

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 538

Introduced by Walz, 15.

Read first time January 19, 2021

Committee:

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-1035, Revised
- 2 Statutes Cumulative Supplement, 2020; to adopt the Community Schools
- 3 Act; to change the distribution of income from solar and wind
- 4 agreements on school lands; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 9 of this act shall be known and may be
2 cited as the Community Schools Act.

3 Sec. 2. For purposes of the Community Schools Act:

4 (1) Board means the State Board of Education;

5 (2) Commissioner means the Commissioner of Education;

6 (3) Community organization means a nonprofit organization that has
7 been in existence for at least three years and yields positive outcomes
8 for children and families within the community surrounding the community
9 school with regard to education or other related issues;

10 (4) Community school means a school for which funding has been
11 awarded pursuant to section 3 of this act;

12 (5) Community school consortium means a group of community
13 organizations and at least one public school that propose to work
14 together to plan and implement community school programming;

15 (6) Community school programming means services, activities, and
16 opportunities described in section 7 of this act;

17 (7) Department means the State Department of Education;

18 (8) Eligible school means a school that has been designated as a
19 priority school pursuant to section 79-760.06 or a school that is at the
20 lowest performance level pursuant to such section;

21 (9) High-quality child care or early childhood education programming
22 means an applicable child care or early childhood education program, as
23 defined in section 71-1954, that is participating in the quality rating
24 and improvement system and has received a rating of step three or higher
25 under the Step Up to Quality Child Care Act; and

26 (10) Site coordinator is an individual who is responsible for
27 aligning community school programming with the needs of the community as
28 identified in the baseline analysis pursuant to section 6 of this act.

29 Sec. 3. (1) The department shall administer the Community Schools
30 Act and employ two persons to oversee, monitor, and assist in operations
31 under the act.

1 (2) The commissioner shall establish a competitive application
2 process and timeline pursuant to which a community school consortium may
3 submit an application for pilot program funding pursuant to this section
4 on behalf of an eligible school. Beginning with school year 2022-23, the
5 board, upon recommendation of the commissioner, shall award pilot program
6 funding to two eligible schools in each congressional district to plan,
7 implement, and improve community school programming.

8 (3) An eligible school may receive up to one hundred fifty thousand
9 dollars in pilot project funding for each of five consecutive school
10 fiscal years.

11 (4) Each community school receiving pilot project under this section
12 shall hire or contract with a partner agency to hire a site coordinator,
13 who shall be a member of the community school leadership team, to
14 coordinate community school programming at such community school.

15 (5) In awarding funding, the commissioner shall prioritize, in
16 addition to factors related to the community school plan and other
17 requirements of the Community Schools Act, eligible schools with
18 significant populations of students who qualify for free or reduced-price
19 lunches, eligible schools with a significant proportion of homeless
20 students, highly mobile students, or students with disabilities and
21 equity among eligible urban, suburban, and rural schools.

22 Sec. 4. Each community school shall establish a community school
23 leadership team responsible for, in collaboration with the site
24 coordinator, developing school-specific programming goals, assessing
25 program needs, and overseeing the process of implementing community
26 school programming, in collaboration with the site coordinator. The
27 community school leadership team shall have between twelve and fifteen
28 members and shall meet the following requirements:

29 (1) At least thirty percent of the members shall be parents or
30 guardians of students at the community school and thirty percent of the
31 members shall be teachers at the community school. The membership shall

1 also include the school principal and representatives from community
2 organizations in the community school consortium; and

3 (2) Each school leadership team shall be responsible for overseeing
4 the baseline analysis under section 6 of this act, monitoring the
5 development and implementation of community school programming at the
6 community school, issuing recommendations to the community school on a
7 regular basis, and summarizing such recommendations in an annual report.
8 The annual report shall also be made available to the public at the
9 community school and on the community school and school district web
10 sites.

11 Sec. 5. Each community school leadership team shall develop a
12 community school plan detailing the steps the team will take, including:

13 (1) Timely establishment and consistent operation of the community
14 school leadership team;

15 (2) Maintenance of attendance records for all community school
16 programming components;

17 (3) Maintenance of measurable data showing annual participation and
18 the impact of community school programming on participating children and
19 adults;

20 (4) Documentation of meaningful and sustained collaboration between
21 the community school and community stakeholders, including local
22 political subdivisions, civic engagement organizations, businesses, and
23 social service providers;

24 (5) Establishment and maintenance of partnerships with institutions,
25 which may include, but not be limited to, universities, colleges,
26 hospitals, museums, or community organizations, any of which may be in
27 the community school consortium, to further the development and
28 implementation of community school programming;

29 (6) Ensuring compliance with school district nondiscrimination
30 policies; and

31 (7) Plan for community school leadership team development.

