



*COMMITTEE OF THE WHOLE  
MEETING*



APRIL 20, 2009

**NOTICE OF MEETING  
SCHOOL DISTRICT NO. 17**

Notice is hereby given of a Board of Education Committee of the Whole meeting of School District No. 17, in the County of Douglas, which will be held at 6:30 p.m. on **Monday, April 20, 2009** at 5606 South 147th Street, Omaha, Nebraska.

An agenda for such meetings, kept continuously current are available for public inspection at the office of the superintendent at 5606 South 147th Street, Omaha, Nebraska.  
**LINDA POOLE,**  
Secretary

4-17-09

**THE DAILY RECORD  
OF OMAHA**

**RONALD A. HENNINGSEN, Publisher  
PROOF OF PUBLICATION**

**UNITED STATES OF AMERICA,**  
The State of Nebraska,  
District of Nebraska,  
County of Douglas,  
City of Omaha, } ss.

**J. BOYD**

being duly sworn, deposes and says that she is

**LEGAL EDITOR**

of **THE DAILY RECORD**, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, printed in Omaha, in said County of Douglas, for more than fifty-two weeks last past; that the printed notice hereto attached was published in **THE DAILY RECORD**, of Omaha, on \_\_\_\_\_

April 17, 2009

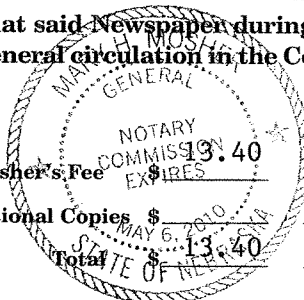
That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.

Publisher's Fee \$ 19.40

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Total \$ 13.40

Subscribed in my presence and sworn to before  
me this 17th day of  
April 2009

Notary Public in and for Douglas County,  
State of Nebraska



BOARD COMMITTEE OF THE WHOLE MEETING

APRIL 20, 2009

NAME:

REPRESENTING:

Chris B. Nelson

David Wilson

Kristen McKenney

Jordan Jesen

Westside

Mamissa Ektiste

"

Emily Friedrichs

"

Brittany Phillips

Millard West

Zack Ruppier

Millard West

Kirsten Durham

Millard West

Lauren Dreimars

Millard West

Sheridan Trent

West

MILLARD PUBLIC SCHOOLS  
BOARD COMMITTEE OF THE WHOLE

The Board of Education Committee of the Whole will meet on Monday, April 20, 2009 at 6:30 p.m. at the Don Stroh Administration Center, 5606 South 147th Street.

The Public Meeting Act is posted on the Wall and Available for Public Inspection

Public Comments on agenda items - This is the proper time for public questions and comments on agenda items only. Please make sure a request form is given to the Board Vice-President before the meeting begins.

A G E N D A

1. Legislation
2. Revenue Projections for 2009-2010

Public Comments - This is the proper time for public questions and comments on any topic. Please make sure a request form is given to the Board Vice President before the meeting begins.

Minutes  
Committee Meeting  
April 20, 2009

The members of the Board of Education met as a committee of the Whole on Monday, April 20, 2009 at 6:30 p.m. at the Don Stroh Administration Center, 5606 South 147<sup>th</sup> Street. The topics which were discussed included legislation and revenue projections for 2009-2010.

Present: Dave Anderson, Brad Burwell, Mike Kennedy, Linda Poole, and Julie Kannas.

Absent: Mike Pate

Also in attendance were Keith Lutz, Ken Fossen, Mark Feldhausen, Angelo Passarelli, Bill Mueller, district lobbyist, Carol Newton and Charlene Snyder.

Bill Mueller, district lobbyist, updated board members on the debate held in the legislature today in regards to LB 545. Under LB 545 the \$234 million stimulus money will fund schools for the next two years, and there will be no additional state aid for education funding. This represents a sizeable increase in state aid for next year (\$17-20 million increase) and they anticipate an additional increase the following year. State aid funds will be frozen by the state to fund other projects. What will occur after two years when the stimulus funds have ceased is a question of concern by board members? This is what they are calling the "cliff effect" after using stimulus funds in place of general fund dollars.

They discussed the district's position of support for the priority bill advanced by Senator Adams and the Education Committee. A few board members said it was important Senator Adams knew that Millard was in support of LB 545. LB 391 is the priority bill that holds all of the changes to the Learning Community legislation that were approved by the eleven school districts and the Learning Community representatives. The bill (LB 521) that would restore funding diverted to the Learning Community is not prioritized and it appears the best we might be able to do is move this into an interim study.

Ken Fossen reported state aid that original projections of \$65 million will go up to \$75 million with the stimulus dollars included. There are specific rules that need to be followed with the stimulus money. The money can be used for just about everything, except buildings, cars, maintenance and the like.

Mark Feldhausen, Carol Newton, and explained the various areas where the stimulus funding would be of great assistance in the curriculum area, which will help to increase achievement and provide quality teachers. Carol Newton and Charlene Snyder provided input on both Title I and special education areas where the funding could be used.



