

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1134

Introduced by Wayne, 13.

Read first time January 22, 2020

Committee:

- 1 A BILL FOR AN ACT relating to education; to amend sections 79-234 and
- 2 79-2,136, Revised Statutes Cumulative Supplement, 2018; to change
- 3 enrollment option limits and provisions for part-time enrollment;
- 4 and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-234, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 79-234 (1) An enrollment option program is hereby established to
4 enable any kindergarten through twelfth grade Nebraska student to attend
5 a school in a Nebraska public school district in which the student does
6 not reside subject to the limitations prescribed in section 79-238. The
7 option shall be available ~~only once~~ to each student five times prior to
8 graduation, ~~except that the option does not count toward such limitation~~
9 ~~if such option meets, or met at the time of the option, one of the~~
10 ~~following criteria: (a) The student relocates to a different resident~~
11 ~~school district, (b) the option school district merges with another~~
12 ~~district, (c) the student will have completed either the grades offered~~
13 ~~in the school building originally attended in the option school district~~
14 ~~or the grades immediately preceding the lowest grade offered in the~~
15 ~~school building for which a new option is sought, (d) the option would~~
16 ~~allow the student to continue current enrollment in a school district,~~
17 ~~(e) the option would allow the student to enroll in a school district in~~
18 ~~which the student was previously enrolled as a student, or (f) the~~
19 ~~student is an open enrollment option student. Sections 79-232 to 79-246~~
20 do not relieve a parent or guardian from the compulsory attendance
21 requirements in section 79-201.

22 (2) The program shall not apply to any student who resides in a
23 district which has entered into an annexation agreement pursuant to
24 section 79-473, except that such student may transfer to another district
25 which accepts option students.

26 Sec. 2. Section 79-2,136, Revised Statutes Cumulative Supplement,
27 2018, is amended to read:

28 79-2,136 Each school board shall allow the part-time enrollment of
29 students who are enrolled in residents of the school district pursuant to
30 ~~subsections (1) and (2) of section 79-215~~ and who are also enrolled in a
31 private, denominational, or parochial school, ~~or~~ in a school which elects

1 pursuant to section 79-1601 not to meet accreditation or approval
2 requirements, or in another school district and shall establish policies
3 and procedures for such part-time enrollment. Such policies and
4 procedures may include provisions permitting the part-time enrollment of
5 such students who are not residents of such school districts to the
6 extent permitted pursuant to section 79-215 and may require part-time
7 students to follow school policies that apply to other students at any
8 time the part-time student is present on school grounds or at a school-
9 sponsored activity or athletic event. Part-time enrollment shall not
10 entitle a student to transportation or transportation reimbursements
11 pursuant to section 79-611. Nothing in this section shall be construed to
12 exempt any student from the compulsory attendance provisions of sections
13 79-201 to 79-207.

14 Sec. 3. Original sections 79-234 and 79-2,136, Revised Statutes
15 Cumulative Supplement, 2018, are repealed.