

AMENDMENTS TO LB71

Introduced by Education.

1 1. Strike the original sections and insert the following new
2 sections:

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

5 79-530 (1) For purposes of sections 79-530 to 79-533 and sections 5
6 to 7 of this act, educational decisionmaker means a person designated or
7 ordered by a court to make educational decisions on behalf of a child.

8 (2) The Legislature finds and declares:

9 (a) (1) That parental involvement of parents, guardians, and
10 educational decisionmakers is a key factor in the education of children;

11 (b) (2) That such individuals parents need to be informed of the
12 educational practices affecting their children; and

13 (c) (3) That public schools should foster and facilitate access by
14 such individuals to parental information about and involvement in
15 educational practices affecting their children.

16 (3) It is the intent of the Legislature, through the enactment of
17 sections 79-531 to 79-533 and sections 5 to 7 of this act, to strengthen
18 the level of parental involvement and participation by parents,
19 guardians, and educational decisionmakers in the public school system of
20 the state.

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

23 79-531 (1) On or before July 1, 2024 1995, each public school
24 district in the state shall develop and adopt a policy stating how the
25 district will seek to involve parents, guardians, or educational
26 decisionmakers in the education of their children schools and the rights
27 of each parent, guardian, or educational decisionmaker to: what parents'

1 ~~rights shall be relating to access to the schools,~~

2 ~~(a) Access testing information, and curriculum; and matters.~~

3 ~~(b) Request that a child be excused from specific instruction or~~
4 ~~activities.~~

5 ~~(2) The policy of each public school district relating to how the~~
6 ~~district will seek to involve parents in the schools and what rights~~
7 ~~parents have relating to access to schools that is in effect prior to the~~
8 ~~effective date of this act shall remain in effect until a new policy is~~
9 ~~developed and adopted on or before July 1, 2024, pursuant to subsection~~
10 ~~(1) of this section.~~

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

13 79-532 ~~(1)~~ The policy required by section 79-531 shall include, but
14 need not be limited to, the following:

15 ~~(a) (1)~~ How the school district will provide access to parents,
16 ~~guardians, or educational decisionmakers concerning textbooks; tests;~~
17 ~~activities information; digital materials; websites or applications used~~
18 ~~for learning; training materials for teachers, administrators, and staff;~~
19 ~~procedures for the review and approval of training materials, learning~~
20 ~~materials, and activities; and other curriculum materials used in the~~
21 school district;

22 ~~(b) (2)~~ How the school district will accommodate ~~handle~~ requests by
23 ~~parents, guardians, or educational decisionmakers~~ to attend and monitor
24 courses, assemblies, counseling sessions, and other instructional
25 activities;

26 ~~(c) (3)~~ Under what circumstances parents, guardians, or educational
27 decisionmakers may ask that their children be excused from testing,
28 classroom instruction, learning materials, activities, guest speaker
29 events, and other school experiences the parents, guardians, or
30 educational decisionmakers may find objectionable;

31 ~~(d) (4)~~ How the school district will provide access to records of

1 students;

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

3 ~~(f) (6)~~ How the school district participates in surveys of students
4 and the right of parents, guardians, or educational decisionmakers to
5 remove their children from such surveys.

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

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

13 79-533 The policy required by section 79-531 shall be developed with
14 ~~parental~~ input from parents, guardians, and educational decisionmakers
15 and shall be the subject of a public hearing before the school board or
16 board of education of the school district before adoption by the board.
17 The policy shall be reviewed annually and either altered and adopted as
18 altered or reaffirmed by the board following a public hearing. Any public
19 hearing under this section shall include a reasonable opportunity for
20 public comments.

21 Sec. 5. By August 1, 2024, each school district shall make the
22 policy required by section 79-531 accessible on the school district's
23 public website. The policy shall be accessible by a prominently displayed
24 link on such website. If the policy is altered, the new version of the
25 policy shall be made accessible within a reasonable time thereafter.

26 Sec. 6. To the extent practicable, each public school district
27 shall make a reasonable effort to make any learning materials, including
28 original materials, available for inspection by a parent, guardian, or
29 educational decisionmaker upon request.

30 Sec. 7. If the Commissioner of Education determines that any school
31 district has intentionally refused, in a material manner, to comply with

1 sections 79-530 to 79-533 and sections 5 and 6 of this act, the
2 commissioner shall notify the school district of the noncompliance and
3 allow the school district a reasonable time to comply. If the
4 commissioner determines, after such time has elapsed, that the school
5 district is not in compliance and has not made a good faith attempt to
6 comply, the commissioner shall take appropriate remedial action within
7 the commissioner's authority, up to and including qualifying such
8 noncompliance as a violation of the rules and regulations for the
9 accreditation of schools.

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