

**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, March 8, 2010 at 5806 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 5806 South 147th Street, Omaha, Nebraska.
LINDA POOLE,
Secretary

3-5-10

**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

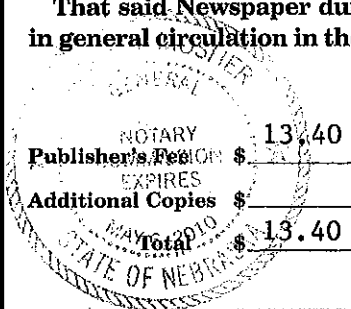
being duly sworn, deposes and says that she is

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

March 5, 2010

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 \$ 13.40
Additional Copies \$
Total \$ 13.40

Subscribed in my presence and sworn to before
me this 5th day of
March 2010

Notary Public in and for Douglas County,
State of Nebraska

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2010

NAME:

REPRESENTING:

Brendan Smith

Millard West

Lloyd Hoshaw

Leadership Academy

Shannon Cooley-Lovett

Leadership Academy

Steffanie Hamilton

Millard West

Lindsay Ebert

Millard West

Tony Sawaged

Millard West

John Wieder

Millard West

Emily Wroble

Millard West

Richmond Hays

Millard West

PAUL GRIEGER

DA DAVIDSON

Kristen Schilling

Millard West

McKayla LaBorde

Leadership Academy

Cassie Wajda

Millard West

Deezye Millin

Ezra Millard

Anne Marie Boose

Young Adult Program

Jeanne Stover

Leadership

Uri Dominguez

Millard West

Kara Brommer

Millard West

Carly Rarduzzo

Millard West

Breanna Cortinas

Millard West

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2010

NAME:

REPRESENTING:

Lori graves

rower elementary

Jacob Hodgson

Millard west

Mark Sukraw

Beadle middle

Molly Erickson

MEA

Jamie Anderson

Nubardt

~~J. Helmer~~

Millard west

Justin Maurer

Millard west

Steven Denmark

MLC

MARIAH Stauffer

Millard West

Dave Fritzen

Disney

Carl Schultz

Millard West

Wendy Wigout

West

~~Susan Ringberg~~

~~Updornal~~

Nick Pinkerton

Millard West

Austin Sawitt

Millard west

Lauren Metler

Millard west

Marion Schinzel "Mib"

Rockwell - Leadership

← Alena, mi

↳ Alena



*COMMITTEE OF THE WHOLE
MEETING*



MARCH 8, 2010

MILLARD PUBLIC SCHOOLS
BOARD COMMITTEE OF THE WHOLE

The Board of Education Committee of the Whole will meet on Monday, March 8, 2010 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. Budget
2. Legislation
3. Instructional Time Options

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
March 8, 2010

The members of the Board of Education met as a committee of the Whole on Monday, March 8, 2010 at 6:30 p.m. at the Don Stroh Administration Center, 5606 South 147th Street. The topics included revenue projections, legislation, and instructional time options.

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

Administrators present included Keith Lutz, Ken Fossen, Mark Feldhausen, Angelo Passarelli, and other administrators. Bill Mueller, the district's lobbyist, was in attendance at the meeting.

Ken Fossen gave an explanation of calculations for state aid. The needs were first calculated on a district-by-district basis. Then, calculations were made to determine what percentage of the total needs in the Learning Community was attributable to each district. The total state aid certified to the Learning Community was then distributed among the eleven districts based upon those percentages.

Mr. Fossen said the statutory provisions require that net option funding and retirement aid be paid directly to the school districts. So these two factors were added to each district's total after the percentage distribution was calculated.

Since the Learning Community receives equalization aid, ARRA-SFSF funds were attributed to each member district based upon the percentages. The amount of the ARRA -SFSF funds are included in the District's total.

Ken Fossen provided information, which compared certified state aid for 2010/2011 with the district as the local system, and with the Learning Community as the local system. The calculation difference was a little less than a million dollars.

The board still has a concern when the federal dollars are not available in a couple of years. There was discussion about the use of Build American Bonds for the wide variety of construction projects in the district and also future technology needs. However, some board members were more skeptical than others about the use of these bonds.

State aid is up from 75 million to 82 million, but property tax revenue through the Learning Community is down from 87 million to 81 million. The net impact is that revenue will be up by just over one million over last year from both of these sources.

Bill Mueller, lobbyist for the Millard Schools, reported he reviewed the economic forecast board report with the Board of Education. He explained all legislative hearings are completed and the legislature is debating full days. He talked about several of the legislative bills, and did note that there were no bills changing the State Aid formula. He did say there was a strong chance that the appropriations committee will cut an additional thirty million dollars from state agencies.

Mark Feldhausen reviewed the Instructional Time Comparative Matrix. It was created to understand the variability of the total instruction time amongst the eleven school districts of the Learning Community. The matrix, which was provided to the Board of Education on February 15, 2010, allows Millard Public Schools to compare itself at the three levels of instructional time (elementary, middle, and high) to individual districts and a Learning Community average. Millard's elementary instructional hours of 1080 are below the Learning Community average for elementary of 1126.

Elementary principals met with Dr. Feldhausen and Dr. Newton and came up with six options on how to include more instructional time. After visiting with Ken Fossen and the transportation department, some of those options were eliminated due to the transportation schedule. The three options from the elementary principal are to keep the current schedule, add 15 minutes to the end of the day and keeping early out on Wednesday, or eliminate the Wednesday early release. The elementary principals favored adding the 15 minutes to the end of the day and keeping the Wednesday early out day. Additional minutes in the elementary would be used in the core subject areas.

One major factor in trying to change the school day at the elementary level is transportation since many of the buses make double routes to provide transportation for middle school students. This parameter limits options.

Dr. Feldhausen also said he was approached by the middle school principals requesting to add 15 minutes to the middle school day. He reported that the use of the extra time during the day would probably be used for re-teaching, counseling curriculum, planning process, and PLPs extension.

Board members expressed different opinions on how to increase the time for elementary students, but if changes are made at the elementary and middle school level, they should be done at the same time.

Dave Anderson adjourned the meeting.



Chairman

AGENDA SUMMARY SHEET

AGENDA ITEM: Legislative Update

MEETING DATE: March 8, 2010

DEPARTMENT: Office of the Superintendent

TITLE AND BRIEF DESCRIPTION: Legislative Update for the 101st Legislature 2nd session.

ACTION DESIRED: APPROVAL ____ DISCUSSION ____ INFORMATION ONLY XX

Legislative Calendar

LB 937 which eliminates per diem payments for Learning Community Board members after their current term is up was advanced to Select File.

LB 1006 that changes the kindergarten entrance age moved is on Final Reading. This bill will reduce the number of students in our kindergarten class for 2012-2013.

LB 1021 on NSAA Activities was passed out of the Education Committee with amendments that eliminate everything except the requirements to comply with the Open Meetings laws. This bill is on the agenda for General File debate. This bill is Senator Avery's priority bill.

LB 1070 is set to move to General File debate. This bill lowers the levy the Learning Community can access to 3 cents and gives the LCCC more flexibility to use 1 cent for operations. The bill was advanced from the Education Committee with an amendment to restore 90% of the ESU Core Services Funding.

The legislative summary is attached.

National News and Advocacy Issues

Top leaders in Congress are working on a bipartisan effort to rewrite No Child Left Behind. Officials say they expect to overhaul the law this year, and lawmakers have pledged to make the process open and transparent. President Barack Obama presented a plan to eliminate the adequate yearly progress standard from the 2002 law.

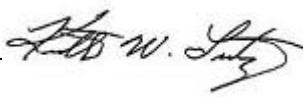
A push by the Obama administration to target the health and nutrition of the nation's children is widespread across government agencies and is taking a broad approach to promoting nutrition reform and healthy lifestyles in schools. The Department of Agriculture is working to improve the nutritional standards of school meals that have been largely unchanged since they were first offered in 1946. The Food and Drug Administration is helping with the anti-obesity campaign.

The Obama Administration's budget for Fiscal Year 2011 (funds for school year 2011-2012) proposes a major shift in the way federal funds would be distributed, with a greater proportion set aside for competitive grants (such as Race to the Top) and less for direct formula grants (such as Title I).


Title I will become the College- and Career-Ready Students program, which would reward schools or LEAs that are making significant progress in improving student outcomes and closing achievement gaps.

