

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 608

Introduced by Linehan, 39.

Read first time January 18, 2017

Committee:

- 1 A BILL FOR AN ACT relating to education; to adopt the Parental Choice
- 2 Scholarship Program Act.
- 3 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 Parental Choice Scholarship Program Act.

3 Sec. 2. For purposes of the Parental Choice Scholarship Program
4 Act:

5 (1) Department means the State Department of Education;

6 (2) Eligible student means any student who has at least reached the
7 age of eligibility for kindergarten and has not reached the age of
8 twenty-one who resides in the attendance area of a school at the lowest
9 performance level established by the State Board of Education pursuant to
10 section 79-760.06;

11 (3) Participating school means a private school that provides
12 education to elementary, middle, or high school students and (a) has
13 notified the department of its intention to participate in the Parental
14 Choice Scholarship Program and (b) is in compliance with the requirements
15 of the act; and

16 (4) Resident school district means the school district in which the
17 student resides.

18 Sec. 3. (1) Beginning with the 2018-19 school year, any eligible
19 student shall qualify for a scholarship to enroll in and attend a
20 participating school and may attend such participating school until his
21 or her graduation from high school or his or her twenty-first birthday,
22 whichever comes first.

23 (2) A participating school that has more eligible students applying
24 than spaces available shall fill the available spaces by a random
25 selection process, except that participating schools may give preference
26 to siblings of enrolled and previously enrolled scholarship students.

27 (3) If a student is denied admission to a participating school
28 because it does not have available spaces, the eligible student may
29 transfer his or her scholarship to a participating school that has
30 available spaces.

31 Sec. 4. (1) Each participating student shall be counted in the

1 enrollment figures for his or her resident school district for the
2 purposes of calculating aid pursuant to the Tax Equity and Educational
3 Opportunities Support Act and for calculations pursuant to this section.

4 (2) Each school district shall divide the sum of state aid certified
5 pursuant to section 79-1022 and all anticipated local receipts for each
6 school fiscal year by the formula students as defined in section 79-1003
7 for such school fiscal year to calculate the anticipated revenue per
8 student.

9 (3) Each resident school district shall pay an amount equal to the
10 lesser of (a) seventy-five percent of the anticipated revenue per student
11 for such school fiscal year or (b) the cost of regular tuition, books,
12 and uniforms, if any, to the participating school on behalf of each
13 participating student residing in such school district.

14 (4) Such amount shall be paid in two payments each year on or before
15 the first Friday in September of such school fiscal year and on or before
16 the first Friday in January of such school fiscal year.

17 Sec. 5. (1) Each resident school district shall establish a
18 property tax relief fund that shall be used only to lower property taxes
19 for the following school fiscal year. Money in the fund shall be applied
20 to reduce the property tax request after the budget for the school
21 district has been adopted.

22 (2) Each resident school district shall transfer an amount equal to
23 twenty-five percent of the sum of the anticipated revenue per student
24 calculated pursuant to section 4 of this act for such school fiscal year
25 for each participating student to such district's property tax relief
26 fund.

27 Sec. 6. Each participating school shall submit financial
28 information, audited by a certified public accountant, and academic
29 accountability information to the department in the time and manner
30 prescribed in the rules and regulations adopted and promulgated pursuant
31 to section 9 of this act.

1 Sec. 7. The department shall ensure that all eligible students and
2 their parents are informed annually regarding the schools that will be
3 participating in the Parental Choice Scholarship Program and shall
4 develop a standard application.

5 Sec. 8. The resident school district shall remain responsible for
6 transportation as if the participating school was a school operated by
7 the school district to which the student was assigned.

8 Sec. 9. The department shall adopt and promulgate rules and
9 regulations to carry out the Parental Choice Scholarship Program Act and
10 shall revoke eligibility for any participating school district not in
11 compliance with the act or the rules and regulations adopted and
12 promulgated pursuant to this section. Such rules and regulations shall
13 contain, at a minimum, standards for financial and academic
14 accountability for participating schools.