

## LEGISLATIVE BILL 1219

Approved by the Governor March 21, 1972

Introduced by Terry Carpenter, 48th District

AN ACT to amend section 79-445, Reissue Revised Statutes of Nebraska, 1943, and section 79-4,119, Revised Statutes Supplement, 1971, relating to schools; to provide additional children for whom no tuition shall be charged; to extend the time school districts shall receive financial support from the School Foundation and Equalization Fund; and to repeal the original sections.

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

Section 1. That section 79-445, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-445. The school board or board of education may also admit nonresident pupils to the district school, may determine the rate of tuition of the pupils, and shall collect such tuition in advance. No tuition shall be charged for children who are residents of such district in foster homes by court order or by arrangements made by state or county welfare departments or such children as are or may be by law allowed to attend the school without charge; Provided, the public school district in which the parent or guardian of any nonresident pupil maintains his legal residence, shall not be liable for the payment of tuition fees, and the children of school age or such parent or guardian shall be entitled to free common school privileges the same as any child who is a bona fide resident of said school district whenever the parent or guardian of such nonresident pupil, having entered the public service of the State of Nebraska, shall have removed from the school district in which he maintains legal residence into another school district for temporary purposes incidental to serving the state, without the intention of making the school district to which said parent or guardian shall have removed his legal residence. The burden of proof as to legal residence shall rest with the person claiming legal residence in any district.

Sec. 2. That section 79-4,119, Revised Statutes Supplement, 1971, be amended to read as follows:

79-4,119. For the purpose of paying for school books, equipment, and supplies, the school district

officers may draw an order on the district treasurer for the amount of school books, equipment, and supplies ordered.

Each school district, in addition to the financial support received under the provisions of section 79-1334, shall receive from the School Foundation and Equalization Fund an amount equal to the cost of textbooks purchased and loaned by the district, but in no case shall the district receive for this purpose in excess of an average of fifteen dollars per pupil enrolled in grades seven to twelve in the public and private schools located in such district for each of the school years 1974-1972, 1972-1973, and 1973-1974 and 1974-1975, and in excess of an average of ten dollars per pupil enrolled in grades seven to twelve for each subsequent school year.

Sec. 3. That original section 79-445, Beissue Revised Statutes of Nebraska, 1943, and section 79-4,119, Revised Statutes Supplement, 1971, are repealed.