STRATEGIC PLAN: Implemented Strategies and Superintendent's Goals

RESPONSIBLE PERSON: Angelo Passarelli

SUPERINTENDENT'S APPROVAL: _____  _____

MILLARD PUBLIC SCHOOLS
LEGISLATIVE SUMMARY
 101st Legislature - Second Session - 2010

 **RUTH | MUELLER | ROBAK**
 LLC
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 Lincoln, Nebraska 68508
 Telephone: 402.434.3399
 Fax: 402.434.3390

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | POSITION |
|-----------------|---------------------------|--|---|--|-----------------|
| LB67 | Friend | Adopt the Elementary and Secondary Education Opportunity Act 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. | Revenue 02/27/09 at 1:30 p.m. Room 1524 | | Oppose |
| LB72 | Cornett | Provide for management of students' and children's life-threatening allergies 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. | Education 01/20/09 at 1:30 p.m. Room 1525 | Failed to Advance for Review 01/11/10 General File 02/20/09 | 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 | Failed to Advance for Review 01/13/10 General File 03/17/09 | Monitor |
| LB226 | Rogert | Change the age of majority to eighteen years of age for certain purposes Changes the age of majority in the Nebraska from nineteen years of age to eighteen. | Judiciary 03/25/09 at 1:30 p.m. Room 1113 | Signed by Governor (Emergency Clause) 03/03/10 | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 6 POSITION |
|----------|--------------------|--|--|---|------------|
| 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> | <p>General File 05/18/09</p> | Oppose |
| LB364 | Pankonin | <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>LB364, LB391 and LB546 amended into LB545.</p> | Support |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 7 POSITION |
|----------|--------------------|---|--|---|------------|
| 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> | <p>Education 02/23/09 at 1:30 p.m. Room 1525</p> | <p>Killed 02/11/10</p> <p>LB364, LB391 and LB546 amended into LB545.</p> <p>LB221 and LB391 amended into LB392.</p> | Monitor |
| LB393 | Adams | <p>Change agenda provisions for meetings of the Educational Service Unit Coordinating Council</p> <p>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.</p> | <p>Education 02/03/09 at 1:30 p.m. Room 1525</p> | | Monitor |
| 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> | <p>Revenue 03/26/09 at 1:30 p.m. Room 1524</p> | | 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> | <p>Health and Human Services 02/06/09 at 1:30 p.m. Room 1510</p> | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 8 POSITION |
|----------|--------------------|--|--|--|----------------|
| LB465 | Christensen | <p>Provide for videoconferencing and telephone conferences for educational service unit board meetings</p> <p>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.</p> | <p>Government, Military and Veterans Affairs 02/19/09 at 1:30 p.m. Room 1507</p> | <p>LB465 and LB639 amended into LB361.</p> | <p>Monitor</p> |
| 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> | <p>Education 03/09/09 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 | 9 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 | Killed 02/11/10 LB364, LB391 and LB546 amended into LB545. | Monitor |
| 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> | Revenue 02/11/09 at 1:30 p.m. Room 1524 | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 10 POSITION |
|----------|--------------------|--|--|----------------------------|-------------|
| 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> | <p>Education 02/24/09 at 1:30 p.m. Room 1525</p> | | Monitor |
| 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> | <p>Nebraska Retirement Systems 02/18/09 at 12:10 pm Room 1525</p> | | 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> | <p>Government, Military and Veterans Affairs 02/19/09 at 1:30 p.m. Room 1507</p> | | Monitor |
| LB692 | Price | <p>Change a duty of county assessors relating to real property valuation</p> <p>In counties with over 100,000 inhabitants the county assessor shall assure that all parcels of real property in the county have been inspected and reviewed no less frequently than every three years and every six years in all other counties. Current requirement is six years in all counties.</p> | <p>Revenue 01/27/10 at 1:30 p.m. Room 1524</p> | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 11 POSITION |
|----------|--------------------|--|--|----------------------------|-------------|
| LB693 | Price | <p>Provide authorization for foreign insurers to offer health insurance in Nebraska</p> <p>Statement of Intent: Proposes to establish a framework under which health insurance may be purchased and sold across state lines. The Director of the Department of Insurance would have the authority to enter into interstate agreements with other willing states for such purposes. Before entering into an interstate agreement, the director, in consultation with the Attorney General, shall review and certify that the other state's laws, rules and regulations governing health insurance are substantially similar to Nebraska's laws, rules and regulations. The director shall also consider whether insured individuals will have access to health care services as well as policies and procedures to resolve benefit, claims and payment disputes. Foreign insurers offering insurance in Nebraska will not be subject to Nebraska laws, with some exceptions, but will be subject to the laws of their domicile state and the interstate agreement. Similarly, insurers domiciled in Nebraska and offering insurance in a foreign state shall be subject to Nebraska laws and the interstate agreement. Any application and policy issued to a Nebraska resident under the bill would require a disclaimer to notify the applicant/policy holder that the insurance policy is not subject to Nebraska law.</p> | <p>Banking, Commerce and Insurance 02/01/10 at 1:30 p.m. Room 1507</p> | | Monitor |
| LB694 | Price | <p>Provide restrictions for sexual predators and penalties</p> <p>Restricts sexual predator from being on school grounds or at school events or in any vehicle connected to the school transporting students without permission from school principal(s). A sexual predator is a registered sex offender who committed an aggravated offense and who victimized a person younger than eighteen.</p> | <p>Judiciary 01/21/10 at 1:30 p.m. Room 1113</p> | | Monitor |
| LB697 | Pahls | <p>Prohibit use of wireless devices by school bus drivers</p> <p>Prohibits the use of an interactive wireless communication device by a school bus driver while the bus is in motion. Interactive wireless communication device means any wireless electronic communication device that provides for voice or data communication between two or more parties, including, but not limited to, a mobile or cellular telephone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer.</p> | <p>Transportation and Telecommunications 02/09/10 at 1:30 p.m. Room 1113</p> | | Support |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 12 POSITION |
|----------|--------------------|---|---|----------------------------|-------------|
| LB713 | Gloor | <p>Change provisions relating to school health inspections</p> <p>NCSA Summary: Changes laws relevant to the duty of school districts to cause the physical examination of children for "defects" and contagious or infectious diseases. The bill contains three components. Current law provides that every school district must cause each child under its jurisdiction to be "separately and carefully inspected" to ascertain if the child is suffering from: 1.defective sight or hearing, 2.dental defects, or 3.other conditions as prescribed by the DHHS. Requires that such inspections will be conducted on a schedule prescribed by the department and must be based on current medical and public health practice. The schedule would presumably be adopted by the DHHS through the promulgation of rules and regulations as provided in §79-249. Amends to permit, but not require, the department to make available to schools methods for the gathering, analysis, and sharing of school health data that do not violate any privacy laws. Changes the timeframe by which the "inspections" are to occur. Section 79-250 currently provides that during the first quarter of each school year the school district must provide the inspections for the children then in attendance. The current law further provides that as children enter school during the year, such inspections must be made immediately upon their entrance. Eases the current law to simply require inspections to be conducted each school year for the children then in attendance. For children who enter school during the year, such inspections must be confirmed upon their entrance.</p> | Education 01/19/10 at 1:30 p.m. Room 1525 | General File 02/04/10 | Monitor |
| LB741 | Avery | <p>Exclude lobbying expenses as a general fund operating expenditure for purposes of the Tax Equity and Educational Opportunities Support Act</p> <p>NCSA Summary: Beginning in school fiscal year 2010-11 and thereafter, excludes any amounts paid by a school district for lobbyist fees and expenses in the computation of general fund operating expenditures (GFOE). The GFOE is used in the calculation of state aid under the Tax Equity and Educational Opportunities Support Act (TEEOSA). The bill carries the emergency clause.</p> | Education 01/25/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 13 POSITION |
|----------|---|---|---|----------------------------|-------------|
| LB742 | McCoy MCCOY PRIORITY BILL 2010 | Provide requirements for settlement agreements involving public entities and provide that such agreements are public records Except for settlement agreements involving the state, any state agency, or any employee of the state or pursuant to claims filed under the State Tort Claims Act, any settlement agreement entered into by a public entity directed by a governing body shall be included as an agenda item for the next regularly scheduled public meeting of the governing body. A confidentiality or nondisclosure clause or provision contained in or relating to a settlement agreement entered into by a public entity, or to which a public entity is otherwise a party, is void as against public policy and unenforceable. | Government, Military and Veterans Affairs 01/21/10 at 1:30 p.m. Room 1507 | General File 02/23/10 | Oppose |
| LB750 | Adams | Provide for gifts of real property to the Board of Educational Lands and Funds NCSA Summary: Permits the Board of Educational Lands and Funds to receive gifts of real property located in Nebraska. At the time of transfer of title to the real property, the donor may direct the terms upon which the real property is to be held and managed by the board. The board may reject any gift if it determines that ownership of the real property is unduly burdensome or is not in the "best interests" of its beneficiaries. Provides that the net income from any gift of real property must be held by the board in a fund separate from the temporary school fund or the permanent school fund. The total net income in the separate fund must be distributed at the end of each year to the school district or districts designated by the donor. Such funds must be used only for educational purposes as directed by the donor at the time of making the gift. If the donor does not direct the educational purposes to which the net income is to be applied, the school board of each recipient district may use its discretion in applying such net income for educational purposes within the district. The net income from gifts of real property must include all the income attributable to such real property each year after the payment of all costs of administering and managing the real property, including, but not limited to, expenses necessary for conserving, maintaining, and developing such real property for its most productive use. The Board of Educational Lands and Funds may sell the real property: if the donor directs at the time of the gift the circumstances under which it may be sold or if the board determines at any time that it is no longer feasible for the board to hold and manage such real property and the members of the board unanimously agree to such sale. The net sale proceeds must be paid to the school district or districts designated to benefit from the net income from the gift of real property. Also amends the applicable school finance provisions under the TEEOSA relevant to the definition of general fund operating expenditures (GFOE) and to list donations of real property as other miscellaneous noncategorical local receipts for purposes of calculating state aid. | Education 01/19/10 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 | 14 POSITION |
|----------|--------------------|--|---|----------------------------|-------------|
| LB754 | Giese | <p>Adopt the Blind Persons Literacy Rights and Education Act</p> <p>NCSA Summary: Creates the Blind Persons Literacy Rights and Education Act. Individualized Education Program: The bill provides that the “individualized education program” for a child who is blind or visually impaired must provide for instruction in and use of Braille unless the members of the child’s individualized education program team determine, after an evaluation of the child’s reading and writing skills, needs including future needs, and appropriate reading and writing media that such instruction is not appropriate for the child. The bill uses the definition of “individualized education program” as found in the U.S. Code, 20 U.S.C. 1414(d)(1)(A). If the child’s parent/legal guardian disagrees with the determination of the individualized education program team that instruction in or use of Braille is not appropriate, the parent may request review of the determination as per the Nebraska Special Education Act and the school district must provide instruction in and use of Braille for the child until the review process is complete. NOTE: The bill does not require the exclusive use of Braille if other special education services are appropriate to the child’s educational needs, and the provision of other appropriate services does not preclude instruction in or use of Braille.</p> | Education 01/19/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 15 POSITION |
