

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 708

Introduced by Speaker Arch, 14.

Read first time January 18, 2023

Committee:

- 1 A BILL FOR AN ACT relating to children; to require the Office of
- 2 Probation Administration, the State Court Administrator, the State
- 3 Department of Education, and the Department of Health and Human
- 4 Services to enter into a memorandum of understanding for the sharing
- 5 of data regarding certain students; and to require a report.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) On or before October 1, 2023, the State Department
2 of Education, the Department of Health and Human Services, the Office of
3 Probation Administration, and the State Court Administrator shall enter
4 into a memorandum of understanding for the sharing of data relevant to
5 students who are under the jurisdiction of the juvenile court. The
6 purpose for the sharing of data is to provide systems-wide coordination
7 to improve educational opportunities, outcomes, and to facilitate service
8 coordination for such students. The memorandum shall include the intent
9 for the State Department of Education to contract with an outside
10 consultant with expertise in the education of court-involved students to
11 assist in the development of such policies and procedures.

12 (2) The consultant shall provide recommendations addressing issues
13 that include, but need not be limited to, the following:

14 (a) Identifying and defining the population of students whose data
15 should be collected and shared;

16 (b) Defining the specific types of data to be collected and shared;

17 (c) Identifying shared data systems;

18 (d) Identifying the entities and persons for which the data should
19 be accessible;

20 (e) Identifying both federal and state legal responsibilities and
21 confidentiality parameters; and

22 (f) Developing a uniform approach for the transfer of educational
23 credits.

24 (3) The development of such policies and procedures for the sharing
25 of data shall be collaborative and shall include input from the
26 appropriate entities including, but not limited to, the State Department
27 of Education, the Department of Health and Human Services, the Office of
28 Probation Administration, the State Court Administrator, the juvenile
29 court system, the superintendent of schools for the youth and
30 rehabilitation centers, public school districts, educators, and court-
31 involved students and their parents. The consultant shall provide a draft

1 report containing the recommendations described in subsection (2) of this
2 section to the appropriate agency representatives and to the Commissioner
3 of Education, the chief executive officer of the Department of Health and
4 Human Services, and the Chief Justice of the Supreme Court on or before
5 September 1, 2024.

6 (4) The State Department of Education shall complete a final report
7 detailing the recommendations of the consultant and any policies and
8 procedures that are being considered for adoption by the State Department
9 of Education, the Department of Health and Human Services, the Office of
10 Probation Administration, and the State Court Administrator. The report
11 shall be delivered electronically to the Chief Justice of the Supreme
12 Court, the Governor, and the Clerk of the Legislature on or before
13 December 1, 2024.