receiving section 504 of the federal Rehabilitation Act of 1973 services, 3) students receiving Title II of the federal Americans with Disabilities Act of 1990 services who meet specified intervention and prior retention criteria, 4) students receiving limited English proficiency instruction for less than two years, and 5) students who have participated in intervention or previously been retained. This section also provides that no student may be retained in grade three pursuant to this section more than once.

Section 13 amends section 79-2605 to provide that summer reading programs shall be made available for students continuing to have a persistent reading deficiency. Districts beginning with the 2028-29 school year are required to provide an intensive acceleration class for students retained in grade three because of a persistent reading deficiency. The State Board of Education is required to establish criteria for reading interventions, programs, and instructional materials used under the Nebraska Reading Improvement Act, and the State Board shall not approve interventions, programs, or materials that are not evidence-based or that utilize the three-cueing system model. The State Department of Education is required to maintain and publish a list of approved evidence-based interventions and supports designed to address dyslexia.

Section 14 amends section 79-2606 to remove the parent and guardian notice language from that section and require that if a student is identified as exhibiting characteristics of dyslexia, the individualized reading improvement plan must include evidence-based structured literacy instruction.

Section 15 amends section 79-2607 to remove the definitions of evidence-based reading instruction and three-cueing system model of reading instruction from this section, since these terms are now defined in new section 6 of the bill; to remove the annual reporting requirement from this section; to require that the State Department of Education shall, not may, provide technical assistance in carrying out the Nebraska Reading Improvement Act; and to remove rulemaking authority from this section.

Section 16 creates a new section of law that requires the Commissioner of Education to file an annual report to the Clerk of the Legislature regarding the Nebraska Reading Improvement Act. Such report shall include the number of students identified with reading deficiencies and persistent reading deficiencies, the number of students who exit those categories, beginning with reports filed on or after July 1, 2029, the number of students relating to grade three retention and advancement decisions under sections 11 and 12 of this bill, and the status and use of the professional learning system.

Section 17 creates a new section of law that authorizes the State Board of Education to adopt and promulgate rules and regulations to carry out the Nebraska Reading Improvement Act.

Section 18. Repealer.

Section 19. Emergency clause.



Dave Murman, Chairperson