Chairman

# MILLARD PUBLIC SCHOOLS

## LEGISLATIVE SUMMARY

### 101st Legislature - First Session - 2009



530 South 13th Street, Suite 110  
 Lincoln, Nebraska 68508  
 Telephone: 402.434.3399  
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BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB22	Friend	<p>Change tax levy authority of educational service units and school districts</p> <p>NTRC Summary: Change the tax levy authority of School Districts and Educational Service Units, add an additional one and one half cents per hundred dollars of valuation in certain instances.</p>	<p>Education            02/23/09 at 1:30 p.m.            Room 1525</p>		Monitor
LB61	Adams	<p>Change certification dates for state aid to schools</p> <p>NCSA Summary: Changes the certification date for state aid notification from February 1st to April 1st for 2009 only. The bill, if passed, would essentially buy the Legislature time to revise the school finance formula prior to April 1, 2009 to help address the state's significant budget shortfall. It was revealed late in 2008 that state aid appropriations would likely be reduced as a part of the Governor's biennium budget proposal. Changes the school finance formula (TEEOSA), but only to the extent that it relieves the Department of Education of the obligation to certify by February 1, 2009.</p>	<p>Education            01/20/09 at 1:30 p.m.            Room 1525</p>	<p>Signed by            Governor            01/29/09</p>	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB62	Adams	<p>Change enrollment option program provisions</p> <p>Statement of Intent: Allows for option enrollment in the first school year a learning community is in place. Currently, option enrollment ends within a learning community once the learning community is established, but open enrollment is not in effect until the second school year after the learning community is established. Specific procedures for option enrollment within a learning community during the first school year reflect the provisions for open enrollment. The new learning community transportation adjustment would be delayed one year to line up with the current open enrollment provisions, which take effect for the second full school year of a learning community. The Department of Education would also be assigned responsibility for determining the average percentage of students qualifying for free or reduced price lunches in learning communities and member districts.</p>	Education 01/20/09 at 1:30 p.m. Room 1525	Signed by Governor 02/12/09	Support
LB64	Howard	<p>Adopt the Lindsay Ann Burke Act and provide duties for the State Department of Education and school districts with respect to dating violence</p> <p>Requires each school district to establish and publish a policy for responding to incidents of dating violence and for each school district to provide dating violence training to 6th through 12th grade level administrators, teachers, coaches, nurses, and sponsors of student groups. Also requires incorporation of dating violence education into health curriculum for 6th through 12th grade students.</p>	Education 02/03/09 at 1:30 p.m. Room 1525	General File 02/12/09	Oppose
LB67	Friend	<p>Adopt the Elementary and Secondary Education Opportunity Act</p> <p>NCSA Summary: Creates the Elementary and Secondary Education Opportunity Act and creates tax credits for voluntary contributions to certified school tuition organizations for scholarships to private elementary/secondary schools.</p>	Revenue 02/27/09 at 1:30 p.m. Room 1524		Oppose
LB72	Cornett	<p>Provide for management of students' and children's life-threatening allergies</p> <p>The Dept of Education and the Dept of Health and Human Services shall develop policy guidelines for schools and early childhood education programs to manage students with life-threatening allergies, including annual education and training and anaphylaxis education and emergency response training, individualized emergency health care plans, treatment plans and communication strategies.</p>	Education 01/20/09 at 1:30 p.m. Room 1525	General File 02/20/09	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB102	Adams	<p>Provide a definition of high school graduate for postsecondary admission and financial aid purposes</p> <p>NCSA Summary: Provides that, for purposes of applying for and receiving financial aid relating to postsecondary education and admission to postsecondary educational institutions, a student would be deemed a "high school graduate": (1) if the student has obtained an associate of arts degree or an associate of science degree from a community college in Nebraska; and (2) if the student earning such degree has completed, at an accredited high school in Nebraska, a community college in Nebraska, or a combination, the following academic credits: (a) Four units of English; (b) Three units of mathematics; (c) Three units of natural science; and (d) Four units of social science.</p>	Education 01/26/09 at 1:30 p.m. Room 1525	Signed by Governor 03/05/09	Monitor
LB138	Avery	<p>Provide an income tax credit for public school teachers</p> <p>NCSA Summary: Amends the Nebraska Revenue Act and creates an income tax credit for public school teachers. Effective January 1, 2009, each resident individual who is a full-time public school teacher in a K-12 classroom in Nebraska during the taxable year would be allowed a refundable credit against the income tax imposed by the Nebraska Revenue Act equal to \$1,000. Part-time public school teachers in a K-12 classroom in Nebraska during the taxable year would be allowed a refundable credit equal to \$1,000 multiplied by the percentage representing the individual's portion of full-time employment as a public school teacher.</p>	Revenue 02/25/09 at 1:30 p.m. Room 1524	Killed 03/09/09	Monitor
LB144	Avery	<p>Allow accessibility to certain disciplinary records regarding police officers and school district personnel</p> <p>NCSA Summary: LB144 contains two major provisions. First, it provides that any record of disciplinary action in the personnel file that is final and relates to misconduct involving physical or sexual abuse will be regarded a public record if the individual is: a town marshal, a chief of police or a local police officer, a sheriff or a deputy sheriff, a deputy state sheriff, a special deputy sheriff, the Superintendent of Law Enforcement and Public Safety, an officer of the Nebraska State Patrol, a carrier enforcement officer, a Game and Parks Commission conservation officer, or any other person with similar authority to make arrests under authority granted by this state or by any of its political subdivisions. Second, LB144 amends the existing law that states no other person, except school officials while engaged in their professional duties, shall be granted access to personnel files and the contents shall not be divulged in any manner to any unauthorized person. [§ 79-8,109] LB144 provides an exception to the existing law for records in a personnel file regarding disciplinary action taken by the public school district's administration against a teacher, administrator, or full-time employee involving any event, occurrence, or act which was deemed to be in violation of public school district policy or rule or state law.</p>	Judiciary 02/26/09 at 1:30 p.m. Room 1113	Killed 03/03/09	Oppose



BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB145	Avery	<p>Prohibit firearms at schools, colleges, and universities as prescribed</p> <p>Changes name of offense of unlawful possession of a firearm on school grounds to “at a school”. Also provides that school shall mean a public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, a public or private college, a junior college, a university, or any other educational institution. Uses that definition of school in the exceptions list for where a concealed handgun may be carried.</p> <p>NCSA Summary: Strikes from existing law (§ 28-1204.04) the often-used phrase, “in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event.” The purpose of this phrase is to offer jurisdiction to the school district in incidents occurring, for instance, on a school bus or at an athletic event at a location other than the school district. The question becomes whether striking this language helps or hurts a school district’s attempt to act in such incidents and occurrences.</p>	Judiciary 03/19/09 at 1:30 p.m. Room 1113	General File 04/06/09	Monitor
LB187	Nebraska Retirement Systems Committee	<p>Change employee deposits under the School Employees Retirement Act</p> <p>NCSA Summary: Provides that, beginning on September 1, 2010, and ending August 31, 2011, the employee contribution rate will be “xxx” percent of compensation. The exact percentage is deliberately left open in the event it is determined that a rate increase becomes necessary due the current economic situation we face. The current employee contribution rate is 7.28% of compensation and the employer rate is 101% of the employee rate. If the bill is not needed this session, it would automatically carryover to the following session (2010).</p>	Nebraska Retirement Systems 03/04/09 at 12:10 pm Room 1525		Monitor
LB205	Nordquist	Require educational and ethics training for board members of certain retirement systems	Nebraska Retirement Systems 02/05/09 at 1:30 p.m. Room 1525	General File 03/17/09	Monitor
LB226	Rogert	<p>Change the age of majority to eighteen years of age for certain purposes</p> <p>Changes the age of majority in the Nebraska from nineteen years of age to eighteen.</p>	Judiciary 03/25/09 at 1:30 p.m. Room 1113		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB228	Rogert	<p>Prohibit school membership in certain activity-regulating organizations</p> <p>NCSA Summary: States that no school offering instruction in grades 9-12 may hold membership in any organization which: Infringes in any manner on the right of a student, with parental consent, to participate in, train for, or compete in any activity, duly sanctioned by the national governing body for that activity, whether sponsored by the school or a nonschool organization; or Imposes any sanction against any student who, with parental consent, participates in, trains for, or competes in any activity, duly sanctioned by the national governing body for that activity, whether sponsored by the school or a nonschool organization.</p>	<p>Education 02/03/09 at 1:30 p.m. Room 1525</p>		Monitor
LB240	Pahls	<p>Require a minimum level of expenditures for direct classroom instruction</p> <p>NCSA Summary: Requires that all public school districts must spend no less than sixty-five percent of its total operating expenditures on direct classroom instruction in any fiscal year.</p>	<p>Education 03/17/09 at 1:30 p.m. Room 1525</p>		Oppose
LB255	Harms	<p>Require lap-shoulder belts in school buses</p> <p>NCSA Summary: Requires that each seat on each school bus manufactured on or after the effective date of the bill and purchased on or after January 1, 2010, by a school board to be operated for the transportation of public school children in Nebraska must be equipped with lap-shoulder belts sufficient to allow each passenger who is being transported to use a separate belt. The belts must meet the standards under federal law (49 C.F.R. 571.208). School districts would be required to provide instruction in proper use of lap belts, shoulder belts, or lap-shoulder belts. Each passenger on a school bus that is equipped with lap belts, shoulder belts, or lap-shoulder belts must be transported only in a designated seating position and must wear such a belt, properly adjusted and fastened, at all times while the bus is in operation.</p>	<p>Transportation and Telecommunications 02/17/09 at 1:30 p.m. Room 1113</p>		Monitor
LB281	Mello	<p>Change educational service unit board membership provisions</p> <p>NCSA Summary: The narrowly defined provisions of LB 281 would appear to allow Bellevue Public Schools to terminate its existing association with ESU #3 in Omaha and join ESU #19 (OPS), through modification of election law and ESU reorganization laws. While the bill permits other member schools within the learning community to take similar action, Bellevue Public Schools is the only learning community school known to have a desire to attach to a different ESU.</p>	<p>Education 02/03/09 at 1:30 p.m. Room 1525</p>		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB361	<p>Avery</p> <p>GOVERNMENT MILITARY AND VETERAN AFFAIRS COMMITTEE PRIORITY BILL 2009</p>	<p>Change roll call provisions under the Open Meetings Act</p> <p>Committee Statement: Allows entities created under the Interlocal Cooperation Act, the Joint Public Agency Act and the Municipal Cooperative Financing Act to utilize an electronic voting device to record roll call or viva voce votes of the governing body of such entities. Currently, only municipalities are authorized to utilize an electronic voting device. Explanation of amendments: The committee amendment makes several changes to the bill. The first change adds counties to the list of entities who are allowed to utilize electronic voting devices to satisfy the requirements of a roll call or viva voce vote. The committee amendment also adds the provisions of two bills: LB 465 and LB 639. The provisions of LB 465 add educational service units to the list of public entities which are allowed to hold public meetings by videoconferencing and telephone conference. The provisions of LB 639 allow a governing body of a risk management pool and the advisory committees of the governing body to hold more than half of their meetings by telephone conference if the governing body's quarterly meetings are held in person. Under current law, no more than one-half of the meetings in a calendar year held by governing body of a risk management pool or its advisory committees may be held by telephone conference call.</p> <p>(LB361-Change roll call provisions under the Open Meetings Act)  (LB465- Provide for videoconferencing and telephone conferences for educational service unit board meetings)  (LB639- Change provisions relating to telephone conferencing for public meetings)</p>	<p>Government, Military and Veterans Affairs  02/19/09 at 1:30 p.m.  Room 1507</p>	<p>Advanced for Engrossment  04/06/09</p> <p>LB465 and LB639 amended into LB361.</p>	<p>Monitor</p>
LB364	<p>Pankonin</p>	<p>Permit school districts to exceed expenditure limits for costs relating to voluntary termination agreements</p> <p>NCSA Summary: LB364 attempts to address a long-standing issue relevant to harmony between levy and expenditure lid exclusions for school districts as it pertains to voluntary termination of employment (early retirement programs). Current law [§ 77-3442(2)(d)] excludes from the levy limitations amounts levied to pay for sums agreed to be paid by a school district to certificated employees in exchange for a voluntary termination of employment. This has been the law since the passage of the levy limitations under LB1114 (1996). LB364 provides a corresponding expenditure lid exception so that a school district may exceed its budget of expenditures by a specific dollar amount for sums agreed to be paid to certificated employees in exchange for a voluntary termination occurring prior to July 1, 2009. The lid exception would apply to school fiscal years 2009-10 and beyond.</p>	<p>Education  02/10/09 at 1:30 p.m.  Room 1525</p>		<p>Monitor</p>