|----------|---|---|---|----------------------------|-------------|
| LB800 | Ashford JUDICIARY COMMITTEE PRIORITY BILL 2010 | Provide methods of early intervention for children at risk Authorizes the implementation of civil citations as a way for juveniles with minor offenses to avoid having an arrest record. The juvenile would have to complete diversion programming in order to avoid the arrest. Explicitly prohibits status offenders from being sent to secure detention. Prohibits those juveniles whose petition is for a status offense from being detained for violating a valid court order. Enact graduated sanctions for violations of probation that mirror the adult version. Evaluations: OJS will identify the appropriate post-adjudication evaluation and be responsible for completing it. Reduces the timeframe for completing evaluations from 30 to 20 days and reduce the timeframe for extensions from 30 days to 5 days. Require a juvenile to appear in front of a judge for a hearing on the report within 10 days of the court receiving the evaluation report. Changes provisions related to temporary placement to emphasize the need to place juveniles in the least restrictive environment possible that is consistent with public safety and in the best interest of the juvenile. Authorize the use of videoconferencing in certain juvenile proceedings. Truancy : Removes language allowing each district to define and use the distinction between excused and unexcused absence. Removes language allowing the school to end efforts to meet with parents after the parent refuses to participate in a meeting to address the student's truancy. Adds provision requiring school administrators, attendance officers or enforcement officers to make contact with family of the truant student after 5, 10 and 20 truanies and document the contact. After the third contact, the case can be referred to the county attorney. Authorize county attorney to issue an infraction against the parent of a truant student. Require each school district to provide a report to Department of Education regarding truancy and strategies developed by district to address truancy. Authorize school districts within a Learning Community to establish a reintegration center to assist students who have been out of school for some time or those who have dropped out completely. Authorize the Learning Community Coordinating Council to award grants to non-profit organizations providing intervention services for at-risk juveniles focusing on closing the learning gap. The LCCC may use the 5 cent property tax levy to fund the grants. Require school districts to report to the Department of Education on expulsions, suspensions, referrals to the county attorney for truancy and any contact with law enforcement within 48 hours of occurrence. Establish a child-at-risk task force that includes the Department of Education, Probation, HHS and school superintendents. The task force will evaluate the "at-risk data" that is sent to the department and report to the Legislature on or before December 31, 2010. Eliminates the use of three-judge panel appeals of juvenile cases where the court orders implementation of a plan different from what HHS recommended and expedite appeals of juvenile cases at the Court of Appeals. Clarifies juvenile court has jurisdiction over parents by giving court authority to require the parent, guardian or custodian to participate in the therapeutic services necessary for the rehabilitation of the juvenile. | Judiciary 01/27/10 at 1:30 p.m. Room 1113 | | Oppose |
| LB815 | Haar | Change requirements for political subdivision budget statements and financial information on the state web site Requires a political subdivision budget statement to include a statement setting out separately the amount of money received as private donations, gifts, or grants in the past two fiscal years and estimated to be received in the current and ensuing fiscal years and the source, allocation, and expenditure of such money which was received in increments of one thousand dollars or more. | Government, Military and Veterans Affairs 01/28/10 at 1:30 p.m. Room 1507 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 16 POSITION |
|----------|---|---|--|----------------------------|-------------|
| LB833 | Fulton | <p>Provide for confidentiality of Nebraska Workers' Compensation Court records</p> <p>NCCI Summary: Provides employee confidentiality in regards to Nebraska Workers' Compensation Court documents and information. The court could deny third-party requests to inspect or copy confidential records that reveal the identity of an employee; the nature of an employee's alleged injury; an employee's medical condition; the extent of an employee's disability; the amount, type or duration of benefits paid to an employee; and the application information for self-insurance. The restrictions in this bill would not apply to the employee who is the subject of the record, an attorney or authorized agent of the employee, the employer of the injured employee, or the employer's insurance carrier.</p> | Business and Labor 02/08/10 at 1:30 p.m. Room 2102 | | Support |
| LB877 | Cornett SPEAKER PRIORITY BILL 2010 | <p>Change property assessment and tax provisions</p> <p>The Tax Commissioner or Property Tax Administrator may appeal any actions or decisions of a county board of equalization or the Tax Equalization and Review Commission pertaining to the exemption of real and personal property or any actions or decisions of a county board of equalization or the Tax Equalization and Review Commission pertaining to the valuation and equalization of real property. Provides that compliance with Homestead Exemptions can be reviewed by the Tax Commissioner for reasons including, but not limited to income requirements.</p> | Revenue 01/21/10 at 1:30 p.m. Room 1524 | General File 02/18/10 | Support |
| LB884 | McGill | <p>Require employers to provide employees with wage and deduction information as prescribed</p> <p>NCCI Summary: As introduced, the bill would require employers to furnish an employee with an itemized statement listing the wages earned and the deductions made from the employee's wages for each pay period. The information would need to be disclosed within ten working days after the request was made by the employee. Employees could bring legal action to ensure the employer complies and would be awarded "reasonable attorney's fees if an injunction is ordered." Senator McGill told fellow committee members she planned to amend the bill to make it more acceptable to employers. According to the senator, the amended version of the bill would allow employers to provide the information either electronically or on paper. Also, an employee's request for the information would need to be in writing. Finally, the word "injunction" would be replaced with the term "infraction" – resulting in a much less severe penalty, typically a \$100 fine for first offenses by employers.</p> | Business and Labor 01/25/10 at 1:30 p.m. Room 2102 | General File 03/03/10 | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 17 POSITION |
|----------|--------------------|--|---|----------------------------|-------------|
| LB898 | Haar | <p>Adopt the Student Expression Act</p> <p>NCSA Summary: Defines "student expression" to include the right of a student to express his/her thoughts and beliefs through speech and symbols; create, write, publish, perform, and disseminate his or her views; and assemble peaceably with other students on school property for the purpose of expressing opinions. Prohibits expression by students that is obscene or defamatory and or that creates a clear and present danger of unlawful acts, causes material and substantial disruption of the orderly operation of the school, violates the privacy rights of others, or is otherwise unprotected by the First Amendment. (1) No student expression made in the exercise of a First Amendment right may be deemed to be an expression of school policy, and no public school, school district, teacher, administrator, or school board member may be held responsible or liable in any civil or criminal action for any student expression; and (2) No certificated public school employee or administrator may be fired, transferred, reassigned, or removed from his/her position for supporting the rights of student expression protected by the Student Expression Act if the employee or administrator is acting within the guidelines of the code of ethics of his/her profession. Under the bill, each school board must adopt a written student expression policy.</p> | <p>Education 01/26/10 at 1:30 p.m. Room 1525</p> | | Oppose |
| LB899 | Nordquist | <p>Change retirement benefit adjustment provisions</p> <p>NCSA Summary: Removes a sunset provision on the state contribution originally adopted in 1996 to fund cost of living adjustments for the School Employees, State Patrol, and Judges' Retirement Systems. A general fund appropriation of \$6,895,000 has been allocated annually since 1996 to the state defined benefit funds and also the OPS Retirement System. If the sunset remains in law, the funds would simply revert to the State General Fund. Recently, Dave Slisinsky, the state appointed actuary, was commissioned to review the legislation and determine the impact if the funds were allowed to revert back to the General Fund. In the opinion, Slisinsky states that: "[R]emoving the sunset from the state contribution as proposed under LB 899 will help improve long-term funding and increase benefit security for the members of the State School, State Patrol and Judges' Retirement Systems. The recent market downturn caused by the economic crisis has significantly reduced the funded status of the systems. Investment losses, which occurred in 2008 and 2009 will continue to be recognized for actuarial purposes over the next four years, negatively impacting the funded status of these systems further. Continuing the state contribution will help improve the funded status long-term and provide equity with the Class V School Employees Retirement System. By removing the sunset, these contributions will reduce any additional state contributions that otherwise would be required beginning in FY13."</p> | <p>Nebraska Retirement Systems 02/16/10 at 12:10 pm Room 1525</p> | | Support |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 18 POSITION |
|----------|--------------------|--|--|----------------------------|-------------|
| LB908 | Conrad | Change workers' compensation provisions relating to claims for legal services or disbursements NCCI Summary: Introduced as a technical bill to change workers' compensation provisions relating to attorney fees. Specifically, the bill relates to section 48-108 and deletes certain language related to approval of certain fees and allows the Workers' Compensation Court broader authority to set fees in certain situations. | Business and Labor 02/08/10 at 1:30 p.m. Room 2102 | | Monitor |
| LB913 | Council | Adopt the Criminal Offender Employment Act Provides that, with certain exceptions, a conviction shall not operate as an automatic bar to containing public employment or license. Provides that law enforcement agencies are not subject to the Criminal Offender Employment Act. Provides that a public employer shall not make inquiry regarding convictions on initial applications for employment, but may consider the conviction when the applicant is selected as a finalist. Prohibits the use of certain criminal records in connection with an application for public employment or license. | Business and Labor 01/25/10 at 1:30 p.m. Room 2102 | | Oppose |
| LB916 | Heidemann | Authorize leases on school lands for solar and wind energy production Provides the Board of Educational Lands and Funds may authorize leases for the production of solar or wind energy on school lands for such durations and under such terms and conditions as the board shall deem appropriate, except that the initial term for any such wind energy lease shall not exceed 40 years. Provides for filing of the lease with the office of the register of deeds in the county the lease is situated. | Education 01/25/10 at 1:30 p.m. Room 1525 | Killed 02/18/10 | Monitor |
| LB920 | Haar | Provide for school transportation safety committees NCSA Summary: requires each school board to establish a school transportation safety committee for each school year. General Duty: The school transportation safety committee would receive suggestions and concerns from parents, teachers, and others on transportation issues relating to the district. Child Access Routing Plan: Also, by the end of the 2013-14 school year and each school year thereafter, each school transportation safety committee must review and submit to NDE, the Education Committee of the Legislature, and any affected city, village, and county a "child access routing plan" for each school within the district. | Education 02/23/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 19 POSITION |
|----------|---|---|--|----------------------------|-------------|
| LB925 | Conrad MCGILL PRIORITY BILL 2010 | Require employment of Nebraska laborers for public works projects during excessive unemployment During a period of excessive unemployment in Nebraska, every person charged with the duty, either by contract or law of constructing or building any public works project or improvement for the state shall employ only Nebraska laborers on such a project. Other laborers may be used when Nebraska laborers are not available or are incapable of performing particular types of work. This bill would apply to all labor on public works projects or improvements whether labor is skilled, semiskilled or unskilled, whether or manual or non-manual. The law will be enforced by the Department of Labor and represented by the Attorney General. (Nebraska labor is a person residing in the state for at least 30 days and intends to become or remain a Nebraska resident. Excessive unemployment is any month immediately following two consecutive calendar months in which the level of unemployment has exceeded five percent. Public works means all fixed works such as schools, highways and bridges constructed for public use or benefit or paid for wholly or in part out of public funds. Projects using federal aid funds will not be effected.) | Business and Labor 02/01/10 at 1:30 p.m. Room 2102 | | Monitor |
