

AMENDMENTS TO LB71

(Amendments to Standing Committee amendments, AM833)

Introduced by Conrad, 46.

1 1. Insert the following new section:

2 Sec. 8. (1) For purposes of this section:

3 (a) Academic needs means that a child is at least one year below
4 grade level and behind the child's typically developing peers in reading,
5 English, and language arts such that the child does not possess the
6 necessary academic skills required to succeed in reading, English, and
7 language arts at grade level for the next grade the student would
8 otherwise advance to;

9 (b) Excessive absenteeism means that the child was absent fifty
10 percent or more of the school year and includes excused absences,
11 unexcused absences, and absences due to suspension or expulsion. Absences
12 due to approved school-related activities, such as field trips,
13 competitions, athletic events, and testing, are not included; and

14 (c) Illness means that the child experienced a severe mental or
15 physical illness resulting in hospitalization of two or more weeks during
16 the school year.

17 (2)(a) A parent or guardian shall have the right to have such
18 parent's or guardian's child repeat a grade in kindergarten through
19 fourth grade due to academic needs, illness, or excessive absenteeism.

20 (b) A parent or guardian shall have the right to have such parent's
21 or guardian's child repeat a grade in fifth through twelfth grade due to
22 excessive absenteeism.

23 (3) A parent or guardian requesting such parent's or guardian's
24 child repeat a grade pursuant to subdivision (2)(a) or (b) of this
25 section shall request and have a meeting with the school district
26 superintendent or the superintendent's designee of the school district

1 such child attends to discuss the parent's or guardian's decision to have
2 the child repeat a grade and such parent or guardian shall provide
3 evidence of academic needs, illness, or excessive absenteeism that would
4 authorize the parent or guardian to have such child repeat a grade. At
5 such meeting, the superintendent or superintendent's designee shall
6 identify any alternative educational opportunities, including remedial
7 instruction if applicable, and verify any special education supports
8 available to such child. If the child's parent or guardian still intends
9 to have such child repeat a grade, such parent or guardian shall complete
10 a form prescribed by the State Department of Education and return such
11 form to the school district such child attends. Upon completion of the
12 form and if all requirements pursuant to this subsection are met, the
13 school district shall have the child repeat the child's grade for the
14 next school year.

15 (4) A school district shall submit any form filed with such school
16 district relating to a request by a child's parent or guardian to have
17 such child repeat a grade with the State Department of Education. Data
18 regarding such students shall be collected under subsection (2) of
19 section 79-528.

20 (5) The State Board of Education may adopt and promulgate rules and
21 regulations to carry out this section.

22 2. Renumber the remaining section accordingly.