

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB1057

Hearing Date: Tuesday February 08, 2022
Committee On: Education
Introducer: Brewer
One Liner: Change provisions relating to Class III school districts

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

Vote Results:

Aye: 8 Senators Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Tom Brewer
Sarah Sortum
Ken Sheets
Megan Helberg
Jack Moles

Representing:

Introducer
Loup County Public Schools Board of Education
Loup County Public Schools
Loup County Public School
Nebraska Rural Community Schools Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 1057 changes the statutory requirements for Class III school districts that have a small enrollment when such district is the only one in the county and has a high school within 15 miles on a reasonably improved highway. The modified section of statute, Neb. Rev. Stat. 79-499 requires such districts to submit a plan for developing cooperative programs, including the sharing of curriculum and programs, to the State Committee for the Reorganization of School Districts.

The enrollment threshold is changed from 35 students in grades 9-12 to 45 students in grades K-12. It also changes the language from the district having a high school within 15 miles to be any school within 15 miles.

On page 3, beginning in line 16, subsection (4) outlines the statutory provisions under which a school district is allowed to operate. These provisions make the following changes:

- Increases the membership from fewer than 25 students in grades 9-12 to fewer than 45 students in grades K-12 for the provisions to apply

- Requires such a district to reach a membership of 50 students in grades K-12, compared to 35 students in grades 9-12
- Changes the district membership threshold of the statutory provision for two consecutive years to having fewer than 35 students compared to fifteen students

LB1057 changes the annual vote of the people for the continued operation of the school district to an annual vote of the school board following a public hearing. Finally, the bill allows nonresident students who are wards of the court or state to be counted in the membership counts for the purposes of this section of statute.

Explanation of amendments:

Amendment 2164 strikes the original sections of the bill and replaces with new sections that include the following additional changes to the bill:

Strikes the provisions relating to a school district contracting with a neighboring school district or districts to provide educational services for all of its students in K-12.

Changes provisions throughout the bill that originally were changed from "high school" to "school" and, as applicable, further changes them to refer to the entire "school district". AM2164 then strikes language inadvertently left in the bill that already addressed the entire school district and came into conflict with the new K-12 provisions.

Modifies the one requisite membership count set at 50 in the original bill to 45 in order to maintain consistency with all other provisions.

Changes the election, public hearing and vote of the school board or board of education required in order to continue to operate a school district subjected to the provisions of section 79-499 to happen every four years instead of annually. AM2164 strikes language allowing nonresident students who are wards of the court or state to be counted in the membership counts for the purposes section 79-499 as these conflict with other sections of statute.

Strikes language in section 79-848 related to reduction in force of contract employees that cross-references section 79-499 and is no longer applicable due to the changes made by the amendment regarding the contracting for instruction of students.

Lynne Walz, Chairperson