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB377	Pankonin	<p>Adopt the Nebraska Governmental Unit Credit Facility Act</p> <p>Finds that it is currently challenging for many governmental units to sell bonds or obtain credit at reasonable interest rates; declares an emergency; provides that any governmental unit in the Nebraska may obtain credit support for its bonds by entering into or obtaining a credit facility for any of its bonds from any United States governmental enterprise or from any bank providing a credit facility which is confirmed or otherwise supported by a credit facility provided by a United States governmental enterprise.</p>	Banking, Commerce and Insurance 02/02/09 at 1:30 p.m. Room 1507	Passed 04/03/09	Monitor
LB385	<p>Pahls</p> <p>PAHLS PRIORITY BILL 2009</p>	<p>Terminate sales tax provisions</p> <p>The schedule of sunsets in the bill is as follows: 1. Sales tax exemptions listed in sections of law that were enacted or last amended prior to 2005 sunset July 1, 2011; 2. Sales tax exemptions listed in sections of law that were enacted or last amended since January 1, 2005 sunset July 1, 2012; 3. Sales tax exemptions on rebates on motor vehicles and motorboats and the sales tax on services sunset on July 1, 2013. 4. The authorization for cities or counties to enact a local sales tax on top of the state sales tax sunsets on July 1, 2014.; 5. Sales tax obligations on the storage, use, lease, and rental fees sunsets on July 1, 2015; 6. The state sales tax sunsets on July 1, 2016.</p> <p>NCCI Summary: Sunsets exemptions over three years, then sunset the sales tax itself over two years. If Nebraska eliminated all its sales tax exemptions, thus requiring sales tax be paid on all products, the state would raise another \$3 billion a year in tax revenue, according to the bills' sponsor. Some products that would lose their, tax-exempt status under the bills include: garage sales; newspapers; fuel for aircraft and cars; food; the sale, lease, rental of manufacturing machinery; railroad rolling stock; prepaid telephone service; semen and insemination services in ranching and farming; seeds and plants when used for human consumption; agricultural chemicals; parent-booster clubs, lottery tickets; fine art purchased by a museum; medicine and medical supplies and government purchases. The additional revenue would be enough money to eliminate the property tax; end the corporate income tax; end fees and taxes on motor vehicles; and lower the state sales tax rate from 5.5 percent to 4.73 percent, according to Senator Pahls.</p> <p>See LB386 and LB583.</p>	Revenue 03/20/09 at 1:30 p.m. Room 1524	Killed 04/06/09	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB386	Pahls	<p>Change and suspend sales tax exemptions, change collection fees, change tax rates, state intent relating to property tax relief</p> <p>Provides for a suspension between January 1, 2010 and January 1, 2015 of motor vehicle fees and taxes as found in 60-3,110 to 60-3,112 and 60-3,143 to 60-3,155 and 60-3,184 to 60,3190. Lowers the state sales tax rate under section 77-2703 from 5.5% to 4.73% beginning July 1, 2010 and then raises it back to 5.5% on July 1, 2015. Provides for the suspension of the sales tax exemptions found in section 77-2704 between January 1, 2010 to January 1, 2015. Changes the amount that collectors of the use tax can keep as a reimbursement for collecting the tax from 2.5% of the first \$3000 collected to 5% of the first \$1500 collected. Provides for the corporate tax rate as found in section 77-2734 to be zero for the tax years starting January 1, 2009 through the tax year starting January 1, 2014. The rate goes back to the current rate on January, 1 2015. Provides that the intent of the legislature is to fund the Property Tax Credit Act in 77-4212 at a level that will reduce property taxes to zero starting in 2010 through 2015.</p> <p>See LB385 and LB583.</p>	Revenue 03/20/09 at 1:30 p.m. Room 1524	Killed 04/02/09	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB387	Gay	<p>Eliminate certain taxing authority of learning communities and change state aid calculations</p> <p>NCSA Summary: In 2006 the Legislature passed LB1024 to create the Learning Community Reorganization Act and to establish a common levy for member school districts belonging to a learning community distributed by the learning community coordinating council. The current law provides that a learning community may levy a maximum levy for the general fund budgets of member school districts of 95¢. A learning community may levy a maximum levy of 2¢ for special building funds for member school districts. A learning communities may levy a maximum of 5¢ for elementary learning center facilities and for up to 50% of the estimated cost for capital projects approved by the learning community coordinating council. School districts that are members of learning communities may levy for purposes of the districts' general fund budget and special building funds a maximum combined levy of the difference of \$1.05 minus the learning community levies. LB387 appears to reverse the direction of LB1024 (2006) to the extent that the common levy provisions are eliminated. Each school district within a learning community would be allowed to individually levy a maximum of \$1.05 (the same as all other school districts in Nebraska). A learning community would still be allowed to levy a maximum of 5¢ for elementary learning center facilities and for up to 50% of the estimated cost for capital projects approved by the learning community coordinating council. The bill amends the school finance formula (TEEOSA) and the duties and powers of the learning community coordinating council to harmonize with the changes in the levy provisions.</p>	Education 02/23/09 at 1:30 p.m. Room 1525	Killed 02/27/09	Support
LB391	Adams	<p>Change the manner of distribution of tax revenue within learning communities</p> <p>Provide that County Treasurer shall distribute any funds collected from the common general fund levy and the common building fund levy to each member school district at least once each month and not to the Learning Community Coordinating Council. Provide that the growth factor shall equal 100% plus one-half of the allowable growth rate for each year beginning with the first school fiscal year for which the learning community levies a common general fund property tax for school districts and ending with the school fiscal year for which the distribution is being made. Extend (hold harmless) the phase-in provision from three years to five years.</p>	Education 02/23/09 at 1:30 p.m. Room 1525		Support

