

**ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024**  
**COMMITTEE STATEMENT**  
**LB1193**

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**Hearing Date:** Monday February 05, 2024  
**Committee On:** Education  
**Introducer:** Conrad  
**One Liner:** Provide a process for a parent or guardian to request that such person's child repeat a grade under certain circumstances

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 8 Senators Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Testimony:**

**Proponents:**

Senator Danielle Conrad  
Elizabeth Eynon-Kokrda  
Merlyn O. Bartels

**Representing:**

Opening Presenter  
Education Rights Counsel  
Self

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

Subject  
Repeating a grade under certain circumstances.

Statutory Changes:  
New in its entirety.

**Bill Summary:**

Parents or guardians in Nebraska can request their child to repeat a grade in kindergarten through fourth grade for academic needs, illness, or excessive absenteeism, and this right extends to fifth through twelfth-grade students, specifically for excessive absenteeism.

To initiate this process, the parent or guardian must meet with the school district superintendent or designee, provide evidence, discuss alternatives and special education supports, and, if the decision persists, complete a State



Department of Education-prescribed form.

The school district is obligated to submit the form to the State Department of Education, and data related to such requests will be collected. The State Board of Education is authorized to implement these regulations.

Section-by-Section Summary:

## SECTION 1

### 1.1 - DEFINITIONS

Academic Needs

Excessive Absenteeism

Illness

### 1.2

Parents or guardians in Nebraska have the right to request that their child repeat a grade in kindergarten through fourth grade based on academic needs, illness, or excessive absenteeism.

Additionally, the right extends to parents or guardians for fifth through twelfth-grade students, specifically concerning excessive absenteeism.

### 1.3

A parent or guardian, wishing to have their child repeat a grade due to academic needs, illness, or excessive absenteeism, must request a meeting with the school district superintendent or designee, provide evidence of the reasons justifying grade retention, discuss available alternative educational opportunities and special education supports, and, if the decision persists, complete a State Department of Education-prescribed form, upon which, if all requirements are met, the school district will have the child repeat the grade for the following school year.

### 1.4

A school district is required to submit to the State Department of Education any form related to a parent or guardian's request for their child to repeat a grade, and data pertaining to such students will be collected as specified in section 79-528(2).

### 1.5

The State Board of Education is authorized to carry out this legislation.

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Dave Murman, Chairperson