| LB927 | Nebraska Retirement Systems Committee | Change employee deposit requirements under the School Employees Retirement Act NCSA Summary: Represents a "placeholder" bill in the event it is determined that a change is necessary to the School Employees Retirement Plan contribution rate. The current employee contribution rate is 8.28% of compensation and the employer rate is 101% of that rate (8.36%). This rate is currently set to expire on August 31, 2014 at which time the rate would automatically decrease to 7.28%. | Nebraska Retirement Systems 02/16/10 at 12:10 pm Room 1525 | | Monitor |
| LB929 | Ashford | Require schools to distribute certain information to parents of children with special hearing needs NCSA Summary: Amends the Nebraska Special Education Act. A new section of law would be added to the Act to require all school districts to distribute information to all parents of children who are deaf, hard of hearing, or have other special needs related to hearing regarding all placement options for auditory-oral learning and spoken language education. | Education 01/26/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 20 POSITION |
|----------|--|---|---|------------------------------|-------------|
| LB937 | Fischer HANSEN PRIORITY BILL 2010 | Eliminate per diem payments for members of learning community coordinating councils NCSA Summary: Amends the Learning Community Act. Under current law, each voting member of the coordinating council is paid a per diem in an amount determined by the council up to \$200 per day for official meetings of the council and the achievement subcommittee for which he/she is a member, up to a maximum of \$12,000 per fiscal year, and would also be eligible for reimbursement of reasonable expenses related to service on the learning community coordinating council. Eliminates all pay provisions entirely but would allow for reasonable expense reimbursement as currently provided in law. | Education 02/02/10 at 1:30 p.m. Room 1525 | Advanced for Review 03/02/10 | Monitor |
| LB957 | Adams | Provide for memoranda of understanding related to student information sharing NCSA Summary: Appears to require secondary and postsecondary institutions to build a data-sharing network on student information for purposes of study and research. Amends § 79-318 relating to the duties of the State Board of Education to require, by September 1, 2010, the board to enter into memoranda of understanding with: the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the board of governors of each Nebraska community college area. The memorandum of understanding would be to adopt a policy to share student data. At a minimum, the policy must ensure that the exchange of information is conducted in conformance with the requirements of the federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g. The policy must additionally require the State Board, upon request, to share student data with qualified researchers, including postsecondary educational institutions, school districts, and public policy research and advocacy organizations. Similarly, the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the community college system must, by September 1, 2010, enter into a memorandum of understanding with the State Board of Education to adopt a policy to share student data. | Education 02/16/10 at 1:30 p.m. Room 1525 | | Support |
| LB962 | Council | Require blood lead testing prior to school enrollment A student can opt out of blood lead testing with a statement signed by a physician, a physician assistant, or an advanced practice registered nurse practicing under and in accordance with his or her respective certification act, stating that, in the health care provider's opinion, the child is at very low risk for elevated blood lead levels. | Education 02/09/10 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 | 21 POSITION |
|----------|---|--|--|----------------------------|-------------|
| LB963 | Carlson | <p>Change Nebraska Workers' Compensation Act provisions governing disability compensation after retirement</p> <p>NCCI Summary: Reduces the cost of providing workers' compensation coverage for injured employees, particularly those employees who are retired. Under the bill, compensation benefits for total and partial disabilities would be reduced by an amount equal to 50% of the federal Social Security retirement benefits received by retired employees. A reduction of benefits under this bill would not apply to an injury sustained prior to the employee reaching 55 years of age and more than five years prior to his or her date of retirement. The bill would not provide for an offset against payment of medical bills or benefits associated with single member scheduled injuries.</p> | Business and Labor 02/08/10 at 1:30 p.m. Room 2102 | | Monitor |
| LB965 | Sullivan SULLIVAN PRIORITY BILL 2010 | <p>Change school board and educational service unit vacancy provisions</p> <p>NCSA Summary: Provides that a vacancy in the membership of a school board resulting from any cause other than the expiration of a term must be filled by appointment of a qualified registered voter by the remaining members of the board. If the vacancy occurs prior to the filing deadline for non-incumbents for the primary election preceding the general election in the middle of the vacated term, a registered voter must be nominated at the next primary election and elected at the following general election for the remainder of the unexpired term. If the vacancy occurs on or after the deadline, the appointment would be for the balance of the unexpired term. A registered voter appointed or elected must meet the same requirements as the member whose office is vacant. Further provides that a vacancy on an ESU board will be deemed to have occurred when a member is absent from the geographical boundaries of the ESU for a continuous period of 60 days at one time or from more than two consecutive regular meetings of the board unless excused by a majority of the remaining members of the board.</p> | Education 02/23/10 at 1:30 p.m. Room 1525 | General File 03/01/10 | Monitor |
| LB966 | Pahls | <p>Adopt the Classroom Educational Expenditure Act</p> <p>NCSA Summary: This bill is very similar to Pahls' efforts in LB 240 from last year. This bill provides that no public school district may spend less than 65% of its total operating expenditures on "direct classroom instruction" in any consecutive three-year period (based on the school fiscal year). Any district failing to meet this requirement is not eligible for accreditation. Provides a list of what is and is not considered a direct classroom instruction expenditure.</p> <p>See LB240.</p> | Education 02/16/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 22 POSITION |
|----------|--------------------|---|--|----------------------------|-------------|
| LB971 | Campbell | <p>Change provisions relating to care and placement of neglected children and children in foster care</p> <p>Provides for notification to non-custodial parents and certain other family members suggested by the child within 15 days of the removal of a child from home. Provides DHHS must use reasonable efforts to place siblings together when emergency custody of a child is ordered. Provides for sibling time when not placed together. Provides for development of a written transition plan of services when a child in foster care turns 16.</p> | <p>Judiciary 02/19/10 at 1:30 p.m. Room 1113</p> | | Monitor |
| LB974 | Avery | <p>Change permissible uses of a learning community levy as prescribed</p> <p>NCSA Summary: Amends section 77-3442 so that a learning community may levy a maximum levy of 5¢ subject to the levy for any uses or projects approved by the learning community coordinating council, including, but not limited to, projects for elementary learning center facilities. Currently, such levy authority may only be used for elementary learning center facility projects. The bill harmonizes several sections of law within the Nebraska Learning Community Act with the intent to permit use of the 5¢ levy for purposes approved by the coordinating council. The bill contains the emergency clause.</p> | <p>Education 02/02/10 at 1:30 p.m. Room 1525</p> | | Oppose |
| LB976 | Cornett | <p>Change a budget limitation</p> <p>Any amount approved by the registered voters to exceed the allowable growth percentage in a governmental unit budget shall become part of the budgeted restricted funds of the governmental unit for the ensuing fiscal years.</p> | <p>Revenue 02/04/10 at 1:30 p.m. Room 1524</p> | | Monitor |
| LB1001 | Janssen | <p>Change and eliminate residency provisions relating to postsecondary education</p> <p>NCSA Summary: Amends Nebraska's current statute concerning undocumented immigrants and how they are treated relative to tuition rates when they attend Nebraska postsecondary institutions. Currently if they have graduated from a Nebraska high school, lived in Nebraska for at least three years and sign an affidavit that they will seek legal status as soon as they are eligible, the students may attend college in Nebraska at in-state tuition rates. This bill would repeal this provision. NOTE: The current law was a part of LB 239, which passed in 2006, and set up the current system to handle such matters. In 2006 leaders of the University of Nebraska, the State Colleges, the Community Colleges, NASB, NCSA, and NSEA issued a joint statement in support of the concept proposed under LB 239.</p> | <p>Education 02/01/10 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 | 23 POSITION |
|----------|---|--|---|----------------------------|-------------|
| LB1006 | Adams EDUCATION COMMITTEE PRIORITY BILL 2010 | Change provisions relating to kindergarten entrance age NCSA Summary: Changes go into effect for the 2012-13 school year and thereafter. The bill provides that a district may not admit any child into the kindergarten or beginner grade unless the child has reached the age of 5 years on or before July 31st immediately preceding the school year for which the child is seeking admission. Further provides that a school board may admit a child who will reach the age of 5 years on or after August 1 and on or before October 15 if the parent/guardian requests entrance and provides an affidavit stating (i) the child attended kindergarten in another jurisdiction in the current school year; (ii) the family anticipates relocation to another jurisdiction that would allow admission within the current year, or (iii) the child has demonstrated through a recognized assessment procedure approved by the board that he/she is capable of carrying the work of kindergarten or the beginner grade. The committee amendment eliminates any fiscal impact to the state. | Education 02/09/10 at 1:30 p.m. Room 1525 | Final Reading 03/03/10 | Monitor |
| LB1007 | Adams | Provide for performance measures under the Quality Education Accountability Act NCSA Summary: The bill provides that, by December 1, 2010, the State Board of Education must establish an index to be used to measure the performance of individual public schools beginning with school year 2012-13. The index must combine multiple measures, including, but not limited to, graduation rates, student growth and performance on the statewide assessment system currently in place, and other school performance indicators as established by the board. | Education 02/16/10 at 1:30 p.m. Room 1525 | | Monitor |
| LB1008 | Janssen | Provide for cash basis or modified accrual or encumbrance basis budget statements under the Nebraska Budget Act as prescribed NCSA Summary: Amends the Nebraska Budget Act (§13-504). Under current law, each governing body of a political subdivision must annually prepare a proposed budget statement on forms prescribed and furnished by the State Auditor. The proposed budget statement must be made available to the public by the political subdivision prior to publication of the notice of the hearing on the proposed budget statement. Requires that the proposed budget statement be made on a cash basis or on a modified accrual or encumbrance basis at the discretion of the governing body. Also requires the State Auditor to create forms to allow a governing body to report the information required in §13-504 on a cash basis or the equivalent information on a modified accrual or encumbrance basis. | Revenue 02/04/10 at 1:30 p.m. Room 1524 | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 24 POSITION |
|----------|---|---|---|----------------------------|-------------|
| LB1014 | Haar HAAR PRIORITY BILL 2010 | Create the Teacher Performance Pay Fund and provide for additional public teacher pay NCSA Summary: The source for the Fund would derive from rental income from solar and wind leases on school lands and the rental income from other leases of school lands that relates to carbon sequestration rights. Funds would be distributed to school districts according to the pro rata enumeration of children who are 5 through 18 years of age in each district last returned from the school district. Each school district is required to use the funds received for teacher performance pay. Teacher performance pay is defined as a systematic process for measuring teachers' performance and linking the measurements to changes in teacher pay. | Education 02/08/10 at 1:30 p.m. Room 1525 | General File 02/25/10 | Monitor |
| LB1021 | Avery AVERY PRIORITY BILL 2010 | Adopt the High School Activities Association Act NCSA Summary: The bill designates one association as the governing nonprofit organization of high school activities in Nebraska high schools. Public high schools may become voluntary members of the association for the purpose of participating in interscholastic competition with other member schools. The idea here is that if the NSAA does not abide by the provisions of the Act, then another association may take its place. The intent of the bill is "to provide an equitable governing structure by which an association governing state high school activities shall provide administration, management, enforcement, and interpretation of public policy pertaining to high school students." Additional intent is provided "to compel, as far as possible, the promotion of ethnic minority, gender, and geographical area representation on all executive, legislative, and appeals bodies of such association." | Education 02/09/10 at 1:30 p.m. Room 1525 | General File 02/23/10 | Monitor |
