

March 5, 1979

LB 133

indeed use or go into a school system and check certain kinds and make certain kinds of audits. So the purpose of the bill is to allow the Department of Public Instruction to move into the public schools when they need to make an audit relative to basically federal monies as well as some of their own state monies without violating possible student privacy act along with the other acts that may get into the business of confidentiality. I am sure the Department of Public Instruction will use good integrity in using this bill and so therefore, I ask for the advancement of LB 133 to E & R Initial.

SPEAKER MARVEL: Now there are amendments on the Clerk's desk. Senator Koch, do you have some amendments?

SENATOR KOCH: I do have some amendments that would make the bill, I think, better. Do you have those?

CLERK: Yes, sir.

SENATOR KOCH: Would you read them, please?

CLERK: Read Senator Koch's amendment found on page 742 of the Legislative Journal.

SENATOR KOCH: The purpose of this amendment is that recently you might have read about a court case that was held in Omaha in regard to a young lad and the fact that he was cut from a basketball team and it provides that after a youngster graduates from high school that that file would be virtually impossible to have access to. In fact, the file would be destroyed. What we are doing here is to allow a period of time to elapse before that file is destroyed. In this case if the file were immediately destroyed upon that student's moving from one school to another it makes it difficult for a system to prove, in this case I did not bring up the personality, but had the files been active as they should have been possibly until graduation, the system would have had a better opportunity to defend itself for the action that was taken. So that is the reason I am asking for this amendment. It was brought to me by the Omaha Public Schools system and I believe it is an amendment that would help clarify totally how long a file is kept intact and to what time the system would indeed destroy that file. In this case, this youngster was still in the system but he had moved from one school to another school to another school and what we are saying here is that upon graduation the student's file will be then destroyed. That is what the reason for the amendment is.