

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 71

Introduced by Sanders, 45; Albrecht, 17; Briese, 41; Linehan, 39; Murman, 38.

Read first time January 05, 2023

Committee:

1 A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531,
2 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to the involvement of parents and guardians in
4 the education of their children; to require each public school
5 district to develop and adopt a policy relating to the rights of
6 each parent and guardian to access testing information and
7 curriculum and excuse their child from certain instruction or
8 activities; to provide powers and duties to the Commissioner of
9 Education; and to repeal the original sections.

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

1 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-530 The Legislature finds and declares:

4 (1) That ~~parental~~ involvement of parents and guardians is a key
5 factor in the education of children;

6 (2) That parents or guardians need to be informed of the educational
7 practices affecting their children; and

8 (3) That public schools should foster and facilitate parents' and
9 guardians' access to ~~parental~~ information about and involvement in
10 educational practices affecting their children.

11 It is the intent of the Legislature, through the enactment of
12 sections 79-531 to 79-533 and sections 5, 6, and 7 of this act, to
13 strengthen the level of ~~parental~~ involvement and participation by parents
14 and guardians in the public school system of the state.

15 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-531 On or before July 1, 2024 ~~1995~~, each public school district
18 in the state shall develop and adopt a policy stating how the district
19 will ~~seek to~~ involve parents and guardians in the education of their
20 children ~~schools~~ and the rights of each parent and guardian to: what
21 ~~parents' rights shall be relating to access to the schools,~~

22 (1) Access testing information, ~~and curriculum; and matters.~~

23 (2) Request that a child be excused from specific instruction or
24 activities.

25 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 79-532 (1) The policy required by section 79-531 shall include, but
28 need not be limited to, the following:

29 (a) (1) How the school district will provide access to parents or
30 guardians concerning textbooks; ~~tests; activities information; digital~~
31 materials; websites or applications used for learning; training materials

1 for teachers, administrators, and staff; procedures for the review and
2 approval of training materials, learning materials, and activities; 7 and
3 other curriculum materials used in the school district;

4 (b) ~~(2)~~ How the school district will accommodate ~~handle~~ requests by
5 parents or guardians to attend and monitor courses, assemblies,
6 counseling sessions, and other instructional activities;

7 (c) ~~(3)~~ Under what circumstances parents or guardians may ask that
8 their children be excused from testing, classroom instruction, learning
9 materials, activities, guest speaker events, and other school experiences
10 the parents or guardians may find objectionable;

11 (d) ~~(4)~~ How the school district will provide access to records of
12 students;

13 (e) ~~(5)~~ What the school district's testing policy will be; and

14 (f) ~~(6)~~ How the school district participates in surveys of students
15 and the right of parents or guardians to remove their children from such
16 surveys.

17 (2) Nothing in this section shall be construed to require disclosure
18 of information in violation of the federal Family Educational Rights and
19 Privacy Act of 1974, as amended, 20 U.S.C. 1232g, or any federal
20 regulations and applicable guidelines adopted in accordance with such
21 act, as such act, regulations, and guidelines existed on January 1, 2023.

22 Sec. 4. Section 79-533, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 79-533 The policy required by section 79-531 shall be developed with
25 parental ~~input from parents and guardians~~ and shall be the subject of a
26 public hearing before the school board or board of education of the
27 school district before adoption by the board. The policy shall be
28 reviewed annually and either altered and adopted as altered or reaffirmed
29 by the board following a public hearing. Any public hearing under this
30 section shall include a reasonable opportunity for public comments.

31 Sec. 5. By August 1, 2024, each school district shall make the

1 policy required by section 79-531 accessible on the school district's
2 public website. The policy shall be accessible by a prominently displayed
3 link on such website. If the policy is altered, the new version of the
4 policy shall be made accessible within a reasonable time thereafter.

5 Sec. 6. To the extent practicable, each public school district
6 shall make a reasonable effort to make any learning materials, including
7 original materials, available for inspection by a parent or guardian upon
8 request.

9 Sec. 7. If the Commissioner of Education determines that any school
10 district has intentionally refused, in a material manner, to comply with
11 sections 79-531 to 79-533 and sections 5 and 6 of this act, the
12 commissioner shall notify the school district of the noncompliance and
13 allow the school district a reasonable time to comply. If the
14 commissioner determines, after such time has elapsed, that the school
15 district is not in compliance and has not made a good faith attempt to
16 comply, the commissioner shall take appropriate remedial action within
17 the commissioner's authority, up to and including qualifying such
18 noncompliance as a violation of the rules and regulations for the
19 accreditation of schools.

20 Sec. 8. Original sections 79-530, 79-531, 79-532, and 79-533,
21 Reissue Revised Statutes of Nebraska, are repealed.