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB392	Adams  EDUCATION COMMITTEE PRIORITY BILL 2009	Change provisions relating to learning communities  NCSA Summary: Changes the election method as follows. Each voter would be allowed to cast votes for one candidate at both the primary and general elections to represent the election district in which the voter resides. The four candidates receiving the most votes at the primary election in each election district would advance to the general election. The two candidates receiving the most votes in each election district at the general election would be elected. The original learning community law did not provide for election at the primary election stage. Provides that the application form for new school adjustments for new focus schools and new focus programs would require evidence (i) supporting an estimate of the expected average yearly enrollment in the focus school or focus program for the first two years of the new focus school or focus program and (ii) that the school fiscal year for which the district would receive the first-year adjustment will be the first full school fiscal year for which students will attend such focus school or focus program. Changes the timeline for establishing elementary learning centers. Provides that each achievement subcouncil will consist of the three voting coordinating council members representing the election district plus any nonvoting coordinating council members choosing to participate who represent a school district that has territory within the election district. The voting coordinating council members would also be the voting members on the achievement subcouncil. The duties of the achievement subcouncils would remain essentially the same.	Education 02/24/09 at 1:30 p.m. Room 1525		Support
LB393	Adams	Change agenda provisions for meetings of the Educational Service Unit Coordinating Council  NCSA Summary: In 2007 the Legislature passed LB603 to create the Educational Service Unit Coordinating Council (ESUCC), which became operative on July 1, 2008. The council is composed of one administrator from each ESU. LB393 makes several changes to the activities of the ESUCC as follows. The bill clarifies that the council must provide each ESU administrator with notice of council meetings, including an agenda. Each ESU administrator is responsible for sharing the agenda with the ESU board he/she represents and for receiving input from his/her board prior to the council meeting. The bill changes the Open Meetings Act relating to meetings of the ESUCC and provides that notice of meetings of the council must be transmitted to all ESU administrators at least thirty days before the scheduled commencement of the meeting except in the case of emergency meetings.	Education 02/03/09 at 1:30 p.m. Room 1525		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB418	Price	<p>Require valuation changes by the Tax Equalization and Review Commission among counties which have learning communities</p> <p>Require valuation changes by TERC so that the level of value in all counties which have a school district that is a member of the learning community are at the same percentage in the acceptable range.</p>	Revenue 03/26/09 at 1:30 p.m. Room 1524		Monitor
LB448	Campbell	<p>Require an influenza vaccination pilot program</p> <p>Establishes the two year "School-Based Influenza Vaccination Pilot Project" to afford influenza vaccinations for all children six months to eighteen years. The pilot shall be established in school districts on a voluntary basis. The vaccinations shall be administered with the consent of participating students' parents and guardians. Pilot Project to begin in the 2009-2010 school year with evaluation report prepared by Health and Human Services by October 31, 2011.</p>	Health and Human Services 02/06/09 at 1:30 p.m. Room 1510		Monitor
LB449	Campbell  LOUDEN PRIORITY BILL 2009	<p>Change disability retirement allowance provisions of the School Employees Retirement Act</p> <p>NCSA Summary: Amends a long-standing provision under the School Employees Retirement System relevant to disability and restoration of active service. Adds another provision stating that (i) if a disability beneficiary under the age of 65 years is restored to active service as a school employee AND (ii) the examining physician certifies that the beneficiary has a permanent disability, then the beneficiary would retain his/her disability retirement allowance IF the beneficiary's monthly income does not exceed the applicable "Substantial Gainful Activity" (SGA) amount determined annually by the Social Security Administration for blind and non-blind individuals. NOTE: A person who is earning more than a certain monthly amount (net of impairment-related work expenses) is ordinarily considered to be engaging in SGA. The amount of monthly earnings considered as SGA depends on the nature of a person's disability. The Social Security Act specifies a higher SGA amount for statutorily blind individuals; Federal regulations specify a lower SGA amount for non-blind individuals. Both SGA amounts increase with increases in the national average wage index.</p>	Nebraska Retirement Systems 03/04/09 at 12:10 pm Room 1525	Select File 04/01/09	Monitor
LB461	Adams	<p>Change provisions relating to the Commissioner of Education and the State Board of Education</p> <p>Strikes the provision that states the Commissioner of Education must decide disputed points of school law, which decisions must have the force of law until changed by the courts. Adds a provision that the Commissioner has the authority to faithfully execute the policies and directives of the State Board of Education. States that the Commissioner of Education shall not be a member of the State Board of Education. Requires all meetings of the Board to be in compliance with the Open Meetings Act.</p>	Education 03/10/09 at 1:30 p.m. Room 1525		Monitor



BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB464	Gay  SPEAKER PRIORITY BILL 2009	Require certain booster immunizations for students entering seventh grade  NCSA Summary: Currently, each school district and private school must require each student to be protected against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, and tetanus by immunization prior to enrollment. Provides that, beginning July 1, 2010, every student entering the 7th grade must have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine, which meets the standards approved by the U.S. Public Health Service for such biological products. Existing law provides that the cost of immunization is paid by the parent or guardian of the student who is immunized OR by the Department of Health and Human Services for those students whose parent or guardian is financially unable to meet the cost. This provision remains unchanged under LB 464.	Education 02/02/09 at 1:30 p.m. Room 1525	Advanced for Engrossment 04/06/09	Monitor
LB465	Christensen	Provide for videoconferencing and telephone conferences for educational service unit board meetings  NCSA Summary: Amends the Educational Service Units Act and the Open Meetings Act to permit an ESU board to conduct a meeting by videoconferencing or telephone conference. In keeping with existing law, at least one member of the ESU board must be present at each site of the telephone conference call identified in the public notice for the meeting.  (LB361-Change roll call provisions under the Open Meetings Act) (LB465- Provide for videoconferencing and telephone conferences for educational service unit board meetings) (LB639- Change provisions relating to telephone conferencing for public meetings)	Government, Military and Veterans Affairs 02/19/09 at 1:30 p.m. Room 1507	LB465 and LB639 amended into LB361.	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB473	Louden	<p>Adopt the Nebraska Elementary Attendance Region Act</p> <p>NCSA Summary: Creates the Nebraska Elementary Attendance Region (NEAR) Act and permits certain school districts to create elementary attendance regions. Elementary attendance regions are community-governed elementary sites established by residents of a single Class II, III or IV K- 12 district with the primary purpose of assuring community educational governance in sparsely populated areas of the state. Certain criteria would have to be met to authorize the creation of such a region. Establishes criteria for creating a NEAR either through school board approval after submission of a proposal or through a petition process by a group of residents within the proposed region. A NEAR operating council, consisting of three to five residents of the region, will make recommendations to the K-12 board regarding operations of the school. All annual operational and maintenance costs are the responsibility of the K-12 district. The school district may provide a facility or impose a levy on the residents of the K-12 school district of one cent per \$100 valuation not to exceed \$50,000 for five years for construction, purchase, renovation or lease of a facility. If the facility for a NEAR is not provided by the K-12 board, the NEAR Operating Council may levy a tax on the property within the elementary region, not to exceed five and one fifths cents per \$100 of valuation not to exceed \$50,000 in total over five years.</p>	Education 03/09/09 at 1:30 p.m. Room 1525		Monitor
LB476	Stuthman  STUTHMAN PRIORITY BILL 2009	<p>Adopt the Center for Student Leadership and Extended Learning Act</p> <p>NCSA Summary: Creates the Center for Student Leadership and Extended Learning Act, a career education program to be administered by the Nebraska Department of Education (NDE). The idea behind the bill is to provide opportunities to educate young people with leadership and employability skills to: a. meet the needs of business and industry and remain economically viable, b. educate and nurture future entrepreneurs for successful business ventures to diversify and strengthen our economic base, c. foster rewarding personal development experiences that involve students in their communities and encourage them to return to their community after completing postsecondary education, and d. invest in and support the leadership development of our future state and community civic leaders.</p>	Education 03/10/09 at 1:30 p.m. Room 1525		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB479	Rogert	<p>Change enrollment provisions relating to early childhood education</p> <p>NCSA Summary: In 2008, LB 1153 (§ 2) was passed into law and included a provision stating that, for 2008-09 only, early childhood education programs established by school districts or ESUs that are not receiving a grant through the early childhood education grant program may serve children who meet the age requirements to attend kindergarten, but are not of mandatory attendance age. Changes this provision to state that any early childhood education program established by a school board or an ESU that is not receiving an early childhood grant or funding through the TEEOSA may enroll children: who meet the age requirements to be enrolled in kindergarten, who have not previously been enrolled in an early childhood education program, who are not then enrolled in kindergarten, and who are not of mandatory attendance age.</p>	<p>Education 02/02/09 at 1:30 p.m. Room 1525</p>	Killed 02/20/09	Monitor
LB480	Dierks	<p>Change budget limit and tax levy limitation provisions</p> <p>Provides that budget limitations shall not apply to restricted funds budgeted to pay for any drug prevention or drug enforcement costs in excess of the amount budgeted for such costs for FY2008-09. Property tax levies for capital improvements are not included in the levy limits.</p>	<p>Revenue 02/19/09 at 1:30 p.m. Room 1524</p>		Monitor
LB486	Karpisek	<p>Require certain governmental entities to identify themselves as such in their official name</p> <p>When engaging in an activity in competition with a private enterprise for a special benefit or profit or in any other proprietary activity, the state and each political subdivision and any entity created pursuant to the Interlocal Cooperation Act or Joint Public Agency Act shall include as part of its official name the words political subdivision, a government entity, or other similar words that identify it as a unit of government.</p>	<p>Government, Military and Veterans Affairs 03/05/09 at 1:30 p.m. Room 1507</p>		Monitor
LB521	Pankonin	<p>Provide additional tax levy authority for learning communities</p> <p>NCSA Summary: Provides that a quarter of one cent may be levied and used for learning community general fund purposes with the approval of the learning community coordinating council. Changes the calculation of adjusted valuation for ESUs such that the adjusted valuation for member districts of a learning community is reduced by 10% rather than 50% for purposes of calculating aid to applicable ESUs. The adjusted valuation for each learning community would equal 10%, rather than 50%, of the total adjusted valuation of the member school districts. Changes the calculation of adjusted students for each ESU for purposes of calculating ESU state aid. Changes the percentages relevant to the learning community and learning community schools from 50% to 10%.</p>	<p>Revenue 03/26/09 at 1:30 p.m. Room 1524</p>		Support