1 Sec. 6. Each community school, led by the community school
2 leadership team, shall complete a baseline analysis prior to beginning
3 community school programming. The baseline analysis shall include the
4 following elements:

5 (1) Engage in a need assessment, including:

6 (a) An analysis of current school district and school building
7 policies; and

8 (b) An analysis of attendance data and chronic absence data;

9 (2) Analysis of the student body, including:

10 (a) The number and percentage of students with disabilities and the
11 needs of such students;

12 (b) The number and percentage of students who have limited English
13 proficiency and the needs of such students;

14 (c) The number of students who are homeless or highly mobile; and

15 (d) The number and percentage of students who qualify for free or
16 reduced-price lunch and the needs of such students;

17 (3) Analysis of enrollment and retention rates for students with
18 disabilities, limited English proficiency students, homeless students,
19 highly mobile students, and students who qualify for free or reduced-
20 price lunches;

21 (4) Analysis of suspension and expulsion data, including the
22 justification for such disciplinary actions and the degree to which
23 particular populations, including, but not limited to, students of color,
24 students with disabilities, students who have limited English
25 proficiency, and students who qualify for free or reduced-price lunches,
26 are represented among students subject to such actions;

27 (5) Analysis of school achievement data disaggregated by major
28 demographic categories, including, but not limited to, race, ethnicity,
29 limited English proficiency, disability status, and free or reduced-price
30 lunch qualification status;

31 (6) Analysis of current parent engagement strategies and the success

1 of such strategies;

2 (7) Evaluation of the need for and availability of wraparound
3 services, including, but not limited to:

4 (a) Mechanisms for meeting the social, emotional, mental, and
5 physical health needs of students, which may include coordination of
6 existing services as well as the development of new services based on
7 student needs; and

8 (b) Strategies to create a safe and secure school environment and
9 improve school climate and discipline, such as implementing a system of
10 positive behavioral supports, and taking additional steps to eliminate
11 bullying;

12 (8) Analysis of community assets and a strategic plan for utilizing
13 and aligning identified assets. This analysis should include, but is not
14 limited to, a documentation of individuals in the community, faith-based
15 organizations, community and neighborhood associations, recreational
16 organizations, universities, colleges, hospitals, libraries, businesses,
17 and social service agencies who may be able to provide support and
18 resources; and

19 (9) Analysis of needs in the community surrounding the community
20 school, including, but not limited to:

21 (a) The need for high-quality child care or early childhood
22 education programming;

23 (b) The need for physical and mental health care services for
24 children and adults; and

25 (c) The need for job training and other adult education programming.

26 Sec. 7. Each community school receiving funding under the Community
27 Schools Act shall establish at least two of the following types of
28 programming:

29 (1) High-quality child care or early childhood education
30 programming;

31 (2) Academic support and enrichment activities, including expanded

- 1 learning time;
- 2 (3) Financial literacy;
- 3 (4) Summer or after-school enrichment and learning experiences;
- 4 (5) Job training, internship opportunities, and career counseling;
- 5 (6) Assistance for students who have been truant, suspended, or
- 6 expelled;
- 7 (7) Parental involvement and family literacy;
- 8 (8) Parent leadership development;
- 9 (9) Parenting education;
- 10 (10) Mentoring and other youth development, including peer mentoring
- 11 and conflict mediation;
- 12 (11) Juvenile crime prevention and rehabilitation;
- 13 (12) Home visitation by teachers and other professionals;
- 14 (13) Developmentally appropriate physical education;
- 15 (14) Nutrition services;
- 16 (15) Primary health and dental care;
- 17 (16) School-based mental health services;
- 18 (17) Social and emotional growth and learning opportunities;
- 19 (18) Adult education, including instruction in English as a second
- 20 language;
- 21 (19) Homeless prevention;
- 22 (20) Positive discipline practices; or
- 23 (21) Other programming designed to meet school and community needs
- 24 identified in the baseline analysis and reflected in the community school
- 25 plan.

26 Sec. 8. (1) On or before July 1 following the completion of the
27 pilot project, each community school shall submit a report to the board
28 and electronically to the Education Committee of the Legislature and
29 shall make such report available at the community school and on the
30 community school and school district web sites. The report shall describe
31 efforts to integrate community school programming and the effect of the

1 transition to a community school on participating children and adults and
2 shall include, but not be limited to, the following:

3 (a) An assessment of the effectiveness of the community school in
4 the development and implementation of the community school plan;

5 (b) Any problems encountered in the development and implementation
6 of the community school plan, including identification of any federal,
7 state, or local statutes or regulations impeding program implementation;

8 (c) The operation of the community school leadership team and its
9 contribution to successful development and implementation of the
10 community school plan;

11 (d) Recommendations for improving delivery of community school
12 programming to students and families;

13 (e) The number and percentage of students receiving community school
14 programming who had not previously been served;

