

LEGISLATIVE BILL 43

Approved by the Governor January 24, 1974

Introduced by Stull, 49

AN ACT to amend section 79-445, Revised Statutes Supplement, 1972, relating to schools; to provide for the cost of educating certain wards of the state or any court; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-445, Revised Statutes Supplement, 1972, be amended to read as follows:

79-445. The school board or board of education may also admit nonresident pupils to the district school, may determine the rate of tuition of the pupils, and shall collect such tuition in advance. When the pupil has, as a ward of the state or as a ward of any court, been placed in a public school district other than the district in which he resided at the time he became a ward, the cost of his education shall be paid by the state under rules and regulations prescribed by the State Board of Education. No tuition shall be charged for children who ~~are residents of such district in foster homes by court order or by arrangements made by state or county welfare departments or such children as are or~~ may be by law allowed to attend the school without charge; Provided, the public school district in which the parent or guardian of any nonresident pupil maintains his legal residence, shall not be liable for the payment of tuition fees, and the children of school age or such parent or guardian shall be entitled to free common school privileges the same as any child who is a bona fide resident of said school district whenever the parent or guardian of such nonresident pupil, having entered the public service of the State of Nebraska, shall have removed from the school district in which he maintains legal residence into another school district for temporary purposes incidental to serving the state, without the intention of making the school district to which said parent or guardian shall have removed his legal residence. The burden of proof as to legal residence shall rest with the person claiming legal residence in any district.

Sec. 2. That original section 79-445, Revised Statutes Supplement, 1972, is repealed.