

ONE HUNDRED FIRST LEGISLATURE - FIRST SPECIAL SESSION - 2009
COMMITTEE STATEMENT (CORRECTED)
LB62

Hearing Date: Tuesday January 20, 2009
Committee On: Education
Introducer: Adams
One Liner: Change enrollment option program provisions

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Adams, Ashford, Avery, Cornett, Giese, Haar, Sullivan
Nay:
Absent:
Present Not Voting: 1 Senator Howard

Proponents:
Senator Greg Adams
Kevin Riley
Angelo Passarelli
Steve Coleman
John Deegan
Charles Chevalier
Andrew Rikli

Representing:
Introducer
Gretna Public Schools
Millard Public Schools
Papillion-La Vista Schools
Bellevue Public School
South Sarpy School District #46
Westside Community Schools

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 62 would allow for option enrollment in the first school year a learning community is in place. Currently, option enrollment ends within a learning community once the learning community is established, but open enrollment is not in effect until the second school year after the learning community is established. Specific procedures for option enrollment within a learning community during the first school year reflect the provisions for open enrollment. The new learning community transportation adjustment would be delayed one year to line up with the current open enrollment provisions, which take effect for the second full school year of a learning community. The Department of Education would also be assigned responsibility for determining the average percentage of students qualifying for free or reduced-price lunches in learning communities and member districts.

Section 79-233 would be amended to expand the definition of "option student" to include students who began attendance as an option student in a learning community prior to the end of the learning community's first school year. Currently, option students optioning within a learning community must begin attendance prior to the establishment of the learning community.

Section 79-237 would be amended to add procedures specific to the applications for students to option within a learning community. The application period for 2009-10 would be from the effective date of the act until April 1, 2009. The application period for the following years would be from September 1 to March 15, which is the application period for

other option students. Applications for students to option within a learning community would only be valid for attendance beginning before the end of the learning community's first full school year. The deadline for accepting or rejecting applications would be April 10 for 2009-10 and April 1 for the following years. Parents and guardians would be able, but not required, to provide information regarding the applicant's potential qualification for free or reduced-price lunches. If information is not provided, the student would be presumed not to qualify. Such information would only be used to determine if the student was eligible for a priority based on the socio-economic diversity of the building. Section 79-237 would also be amended to allow such districts to accept or reject applications from students residing outside of the learning community on or before April 10th for the 2009-10 school year, instead of the normal April 1st deadline.

Section 79-238 would be amended to add a second priority in the selection of option students for option districts in learning communities. The second priority would be for students who reside in the learning community and contribute to the socioeconomic diversity of enrollment at the school building assigned by the option district for students optioning within a learning community. Siblings would remain the first priority in the selection of option students for all districts. Students who contribute to socioeconomic diversity would be determined according to the criteria in the open enrollment provisions of Section 79-2110. Section 79-2110 provides that a student contributes to the socioeconomic diversity of a building if the student would bring the average percentage of students qualifying for free or reduce-price lunches in the building closer to the average for the learning community.

A new section would require the Department of Education to certify the average percentage of students qualifying for free or reduced-price lunches in each school building in a learning community and in each learning community as a whole. The deadline for the certification would be March 1st for 2009 and February 1st for each year thereafter.

Section 79-1007.22 would be amended to delay the new learning community transportation adjustment by one year to line up with the implementation of the open enrollment program.

Section 79-2110 would be amended to require determinations regarding whether or not a student contributes to the socioeconomic diversity of a school building to be based on the information certified by the Department of Education pursuant to the new section.

The measure contains an emergency clause.

Explanation of amendments:

The Committee Amendment would clarify that the application period for option enrollment to begin during the first school year of a learning community is from the effective date of the act to April 1, 2009 for learning communities established prior to the effective date of the act and from September 1st to March 1st for learning communities established thereafter.

Greg Adams, Chairperson