15 (f) The number and percentage of nonstudent community members
16 receiving community school programming who had not previously been
17 served;

18 (g) Improvement in attendance, learning engagement, and grade
19 promotion among students who receive community school programing;

20 (h) Improvement in academic achievement among students who receive
21 community school programming;

22 (i) Changes in student readiness to enter school, active involvement
23 in learning and in the community, physical, mental, social, and emotional
24 health, and relationships with the school and community environment;

25 (j) An accounting of anticipated school district cost savings, if
26 any, resulting from the implementation of the program;

27 (k) Improvement in the frequency or depth of involvement of families
28 in their children's education;

29 (l) An assessment of community stakeholder satisfaction;

30 (m) An assessment of institutional partner satisfaction;

31 (n) The ability, or anticipated ability, of the community school and

1 partners to continue to provide services in the absence of future funding
2 under the Community Schools Act when the pilot project ends; and

3 (o) The degree of increased collaboration between the community
4 school, institutional partners, and community organizations.

5 (2) Reports submitted under subsection (1) of this section shall be
6 evaluated by the board with respect to the following criteria:

7 (a) The effectiveness of the community school or the community
8 school consortium in implementing the community school plan, including
9 the degree to which the community school navigated difficulties
10 encountered in the development and implementation of the community school
11 plan, including identification of any federal, state, or local statute or
12 regulation impeding program implementation;

13 (b) The extent to which the pilot project has produced lessons about
14 ways to improve the delivery of community school programming to students;

15 (c) The degree to which there has been an increase in the number or
16 percentage of students and nonstudents receiving community school
17 programming;

18 (d) The degree to which there has been an improvement in retention
19 of students and improvement in academic achievement among students
20 receiving community school programming;

21 (e) School district cost savings, if any, resulting from the
22 implementation of the community school plan;

23 (f) The degree of community stakeholder, institutional partner, and
24 community organization engagement;

25 (g) The ability, or anticipated ability, of the community school and
26 partners to continue to provide services in the absence of future funding
27 under the Community Schools Act when the pilot project ends;

28 (h) Increases in access to services for students and their families;
29 and

30 (i) The degree of increased collaboration between the community
31 school, institutional partners, and community organizations.

1 Sec. 9. The State Board of Education may adopt and promulgate rules
2 and regulations to carry out the Community Schools Act.

3 Sec. 10. Section 79-1035, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 79-1035 (1)(a) The State Treasurer shall, each year on or before the
6 third Monday in January, make a complete exhibit of all money belonging
7 to the permanent school fund and the temporary school fund as returned to
8 him or her from the several counties, together with the amount derived
9 from other sources, and deliver such exhibit duly certified to the
10 Commissioner of Education.

11 (b) ~~The Beginning in 2016 and each year thereafter,~~ the exhibit
12 required in subdivision (1)(a) of this section shall include a separate
13 accounting, not to exceed an amount of ten million dollars, of the income
14 received through December 31, 2024, from solar and wind agreements on
15 school lands. The amount of such income from solar and wind agreements on
16 school lands shall be used to fund the pilot program ~~grants~~ described in
17 the Community Schools Act ~~section 79-308~~. The Board of Educational Lands
18 and Funds shall provide the State Treasurer with the information
19 necessary to make the exhibit required by this subsection. Separate
20 accounting shall not be made for income from solar or wind agreements on
21 school lands that exceeds the sum of ten million dollars.

22 (2) On or before February 25 following receipt of the exhibit from
23 the State Treasurer pursuant to subsection (1) of this section, the
24 Commissioner of Education shall make the apportionment of the temporary
25 school fund to each school district as follows: From the whole amount,
26 less the amount of income from solar and wind agreements on school lands,
27 there shall be paid to those districts in which there are school or
28 saline lands, which lands are used for a public purpose, an amount in
29 lieu of tax money that would be raised if such lands were taxable, to be
30 fixed in the manner prescribed in section 79-1036; and the remainder
31 shall be apportioned to the districts according to the pro rata

1 enumeration of children who are five through eighteen years of age in
2 each district last returned from the school district. The calculation of
3 apportionment for each school fiscal year shall include any corrections
4 to the prior school fiscal year's apportionment.

5 (3) The Commissioner of Education shall certify the amount of the
6 apportionment of the temporary school fund as provided in subsection (2)
7 of this section to the Director of Administrative Services. The Director
8 of Administrative Services shall draw a warrant on the State Treasurer in
9 favor of the various districts for the respective amounts so certified by
10 the Commissioner of Education.

11 (4) For purposes of this section, agreement means any lease,
12 easement, covenant, or other such contractual arrangement.

13 Sec. 11. Original section 79-1035, Revised Statutes Cumulative
14 Supplement, 2020, is repealed.