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB534	Price	<p>Change provisions relating to learning community diversity plans</p> <p>NCSA Summary: Provides that any school district in the learning community that has attendance areas within the district may assign open enrollment students to a building, or choice of buildings, that is consistent with district policy for assigning resident students or option enrollment students. Districts within a learning community that use their attendance areas for the purpose of assigning open enrollment students must maintain records with supporting data showing the efforts made to provide improvement in socioeconomic diversity of enrollment within the buildings in the district. These records and supporting data must be made available to the learning community coordinating council upon request within forty-five days.</p>	Education 02/24/09 at 1:30 p.m. Room 1525	Killed 02/27/09	Monitor
LB538	Giese	<p>Exempt government employee retirement benefits from income tax</p> <p>Statement of Intent: Provides that up to \$75,000 of the federal adjusted gross pension income for all retirees from all state operated public employee retirement systems, the U.S. Civil Service Retirement System, the U.S. Military Retirement System, and individuals receiving Social Security benefits would be excluded from paying state income tax, with the exemption phased in over five years. The applicable retirement systems which would receive this benefit are the School Employees Retirement System, the Omaha School Employees Retirement System, the County Employees Retirement System, the Judges Retirement System, the Nebraska State Patrol Retirement System, the State Employees Retirement System, the U.S. Civil Service Retirement System, and the U.S. Military Employees Retirement System. Under the bill, taxpayers filing a single return in 2008 would be able to exclude up to \$15,000 in retirement income. If both spouses receive qualifying retirement income, the exclusion would be \$30,000. The exclusion would be phased in over a five-year period, increasing the excluded amount by 20% of the final cap each year until the \$75,000 maximum exclusion for single taxpayers is reached in 2013.</p>	Revenue 02/04/09 at 1:30 p.m. Room 1524	Killed 03/09/09	Monitor
LB545	Adams  ADAMS PRIORITY BILL 2009	<p>Change the Tax Equity and Educational Opportunities Support Act</p> <p>NCSA Summary: Reduces state aid to school districts by lowering the base limitation rate from 2.5% to 1% for 2009-10 and 2010-11, continuing to subtract \$20 million from allocated income tax funds (rebate) for 2009-10 and 2010-11, modifying the averaging adjustment, and extending the transitional multiplier for the teacher education adjustment.</p>	Education 02/09/09 at 1:30 p.m. Room 1525		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB546	Adams	<p>Change school organization provisions</p> <p>NCSA Summary: LB 546 attempts to breathe some life into the school district reorganization incentive program. It opens a new window for schools to apply for incentive payments through consolidation from May 31, 2009 to June 1, 2011. The bill changes the allocation of the Education Innovation Fund (state lottery proceeds). Currently, the first \$750,000 of available funds is transferred to the Attracting Excellence to Teaching Program Cash Fund and the amount remaining in the Education Innovation Fund is allocated for distance education equipment and incentives. LB 546 would change the distribution for 2009-10 only. First, the bill states that any amounts transferred to the Education Innovation Fund from the School District Reorganization Fund must be returned to the School District Reorganization Fund. There could be as much as \$200,000 that would be transferred to the Reorganization Fund through this provision although it is not known as yet whether any funds would be transferred. This provision represents a cautionary clause in the event such funds exist and are available to be transferred. After such transfer is made, if at all, the next \$1 million would be transferred to the Attracting Excellence to Teaching Program Cash Fund and the amount remaining in the Education Innovation Fund would be allocated for distance education equipment and incentives.</p>	Education 03/09/09 at 1:30 p.m. Room 1525		Monitor
LB547	Adams  HAAR PRIORITY BILL 2009	<p>Change the Attracting Excellence to Teaching Program Act</p> <p>Statement of Intent: Modifies the Attracting Excellence to Teaching Program by allowing certificated teachers employed by accredited or approved schools access to the forgivable loan program and by restricting the program for students working toward their initial certification to students majoring in a shortage area. Participating certificated teachers would be required to major in a shortage area, a subject area in which they already have a secular teaching endorsement, or in a secular teaching area approved by their superintendent or head administrator. The maximum loans would also be increased from \$2,500 to \$3,000 per year and new participants would have to work as a teacher in Nebraska for two years following graduation before forgiveness would begin. The existing one million dollars annual allocation of lottery funding would be divided with up to \$300,000 for students working toward their initial certification and the remainder (\$700,000) for certificated teachers.</p>	Education 02/02/09 at 1:30 p.m. Room 1525	Advanced for Engrossment 04/06/09	Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB548	Adams  SPEAKER PRIORITY BILL 2009	Change provisions relating to student files and the State Board of Education  NCSA Summary: Current law requires that a copy of a public or private school's files or records concerning a student must be provided at no charge, upon request, to any public or private school to which the student transfers. This bill specifies that such files and records may include academic and any disciplinary material. This bill also changes the powers and duties of the State Board of Education. Existing law requires the board to adopt and promulgate rules and regulations containing reasonable standards governing: The general design, equipment, color, operation, and maintenance of any vehicle with a manufacturer's rated seating capacity of eleven or more passengers used for the transportation of school children; and the equipment, operation, and maintenance of any vehicle with a capacity of ten or less passengers used for the transportation of school students, when such vehicles are owned, operated, or owned and operated by any school district or privately owned or operated under contract with any school district in this state. First, this bill clarifies that the above provisions apply to both public and private school students. Second, this bill stipulates that the transportation provisions do not apply to home school students.	Education 03/10/09 at 1:30 p.m. Room 1525	Signed by Governor 03/26/09	Monitor
LB549	Adams  EDUCATION COMMITTEE PRIORITY BILL 2009	Change provisions relating to schools  NCSA Summary: represents the technical cleanup bill offered on behalf of the Department of Education (NDE).	Education 03/10/09 at 1:30 p.m. Room 1525	Select File 04/06/09	Monitor
LB558	Nantkes	Require use of funds from the temporary school fund for enhancing salaries of certificated teachers  NCSA Summary: Dedicates funding for teacher salary enhancement. It requires each school district to expend funds received from the temporary school fund only for enhancement of the salaries of certificated teachers under contract with the district. The salary enhancement funds must be paid to certificated teachers in addition to the compensation agreed upon between the teachers and the district in the employment contract. NOTE: The temporary school fund is the holding fund to which the interest, dividends, and any other income from the permanent school fund, the net income from the school lands, and the money from all other sources required or provided by law are credited.	Education 02/02/09 at 1:30 p.m. Room 1525		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB578	Fulton	<p>State intent relating to the state aid distribution to schools</p> <p>NCSA Summary: Provides both intent language and requirements upon school districts to annually expend on teachers' salaries and benefits a percentage of its annual state aid distribution under TEEOSA (presumably equalization aid), which is equivalent to the percentage of the school district's annual budget for such salaries and benefits.</p>	Education 02/09/09 at 1:30 p.m. Room 1525	Killed 02/20/09	Oppose
LB583	Dierks	<p>Change sales, property, and income tax provisions and education funding</p> <p>Changes the sales tax rate to an unspecified percent beginning January 1, 2010. Provides that all services, except medical services, shall be subject to the sales tax. Provides for collection of sales tax on food, except food purchased with food coupons issued by the USDA. Provides for a food sales tax credit for qualified resident individuals. Strikes the maximum levy for school districts and learning communities but does not yet specify the replacement levy per one hundred dollars of taxable valuation. Removes language authorizing community college levies. Generally provides that the compensation of school district and learning community employees and their employer retirement contributions are the responsibility of the State through the General Fund. Provides that funding of community college areas shall be a state responsibility through the General Fund. Creates Property Tax Relief and Reorganization Fund to provide property tax relief, but does not appear to establish a funding mechanism for the fund.</p> <p>See LB385 and LB386.</p>	Revenue 02/11/09 at 1:30 p.m. Room 1524		Monitor
LB597	Ashford	<p>Change provisions relating to collaborative focus schools and programs and magnet schools</p> <p>NCSA Summary: Provides that if multiple member districts collaborate on a focus program, focus school, or magnet school, such districts must either: establish an interlocal agreement by which the collaborative effort is designed and governed and which determines how legal, financial, and academic responsibility will be shared; or one member school district must be designated as the primary school district and must maintain legal, financial, and academic responsibility for the focus program, focus school, or magnet school.</p>	Education 02/24/09 at 1:30 p.m. Room 1525		Monitor