| LB1028 | Louden | Adopt the Charter Schools Act NCSA Summary: A charter school is defined as a school reporting directly to the State Board of Education, not under the jurisdiction of a school board, and operated under an approved charter. permits applications to the State Board for charter schools and authorizes the board to issue and revoke charters as provided in the act. Provides for initial charter terms of 3 years and with certain fulfilled requirements, annual renewals. Provides a number of other duties and restrictions for a charter school. | Education 02/23/10 at 1:30 p.m. Room 1525 | | Oppose |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 25 POSITION |
|----------|--------------------|--|--|----------------------------|-------------|
| LB1041 | Fulton | <p>Change provisions relating to findings and orders of the Commission of Industrial Relations</p> <p>NCSA Summary: Amends the Nebraska Collective Bargaining Act to state that the CIR must establish rates of pay and conditions of employment that are comparable to the prevalent wage rates paid and conditions of employment maintained for the same or similar work of public and nonpublic workers exhibiting like or similar skills in the same labor market, unless the evidence establishes that substantial differences exist which preclude limiting the comparison to the same labor market, in which case the commission must limit its comparison to those labor markets in which the population of the labor market is not less than half nor more than twice the population of the labor market of the employer involved in the industrial dispute. Comparative Analysis: In establishing wage rates and conditions employment, the CIR must require a "job match comparative analysis" to be done and must limit its comparison to only those jobs that have a job match percentage of 85% or more.</p> | Business and Labor 02/22/10 at 1:30 p.m. Room 1524 | | Monitor |
| LB1042 | Fulton | <p>Change provisions relating to findings and orders of the Commission of Industrial Relations</p> <p>NCSA Summary: Amends the Nebraska Collective Bargaining Act to state that the CIR must establish reasonable rates of pay and conditions of employment that are comparable to the prevalent wage rates paid and conditions of employment maintained for the same or similar work of workers exhibiting like or similar skills under the same or similar working conditions. In establishing wage rates the CIR must: weigh, compare, and adjust for any "economic dissimilarities" shown to exist which have a bearing on prevalent wage rates and take into consideration the overall compensation presently received by the employees, having regard not only to wages for time actually worked but also to wages for time not worked, including vacations, holidays, and other excused time, and all benefits received, including insurance and pensions, and the continuity and stability of employment enjoyed by the employees.</p> | Business and Labor 02/22/10 at 1:30 p.m. Room 1524 | | Monitor |
| LB1044 | Lautenbaugh | <p>Change employer liability provisions under the Nebraska Workers' Compensation Act</p> <p>NCCI Summary: Changes the standard of proof in workers' compensation claims to ensure that an employer is liable only in cases in which a work-related accident is the prevailing factor in causing the personal injury and resulting disability. Under current law, when an employee is injured in the course of his or her employment, the employee must receive compensation from his or her employer if the employee was not willfully negligent at the time of receiving such injury. Would limit an employer's liability for medical conditions and disabilities resulting from an accident to those for which the accident was the prevailing factor. Gradual deterioration caused by aging or day-to-day living would not be compensable.</p> | Business and Labor 02/08/10 at 1:30 p.m. Room 2102 | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 26 POSITION |
|----------|--------------------|--|---|----------------------------|-------------|
| LB1053 | Pahls | <p>Exempt prepared food, computer software, and certain tangible personal property from sales tax</p> <p>NCCI Summary: To exempt prepared food, computer software, and certain tangible personal property from sales tax. Sales and use taxes would not be imposed on the gross receipts from the sale of and the storage, use, or other consumption in this state of prepared food or meals for human consumption. Sales and use taxes would not be imposed on the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this state of furniture or appliances intended for household, business, or other purposes. Sales and use taxes would not be imposed on the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this state of computer software or hardware and computer, MPEG-1, MP3, or global positioning peripheral devices or equipment. Sales and use taxes would not be imposed on the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this state of clothing.</p> | Revenue 02/24/10 at 1:30 p.m. Room 1524 | | Monitor |
| LB1059 | Avery | <p>Provide for digital and electronic signatures on initiative and referendum petitions</p> <p>Directs the Secretary of State to design a system to allow electors to use digital or electronic signatures to sign initiative and referendum petitions via the Internet at the request of the sponsors of the petitions. Electors shall be able to view the petition, affix his or her digital or electronic signature, complete the required information, and return the petition electronically to the Secretary of State.</p> | Government, Military and Veterans Affairs 02/10/10 at 1:30 p.m. Room 1507 | Killed 03/01/10 | Monitor |
| LB1069 | Adams | <p>Change technology purchase and funding provisions relating to educational service units</p> <p>NCSA Summary: Incorporates technical and substantive changes to the Nebraska Educational Service Unit Act and the Nebraska Information Technology Infrastructure Act. The bill outright repeals several outdated and obsolete statutes. It modifies and clarifies several key provisions within the ESU equalization formula for aid to ESUs. It updates several provisions related to the Nebraska Information Technology Commission. One of the more substantive provisions contained in the bill is to set out in statute the nature of and powers of the ESU Coordinating Council.</p> | Education 02/02/10 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 | 27 POSITION |
|----------|--|---|---|----------------------------|-------------|
| LB1070 | Adams ASHFORD PRIORITY BILL 2010 | Change provisions relating to learning communities NCSA Summary: Provides that nonvoting members of coordinating council will be eligible for reimbursement of reasonable expenses related to service on the learning community coordinating council. Provides that for each fiscal year, a learning community may levy a maximum levy of 2¢ subject to the levy for up to 50% of the estimated cost for capital projects approved by the coordinating council. Adds new language to state that, for each fiscal year, a learning community may levy a maximum levy of 1¢ subject to the levy for elementary learning center programs, services, and facilities with the amount available from such levy for each elementary learning center to be determined by a formula established by the coordinating council. Eliminates the requirements for a variety of reports from member districts to NDE and reverses the reporting requirements so that the department reports the necessary information to the member districts and/or coordinating council of a learning community. Provides that an elementary learning center executive director may be removed as deemed necessary by a 2/3 vote of members of the coordinating council. Right now there must be a determination of incapacitation or of neglect of duty or misconduct. | Education 02/02/10 at 1:30 p.m. Room 1525 | General File 03/03/10 | Support |
| LB1071 | Adams EDUCATION COMMITTEE PRIORITY BILL 2010 | Change provisions relating to schools This is the technical cleanup bill for Nebraska Department of Education. Provides that a school board of any school district that is a member of a learning community must admit nonresident students to the school district under the open enrollment provisions of a diversity plan in a learning community, and the admission must be without charge. The bill also touches on the Nebraska Budget Act, the compulsory attendance law, the residency law, the Excellence in Teaching Act, pre-kindergarten programs, elementary school class sizes, and multiple changes to TEEOSA. | Education 02/08/10 at 1:30 p.m. Room 1525 | General File 03/03/10 | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 28 POSITION |
|----------|--------------------|--|--|----------------------------|-------------|
| LB1077 | Karpisek | <p>Change the manner of valuing agricultural land for property tax purposes</p> <p>NCCI Summary: Would amend the manner of valuing agricultural land for property tax purposes. For purposes of determining the agricultural income value beginning January 1, 2012, the Tax Commissioner would make annual earning capacity income and expense calculations using data obtained on rents, crop prices, and expenses. The capacity of Cortland to produce agricultural or horticultural products would be based on the income from crops and plants produced on the land. The capacity of grassland or non-Cortland to produce agricultural or horticultural products would be based on cash rents or the animal-unit carrying capacity of the land, or a combination of both. Net agricultural income would be capitalized at a rate of which results in a total taxable agricultural land and horticultural land valuation which is equal to that certified as of August 20, 2011. The Tax Commissioner would enter into contracts with the University of Nebraska Institute of Agriculture and Natural Resources and the Department of Agriculture to determine the agricultural income from agricultural land and horticultural land by county. The county Cortland data used would include, but not be limited to: Acres planted to Cortland by type of crop; yield per acre; crop prices; cash rents; rangeland acres; pastureland acres; rangeland animal-unit months per acre; pastureland animal-unit months per acre; grazing season data; and statewide cow and calf prices. The Tax Commissioner may contract for additional surveys for collection of cash rent information for all uses of agricultural land and horticultural land when deemed necessary. Such information would be developed for calendar years beginning in 2005 and each year thereafter. Five-year averages would be used in calculating agricultural income value.</p> | Revenue 02/18/10 at 1:30 p.m. Room 1524 | | Monitor |
| LB1086 | McCoy | <p>Change provisions relating to determination of the state unemployment insurance tax rate</p> <p>Statement of Intent: Amends the Employment Security Law in to reinstate a hearing whereby employers can communicate to the Commissioner at the Department of Labor the impact of proposed unemployment tax rates on their ability to do business in Nebraska, including the effects on employees and on the state's economy. The Commissioner would then have some discretion in adjusting or phasing in the rate depending on the economic conditions.</p> | Business and Labor 02/01/10 at 1:30 p.m. Room 2102 | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 29 POSITION |
|----------|--|--|---|------------------------------|-------------|
| LB1087 | Adams ROBERT PRIORITY BILL 2010 | Change provisions relating to payment for educational services Provides for the creation of interim program schools and creates a number of requirements for those schools. Interim program school is defined as an approved school operated by (1) a county detention home, (2) a juvenile emergency shelter, or (3) any institution that is a public or private facility, not owned or operated by a school district, which provides a residential program and regular or special education services. Provides for contract payment by school districts for every child who is in a residential setting that maintains an interim-program school or an approved or accredited school, who is in such residential setting for reasons other than education, and who is a resident of the school district. The minimum contract payment amount would be the average per pupil cost of the service agency of the preceding year. | Education 02/08/10 at 1:30 p.m. Room 1525 | Advanced for Review 03/02/10 | Monitor |
| LB1095 | Lathrop | Change distribution of educational service unit funds NCSA Summary: Eliminate this special distinction related to adjusted valuation and all other distinctions for school districts that are members of a learning community in the ESU aid formula. The idea behind the bill is to increase the ESU state aid for the ESU(s) within or a part of a learning community. The impact, of course, would be a redistribution of the total amount of funds available for ESU state aid. | Education 02/02/10 at 1:30 p.m. Room 1525 | | Support |
| LB1096 | Haar | Adopt the Nebraska High Performance Schools Initiative Act NCSA Summary: Addresses the upfront costs of high performance schools (in terms of reduced energy and other operational costs) by authorizing school districts to implement a financing procedure to pay for these improvements through the savings realized by increased efficiency. Provides for eligibility for grants from Environmental Trust or from Energy Office to carry out assessments of a variety of environmental and building efficiency factors and conditions. | Education 02/16/10 at 1:30 p.m. Room 1525 | | Monitor |
| LB1097 | Cornett | Change property tax levy limitations For the list of property tax levies not included in the levy limits established by section 77-3442, this bill replaces “bonded indebtedness” with a cross reference to bonds as defined in section 10-134. That section defines bonds as any bonds, notes, interim certificates, evidences of bond ownership, bond anticipation notes, warrants, or other evidence of indebtedness. | Revenue 02/04/10 at 1:30 p.m. Room 1524 | | Monitor |

