

LEGISLATIVE BILL 430

Approved by the Governor April 27, 1977

Introduced by Hefner, 19

AN ACT to amend section 79-549, Reissue Revised Statutes of Nebraska, 1943, and section 79-701, Revised Statutes Supplement, 1976, relating to schools; to provide an additional kindergarten option; to provide exceptions from minimum enrollment provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 79-549, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-549. The school board or board of education of any Class I, II, or III school district offering a kindergarten program may elect to offer such program either half days only for the full school year, or full days for one half the school year, or for three full days per week for the full school year. If the full day for a half-year option is utilized, it shall be during the second semester of the school year.

Sec. 2. That section 79-701, Revised Statutes Supplement, 1976, be amended to read as follows:

79-701. (1) A Class II district shall be created whenever a Class I district determines by a majority vote of the electors to establish a high school.

(2) The members of the school board serving when it is decided to establish a high school shall continue in office until the first Tuesday in June following the next statewide primary election, at which election a six-member board shall be elected. The three receiving the highest number of votes shall be elected for a term of four years and the three receiving the next highest number of votes shall be elected for a term of two years.

(3) If a Class II district, by a vote of fifty-five per cent of the legal voters voting at an annual or special meeting, shall decide to discontinue the high school and close the same, the district shall thereupon become a Class I district. At such meeting, a treasurer shall be elected for a term of one year, a secretary for a term of two years, and a president for a term of three years, and regularly thereafter, their successors shall be elected for the term of three years

each, and all officers so elected shall hold their offices until their successors are elected and qualified. After such change becomes effective, the district and its officers shall have the powers and be governed by the provisions of law applicable to Class I school districts.

(4) No district may change from Class I to Class II unless that district has an enrollment of not less than one hundred pupils in grades nine to twelve. This subsection shall not apply to any district located on an Indian reservation and substantially or totally financed by the federal government.

(5) If for three consecutive years the enrollment of an existing Class II district shall be less than twenty-five pupils in the case of a district maintaining a four-year high school, or less than ten pupils in the case of a district maintaining a two-year high school, such district shall not continue to operate if such four-year high school shall be within fifteen miles on a reasonably improved highway of another four-year high school, or if such two-year high school shall be within fifteen miles on a reasonably improved highway of any high school. This subsection shall not apply to any district located on an Indian reservation and substantially or totally financed by the federal government.

Sec. 3. That original section 79-549, Reissue Revised Statutes of Nebraska, 1943, and section 79-701, Revised Statutes Supplement, 1976, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.