BILL NO.	PRIMARY INTRODUCER	DESCRIPTION AND SUMMARY OF BILL	COMMITTEE & HEARING DATE	STATUS IF NOT IN COMMITTEE	POSITION
LB612	Avery	<p>Prohibit school districts from making contributions or reimbursements relating to retirement benefits</p> <p>NCSA Summary: amends both the School Employees Retirement System and the Class V School Employees Retirement System (OPS). The measure is aimed at school administrator contracts that provide for the school district to pay, on the employee's behalf, both the employee and employer share of the respective retirement plans or reimburse the employee for the employee's share to the retirement plan. The bill appears to prohibit such contractual provisions unless the school district provides the same benefit to all school employees of the district.</p>	Nebraska Retirement Systems 02/18/09 at 12:10 pm Room 1525		Monitor
LB665	Janssen	<p>Adopt the Teacher Shortage Loan Repayment Act</p> <p>Statement of Intent: Adopts the Teacher Shortage Loan Repayment Act. This proposal would permit students at Nebraska's public and private universities and colleges to participate in a loan forgiveness plan if they agree to teach in a shortage area school district for a certain period of time. The program would be administered by the Coordinating Commission for Postsecondary Education (CCPE). It would have a limited appropriation and the CCPE would be required to report the results of the program to the Legislature and Governor to evaluate its performance.</p>	Education 02/02/09 at 1:30 p.m. Room 1525		Monitor
LB678	Haar	<p>Change provisions relating to minutes of public meetings</p> <p>NARD Summary: The bill allows minutes of meetings subject to the Open Meetings Act to be written or in an electronic recording, including audio or video recording of the meeting.</p>	Government, Military and Veterans Affairs 02/19/09 at 1:30 p.m. Room 1507		Monitor