| BILL NO. | PRIMARY INTRODUCER | DESCRIPTION AND SUMMARY OF BILL | COMMITTEE & HEARING DATE | STATUS IF NOT IN COMMITTEE | 30 POSITION |
|----------|--|---|--|-------------------------------------|----------------|
| LB1106 | <p>Nordquist</p> <p>NORDQUIST PRIORITY BILL 2010</p> | <p>Provide for school-based health centers under the Medical Assistance Act</p> <p>The Medical Assistant Act shall include a school-based health center located in or adjacent to a school facility, organized through a school, school district or learning community, and is administered by a sponsoring facility, provides school-based health services onsite during school hours to children and adolescents by health professionals within state and local laws. The school-based health center does not perform abortion services or serve as the child's or adolescent's medical home. School-based health services can cover a variety of medical services. A covered item or service furnished through a school-based health center does not require prior consultation for referral by the patients primary care physician to be covered. A waiver shall be submitted to the United States Department of Health and Human Services amending the medical state plan to allow for treatment of children under the CHIP program.</p> | <p>Health and Human Services</p> <p>02/03/10 at 1:30 p.m.</p> <p>Room 1510</p> | <p>General File</p> <p>02/24/10</p> | <p>Monitor</p> |

Board of Education Committee of the Whole Agenda Item

| | |
|-------------------------------------|---|
| AGENDA ITEM: | Elementary Instructional Hours |
| MEETING DATE: | March 8, 2010 |
| SUBMITTED BY: | Mark Feldhausen, Associate Superintendent of Educational Services |
| TITLE AND BRIEF DESCRIPTION: | Review of Options for Increasing Elementary Instructional Hours |
| ACTION DESIRED: | Discussion |

BACKGROUND:

The Instructional Time Comparative Matrix (attached) was created to understand the variability of total instructional time amongst the eleven school districts of the Learning Community. The matrix allows Millard Public Schools to compare itself at the three levels of instructional time (elementary, middle, and high) to individual districts and a Learning Community average. This information was provided the Millard Board of Education on February 15, 2010. Elementary instructional hours of 1080 are below the Learning Community average for elementary of 1126. Discussion of options to increase elementary hours was moved to the March 8th Committee meeting.

