

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1230

Introduced by Wayne, 13.

Read first time January 16, 2024

Committee: Education

1 A BILL FOR AN ACT relating to students; to amend section 79-234, Revised
2 Statutes Cumulative Supplement, 2022; to change provisions relating
3 to the applicability of the enrollment option program for any
4 student who enrolls in another school district within the same city
5 as the school district in which such student resides; and to repeal
6 the original section.

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

1 Section 1. Section 79-234, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 79-234 (1) Except as provided in subsection (3) of this section, an
4 ~~an~~ enrollment option program is hereby established to enable any
5 kindergarten through twelfth grade Nebraska student to attend a school in
6 a Nebraska public school district in which the student does not reside
7 subject to the limitations prescribed in section 79-238. The option shall
8 be available only once to each student prior to graduation, except that
9 the option does not count toward such limitation if such option meets, or
10 met at the time of the option, one of the following criteria: (a) The
11 student relocates to a different resident school district, (b) the option
12 school district merges with another district, (c) the student will have
13 completed either the grades offered in the school building originally
14 attended in the option school district or the grades immediately
15 preceding the lowest grade offered in the school building for which a new
16 option is sought, (d) the option would allow the student to continue
17 current enrollment in a school district, (e) the option would allow the
18 student to enroll in a school district in which the student was
19 previously enrolled as a student, or (f) the student is an open
20 enrollment option student. Sections 79-232 to 79-246 do not relieve a
21 parent or guardian from the compulsory attendance requirements in section
22 79-201.

23 (2) The program shall not apply to any student who resides in a
24 district which has entered into an annexation agreement pursuant to
25 section 79-473, except that such student may transfer to another district
26 which accepts option students.

27 (3) Any student who enrolls in another schools district within the
28 same city as the school district in which the student resides shall not
29 be considered an option student or open enrollment option student
30 pursuant to the enrollment option program, but shall be considered as
31 residing in the school district in which such student attends school.

1 Sec. 2. Original section 79-234, Revised Statutes Cumulative
2 Supplement, 2022, is repealed.