



Ninety-Ninth Legislature - Second Session - 2006
Committee Statement
LB 821

Hearing Date: January 24, 2006
Committee On: Education

Introducer(s): (Erdman)

Title: Provide for participation and part-time enrollment in public schools by exempt students

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

5	Yes	Senators Bourne, Byars, Kopplin, Raikes, and Stuhr
1	No	Senator Schrock
2	Present, not voting	Senators Howard and McDonald
0	Absent	

Proponents:

Senator Philip Erdman
Al Inzerello
Jim Tenopir
Virgil Horne
Angelo Passarelli
Dan Huenefeld
Dave Bydalek
Holly Wilson
Ron Hasley
Darin Kelsey

Representing:

Introducer
Westside Community Schools
Nebraska School Activities Association
Lincoln Public Schools
Millard Public Schools
Bronze Bow Academy
Family First / Self
Home Educators Network
Self
Self

Opponents:

John Bonaiuto
Larry Ramaekers
Max Kroger

Representing:

Nebraska Association of School Boards
Aurora Public Schools
Ord Public Schools

Neutral:

David Lostroh
Russ Inbody

Representing:

Nebraska Christian Home Educators Association
Nebraska Department of Education

Summary of purpose and/or changes:

Legislative Bill 821 would authorize the enrollment of exempt students on a part-time basis in a public school in the resident district or an option district. Exempt student would be defined as a student enrolled in a private, denominational, or parochial school which elects not to meet state accreditation or approval requirements.

On or before August 1, 2006, school boards would be required to adopt policies and procedures to ensure that exempt students would be accepted in the same manner to academic courses or programs and furnished with instructional materials on the same basis as full-time students. The policies and procedures would:

1. Require information to be provided to inquiring parents or students concerning the availability of part-time enrollment. The information would be required to include procedures and registration deadlines;
2. Apply the same enrollment procedures and deadlines to exempt students that apply to full-time students;
3. Specify enrollment capacity limits that the school board would apply to particular academic courses or grade levels, which would apply equally to both exempt and full-time students;
4. Establish criteria to determine whether exempt students are eligible for integrated courses and courses that have prerequisites. Prerequisite requirements would need to apply equally to both exempt and full-time students. Exempt students could be required to provide reasonable indications that academic criteria have been met, including results from achievement tests, as long as both exempt and full-time students are required to meet the same prerequisites;
5. Permit a student to enroll in a single class per semester or per school year, except as otherwise provided in the proposal; and
6. Establish informal and expeditious processes to appeal denials of requests for part-time enrollment.

Exempt students would also be eligible to participate in or try out for co-curricular or extracurricular activities in the resident district or an option district. A right to participate in any activity is explicitly not conferred by this provision. Exempt students would be required to demonstrate compliance with insurance, physical examination, age, transfer, and other requirements on the same basis as full-time students.

Also on or before August 1, 2006, school boards would be required to adopt policies and procedures to ensure that exempt students are accepted into activities or tryouts. School boards would be allowed to require exempt students be enrolled in a minimum of 20 semester hours, but not more than 20 semester hours, to participate in co-curricular or extracurricular activities. The policies and procedures would:

1. Require the district to provide information regarding the eligibility of exempt students to participate in co-curricular or extracurricular activities. The information would be required to include procedures and registration deadlines;
2. Apply the same registration deadlines to exempt students that apply to full-time students;
3. Apply the same academic eligibility requirements to both exempt and full-time students.

Any full-time student who becomes an exempt student would remain ineligible to participate in co-curricular and extracurricular activities for a period of 90 days. An informal and expeditious procedure to appeal request denials would be required.

Explanation of amendments, if any:

The Committee Amendment would strike the original provisions. The new provisions would require school boards of public school districts to allow the part-time enrollment of students who are also enrolled in another public, private, denominational, or parochial school or in a school which elects not to meet accreditation or approval requirements, otherwise known as a home school. The school boards would be required to establish policies and procedures for part-time enrollment and may require part-time students to follow school policies that apply to other students at any time the student is present on school grounds. Part-time students would not be entitled to student transportation or transportation reimbursements, and such students would not be exempt from compulsory attendance requirements.

Senator Ron Raikes, Chairperson