Discussions of options to increase Elementary Instructional Hours were held with elementary principals on Monday, February 22, 2010. The document “Elementary Instructional Day Options” summarizes the status quo and the six options discussed with elementary principals. Subsequent discussions of these options were conducted with Ken Fossen and the transportation department. These conversations resulted in the elimination of a number of options.

Consequently, there are only three options remaining (see “Elementary Instructional Day Options” document):

1. Retain Status Quo
2. Option #5 adding 15 minutes to the end of the day for M, T, Th, and F while retaining the Wednesday 2:00 pm dismissal. This is an average increase of 12 minutes per day for an increase of 36 hours per year for a total of 1116 hours.
3. Option #6 eliminates the Wednesday early release and would increase the total hours to 1125.

Of the three options Elementary principals favor Option #5.

Finally, a copy of a recent “MESSAGE FROM THE COMMISSIONER: Clarification for Meeting Minimum Hours of Instruction” is included.

AGENDA SUMMARY SHEET**AGENDA ITEM:** Instructional Time Comparisons**MEETING DATE:** February 15, 2010**DEPARTMENT:** Educational Services**TITLE AND BRIEF DESCRIPTION:** Matrix of Instructional Time Comparisons for the Eleven School Districts of the Learning Community**ACTION DESIRED:** Information**BACKGROUND:** The Instructional Time Comparative Matrix was created to understand the variability of total instructional time among the eleven school districts of the Learning Community. The matrix allows Millard Public Schools to compare itself and the three levels of instructional time (elementary, middle, and high) to individual districts and a Learning Community average.**RECOMMENDATIONS:** Discussion**STRATEGIC PLAN REFERENCE:** None**TIMELINE:** N/A**RESPONSIBLE PERSON(S):** Mark Feldhausen, Associate Superintendent of Educational Services**SUPERINTENDENT'S APPROVAL:** _____
(Signature)**BOARD ACTION:**

| | A | B | C | D | E | F | G | H | I | J | K | L | M | N |
|----|------------|-----------|--------|--------|---------------------------------|---------------------------|--------------|--------------|------------|---|-------------|--|---------------------------------|---------------------------------------|
| 1 | District | Gr. Level | Start | End | Winter Break | Spring Break | Student days | Teacher Days | Grad. Date | Hours per day | Minutes/Day | Make-up | Standard Instructional Hours/Yr | Instructional Hours/Yr with Snow Days |
| 2 | Bellevue | | 12-Aug | 20-May | Dec 24- Jan 4 - (2 weeks) | Apr 2-5 (Fri - Mon) | 179 | 187 | 15-May | E - 8:00- 3:10 M 8:30- 3:55 H - 7:50- 3:20 | | no make up | | |
| 3 | | Elem | | | | | 179 | | | 6.67 | 400 | | 1193.93 | |
| 4 | | Middle | | | | | 179 | | | 6.92 | 415 | | 1238.68 | |
| 5 | | HS | | | | | 179 | | | 6.67 | 400 | | 1193.93 | |
| 6 | | HS Srs. | | | | | 175 | | | 6.67 | 400 | | 1167.25 | |
| 7 | Bennington | | 19-Aug | 28-May | Dec 23- Jan 4 (8 days) | Apr 1-5 (3 days) | 175 | | 16-May | E - 8:15 - 3:06 M/H-8:10- 3:17 | | ??? | | |
| 8 | | Elem | | | | | 175 | | | 6.35 | 381 | | 1111.25 | |
| 9 | | Middle | | | | | 175 | | | 6.62 | 397 | | 1157.92 | |
| 10 | | HS | | | | | 175 | | | 6.62 | 397 | | 1157.92 | |
| 11 | | HS Srs. | | | | | 165 | | | 6.62 | 397 | | 1091.75 | |
| 12 | DC West | | 17-Aug | 21-May | Dec 23- Jan 3 (8 days) | Apr 2-5 (Fri - Mon) | 174.5 | 187 | 8-May | E - 6.33 (1104.5) M- 6.58 (1148.21) H 6.85 (1195.32) | | 4 built in will make up 2 more at end | | |
| 13 | | Elem | | | | | 174.5 | | | 6.33 | 380 | | 1104.59 | |
| 14 | | Middle | | | | | 174.5 | | | 6.58 | 395 | | 1148.21 | |
| 15 | | HS | | | | | 174.5 | | | 6.85 | 411 | | 1195.33 | |
| 16 | | HS Srs. | | | | | 164.5 | | | 6.85 | 411 | | 1126.83 | |

| | A | B | C | D | E | F | G | H | I | J | K | L | M | N |
|----|----------|-----------|--------|--------|-------------------------------|------------------------|--------------|--------------|--------------------------------------|---|-------------|--|---------------------------------|---------------------------------------|
| 1 | District | Gr. Level | Start | End | Winter Break | Spring Break | Student days | Teacher Days | Grad. Date | Hours per day | Minutes/Day | Make-up | Standard Instructional Hours/Yr | Instructional Hours/Yr with Snow Days |
| 17 | Elkhorn | | 20-Aug | 27-May | Dec 21- Jan 1 (2weeks) | Apr1-6 (4 days) | 177 | 189 | 23-May | E - 8:15- 3:06 M8:15- 3:14 H8:10- 3:15 | | make 2 a/2 days into full, add 1 seniors, | | |
| 18 | | Elem | | | | | 177 | | | 6.38 | 383 | | 1129.85 | |
| 19 | | Middle | | | | | 177 | | | 6.48 | 389 | | 1147.55 | |
| 20 | | HS | | | | | 177 | | | 6.58 | 395 | | 1165.25 | |
| 21 | | HS Srs. | | | | | 173 | | | 6.58 | 395 | | 1138.92 | |
| 22 | Gretna | | 20-Aug | 26-May | Dec 23- Jan 1 (8 days) | Apr 1-6 (4 days) | 180 | 188 | 23-May | E - 8:10- 3:10 M8:10- 3:10 H8:10- 3:21 | | ??? | | |
| 23 | | Elem | | | | | 180 | | | 6.5 | 390 | | 1170.00 | |
| 24 | | Middle | | | | | 180 | | | 6.50 | 390 | | 1170.00 | |
| 25 | | HS | | | | | 180 | | | 6.68 | 401 | | 1203.00 | |
| 26 | | HS Srs. | | | | | 177 | | | 6.68 | 401 | | 1182.95 | |
| 27 | OPS | | 17-Aug | 21-May | Dec 21- Jan 1 (2 weeks) | Mar 22- 26 | 171 | 186 | Burke - May 19 Cen - May 23 | E - 8:55- 3:45 M - 7:40-2:40 H 7:45- 2:50 | | Adding minutes | | |
| 28 | | Elem | | | | | 171 | | | 6.33 | 380 | | 1083.00 | |
| 29 | | Middle | | | | | 171 | | | 6.50 | 390 | | 1111.50 | |
| 30 | | HS | | | | | 171 | | | 6.58 | 395 | | 1125.75 | |
| 31 | | HS Srs. | | | | | 169 | | | 6.58 | 395 | | 1112.58 | |

| | A | B | C | D | E | F | G | H | I | J | K | L | M | N |
|----|---------------|-----------|--------|--------|-------------------------------|-------------------|------------------------------|--------------|------------|---|-------------|---------------------------------|---------------------------------|---------------------------------------|
| 1 | District | Gr. Level | Start | End | Winter Break | Spring Break | Student days | Teacher Days | Grad. Date | Hours per day | Minutes/Day | Make-up | Standard Instructional Hours/Yr | Instructional Hours/Yr with Snow Days |
| 32 | Millard | | 12-Aug | 2-Jun | Dec 23- Jan 5 (2 weeks) | Apr 5-9 | 180 | 194 | 29-May | Elementar y 6 MS 6.5 HS 6.5 | | add Feb 11 Mar 15 back in | | |
| 33 | | Elem | | | | | 180 | | | 6.00 | 360 | | 1080.00 | |
| 34 | | Middle | | | | | 180 | | | 6.50 | 390 | | 1170.00 | |
| 35 | | HS | | | | | 180 | | | 6.50 | 390 | | 1170.00 | |
| 36 | | HS Srs. | | | | | 178 | | | 6.50 | 390 | | 1157.00 | |
| 37 | Papio/LaVista | | 18-Aug | 28-May | Dec 21 - Jun 1 (9 days) | Mar 29- April2 | 172 | 190 | 16-May | E - 1118 M- 1161 hs- 1189 senior - 1112 | | ??? | | |
| 38 | | Elem | | | | | 172 | | | 6.33 | 380 | | 1089.33 | |
| 39 | | Middle | | | | | 172 | | | 6.50 | 390 | | 1118.00 | |
| 40 | | HS | | | | | 172 | | | 6.58 | 395 | | 1132.33 | |
| 41 | | HS Srs. | | | | | 162 | | | 6.58 | 395 | | 1066.50 | |
| 42 | Ralston | | 11-Aug | 26-May | Dec 23- 31 (7 days) | Apr 1 - 5 | 173 - elem 178 - hs | 190 | 16-May | E - 6' 25 " M/HS - 6' 45" | | extended 4 days | | |
| 43 | | Elem | | | | | 173 | | | 6.25 | 375 | | 1081.25 | |
| 44 | | Middle | | | | | 178 | | | 6.75 | 405 | | 1201.50 | |
| 45 | | HS | | | | | 178 | | | 6.75 | 405 | | 1201.50 | |
| 46 | | HS Srs. | | | | | 170 | | | 6.75 | 405 | | 1147.50 | |

| | A | B | C | D | E | F | G | H | I | J | K | L | M | N |
|----|--------------------------|-----------|--------|--------|--------------------------|---------------------|--------------|--------------|------------|--|-------------|-----------------------------------|---------------------------------|---------------------------------------|
| 1 | District | Gr. Level | Start | End | Winter Break | Spring Break | Student days | Teacher Days | Grad. Date | Hours per day | Minutes/Day | Make-up | Standard Instructional Hours/Yr | Instructional Hours/Yr with Snow Days |
| 47 | South Sarpy | | 14-Aug | 21-May | Dec 21 - Jan 1 (2 weeks) | Apr 2-5 (Fri - Mon) | 181 | 187 | 16-May | E - 6.45 (1102) M/H - 7 (1143) | | added 2 days to seniors | | |
| 48 | | Elem | | | | | 181 | | | 6.75 | 405 | | 1221.75 | |
| 49 | | Middle | | | | | 181 | | | 7.00 | 420 | | 1267.00 | |
| 50 | | HS | | | | | 181 | | | 7.00 | 420 | | 1267.00 | |
| 51 | | HS Srs. | | | | | 176 | | | 7.00 | 420 | | 1232.00 | |
| 52 | Westside | | 13-Aug | 28-May | Dec 23- Jan 5 (2 weeks) | Apr 5-9 | 183 | 194 | 24th | seniors out on May 14 graduate the E - 1123.75 M-1222.5 H-1189.29 | | might reduce early outs for elem. | | |
| 53 | | Elem | | | | | 183 | | | 6.13 | 368 | | 1122.40 | |
| 54 | | Middle | | | | | 183 | | | 6.67 | 400 | | 1220.00 | |
| 55 | | HS | | | | | 183 | | | 6.48 | 389 | | 1186.45 | |
| 56 | | HS Srs. | | | | | 173 | | | 6.48 | 389 | | 1121.62 | |
| 57 | | | | | | | | | | | | | | |
| 58 | Learning Community Avgs. | | | | | | | | | | | | | |
| 59 | | Elem | | | | | 176.86 | | | 6.37 | 382.00 | | 1126.03 | |
| 60 | | Middle | | | | | 177.32 | | | 6.64 | 398.27 | | 1177.02 | |
| 61 | | HS | | | | | 177.32 | | | 6.66 | 399.82 | | 1181.64 | |
| 62 | | HS Srs. | | | | | 171.14 | | | 6.66 | 399.82 | | 1140.44 | |

Elementary Instructional Day Options

March 8, 2010

| | Start Time for Students | End Time for Students | Additional Minutes | Hours/Day (minus 30 min. for lunch) | Total Hours for 180 Days | Concerns/Issues | Teacher Day |
|------------------|--|---|--------------------|-------------------------------------|--------------------------|---|-----------------------------|
| Current Schedule | Elem: 8:45 M, T, W, Th, F M.S. 7:45 | Elem: 3:30 M, T, Th, F 2:00 W M.S. 2:45 | | 6.0 | 1080 | Transportation: 32 of 37 buses are double routed requiring at least 45 minutes (prefer one hour) between the middle school and elementary start and end times. To single route would cost additional \$1.44 million | 8:00 – 4:15 Wed. until 5:00 |
| Option #1 | 8:30 M, T, W, Th, F | 3:30 M, T, Th, F 2:00 W | 15 min (.25 hrs.) | 6.25 | 1125 | Transportation—insufficient time to double route | 7:45 – 4:15 Wed. until 5:00 |
| Option #2 | 8:30 M, T, W, Th, F | 3:45 M, T, Th, F 2:15 W | 30 min (.50 hrs.) | 6.5 | 1170 | Transportation—insufficient time to double route | 7:45 – 4:30 Wed. until 5:00 |
| Option #3 | 8:15 M, T, W, Th, F | 3:30 M, T, Th, F 2:00 W | 30 min (.50 hrs.) | 6.5 | 1170 | Transportation—insufficient time to double route | 7:30 – 4:15 Wed. until 5:00 |
| Option #4 | 8:15 M, T, W, Th, F | 3:15 M, T, Th, F 2:00 W | 15 min (.25 hrs.) | 6.25 | 1125 | Transportation—insufficient time to double route | 7:30 – 4:00 Wed. until 5:00 |
| Option #5 | 8:45 M, T, W, Th, F | 3:45 M, T, Th, F 2:00 W | 12 min (.20) | 6.20 | 1116 | No Transportation Issues | 8:00 – 4:30 Wed. until 5:00 |

Elementary Instructional Day Options

March 8, 2010

| | | | | | | | |
|-----------|------------------------|---|-------------------|------|---------|---|-----------------------------------|
| Option #6 | 8:45 M, T, W, Th, F | 3:30 M, T, W, Th, F Eliminate Wed. early out | 15 min (.25 hrs.) | 6.25 | 1125 | No Transportation issues Loss of Planning and Collaboration time Problems in larger Elem. Providing planning times | 8:00 – 4:15 Wed. until 5:00 |
| | | | | | | | |
| LC Avg. | | | | | 1126.03 | | |

Mark Feldhausen - Fwd: MESSAGE FROM THE COMMISSIONER: Clarification for Meeting MinimumHours of Instruction

39

From: Keith Lutz
To: executive committee
Date: 3/1/2010 11:20 AM
Subject: Fwd: MESSAGE FROM THE COMMISSIONER: Clarification for Meeting MinimumHours of Instruction

>>> "Breed, Roger" <roger.breed@nebraska.gov> 3/1/2010 10:36 AM >>>

We have been fielding a number of calls from schools concerning the need to meet the minimum hours of instruction as a result of all the inclement weather over the past two to three months. In addition, the impact of early release of graduating seniors has added to the concern of meeting minimum instructional hours for many school systems. This memo is intended to clarify issues specific to instructional hours for accreditation purposes and the instruction time allowance for state aid.

A. Meeting Minimum Hours of Instruction

Statute 79-211, reflected in Rule 10, Section 003.06, dictates the minimum instructional hours of education that must be provided to meet accreditation requirements. Section 003.06 states:

003.06 School Year. Each school system shall provide at least the following instruction annually between July 1 and June 30 for the grades it offers: (a) for grades up through grade eight, the time equivalent to **1,032** hours, (b) for grades nine through twelve, the time equivalent to **1,080** hours; and (c) for kindergarten, the time equivalent to **400** hours. When a school is dismissed for any reason such as tournaments or contests, parent/teacher conferences, funerals, parades, and school picnics, time shall not be counted in meeting the 400/1,032/1,080 hour school year requirement. Time scheduled for the school lunch period shall not be counted in meeting the school year requirements. [However] Pursuant to the provisions of 79-213 R.R.S., school systems unable to meet the minimums for instructional hours due to epidemic sickness, severe storm conditions, or destruction of the school house may request permission from the Board to offer fewer than the minimum hours by submitting an affidavit sworn to by the secretary of the school board and explaining the circumstances resulting in the request.

The affidavit form is located at <http://www.nde.state.ne.us/APAC/ReportsandForms.htm> (Affidavit of School Closing) and would be due 10 days after the end of the school year with the expectation that every effort was made to make up instructional hours missed because of the severe weather. If a school district does not meet the minimum hours of instruction as detailed in Rule 10 and does not get a waiver then the school district will not receive TEEOSA Aid in 2011-12. State statute 79-213 states:

No school district shall receive **any portion** of state funds pursuant to the Tax Equity and Educational Opportunities Support Act unless school has been actually taught in the district by a legally certificated teacher for the length of time required by law or unless the pupils residing in the district have attended school in another district for the length of time required by law.

B. Passing Time

For purposes of accreditation, passing time may be counted in the 1080 instructional hours. However, when computing instructional units for course offerings, passing time is not included. This is because instructional units are based upon the amount of time a particular class is actually in session.

C. Early Dismissal of Graduating Seniors

For purposes of accreditation, legislation and rule do not require each student to have 1080 hours of classroom instruction – only that the instruction is offered and available. Consequently, dismissing senior level students prior to the last day of school will not affect the 1080 instructional hours as long as school is open and teachers and classes are available. However, early dismissal of seniors may affect average daily membership and may have an impact on a district's state aid.

D. Instruction Time Allowance for the State Aid Formula

For State Aid purposes we use an “average of the averages.” To determine this figure, we calculate the average instructional time by grade level and then average the 13 grades. To qualify for the Instructional Time allowance, the calculated instructional time for your district must be higher than the statewide average instructional time. So, the loss of actual instructional time due to inclement weather or dismissing senior level students prior to the last day of school may have an impact on your instructional time allowance and your total State Aid.

If you have questions, please contact Russ Inbody at 402-471-4320 or Freida Lange at 402-471-2444.